THE DECEASED AS AN ISSUE OF MUSEUM ETHICS:

Finnish Examples

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In Finland, museums differ from the archives maintained by authorities and from free copy libraries which preserve all material printed. In the case of museums, the only types of material automatically preserved are prehistoric objects and animals protected by law that have been found dead. Regarding all the other material to be preserved, the museum is forced to make choices: either keep it or dispose of it. This selective process is closely bound up with the exercise of power and raises numerous ethical questions which need to be considered, as a whole, in museum work and environmental protection. A key aspect for museums operating according to the community and environment centred principles of the so-called new museology, is awareness of ethical issues.

The general meeting of the International Council of Museums in Buenos Aires in 1986 agreed on the ICOM Code of Professional Ethics. The code was amended in 2001. Well aware of the work done on the international code, the Finnish national committee of ICOM started preparing a national code of ethics as early as 1983, and the work was completed in 1987. After circulating a proposal for comments, the code was published in 1990.¹ It is entitled (in English) *Guidelines – The Ethical Principles of Museum Work*.

In the same year, the Guidelines were discussed in the Annual Meeting of the Finnish Museums Association. The topic was intro-

duced by Professor Hannu-Tapani Klami (1945–2002). Dealing with the basic concept of ethics, he aptly stated that "We have to choose a course of action, which, on weighing its pros and cons, is considered the best one, that is, the one that carries the highest expectation value". Klami defined the fundamental goal of museum work by stating that "We must maximise [as far as our resources allow] the possibility for future people to acquaint themselves with the past".²

The museum staff therefore has a moral responsibility towards people and societies in the past, the present and the future. Thus inherent in museum work are a number of

176 interesting but complicated ethical and moral issues. In this presentation, I will use the attitude to the dead, the deceased, as an example.

ELSEWHERE AND IN FINLAND

For centuries, people have been offered the opportunity to be horrified at the sight of the remains of the dead put on display. Probably the best known sites are located in Italy. The Capuchin catacombs and the skeletons and "mummies" displayed at S. Maria della Concezione in Rome and in Palermo at the Convento dei Cappuccini have been, and still are, famous tourist attractions.³

Something similar can be found in every country, and Finland is no exception. Probably the most successful crowd puller can be found in the stone church in Keminmaa (NW Finland) which dates back to the 16th century. In the chancel of the church the mummified body of Nikolaus Rungius, the minister of the parish, lies ready to be viewed.⁴ What has made the site all the more exciting is the popular tradition explaining the mummification. According to the story, the minister is said to have proclaimed that his body would not rot until sin had vanished from his parish. The body of Rungius is not unique since numerous bodies buried in Finnish churches or cemetery chapels are in rather good physical condition; but they are not put on display.

In Paris, anatomical exhibits of animals and human beings were put on display as early as the 18th century. The purpose, however, was to teach anatomy. These exhibits (*écorché*) were prepared by Honore Fragonard (1732–1799), who experimented by putting the bodies in various positions, e.g. a rider on horse-

back and Samson with the jawbone of an ass in his hand.⁵

These exhibits may have served to inspire Gunther von Hagens, professor of anatomy in Heidelberg, who developed a new method of preparation in the 1970s. What was new in von Hagens' activity, was that he became a sculptor; but instead of carving marble, he carved bodies. Naturally the people whose bodies were used had given their permission. From the autumn of 1997 until the spring of 1998, the Landesmuseum für Technik und Arbeit in Mannheim housed an exhibition of anatomic preparations or parts thereof named *Körperwelten*. The exhibits were made by von Hagens. The exhibition aroused a lot of interest, but it was only around the time of the opening of the exhibition *Die Macht des Alters* in Deutsches Historisches Museum in Berlin in the autumn of the same year 1998, that the discussion really began. The exhibition consisted of works by 40 artists, including von Hagens. One of his works, *Muskelmann mit Haut*, represents a walking man who has been skinned in such a way that he is covered with muscles and tendons. The man is lifting up his skin as if he were taking off his coat.⁶ Even though the deceased had offered their bodies for artistic use, it is still worthwhile posing the question: How far do a person's rights over his/her body extend? I wonder how the children or the grandchildren of the deceased as a work of art feel, as they peer at their parents or grandparents in an exhibition?

The discussion around von Hagens is not exactly of current interest in Finland – at least not yet – since Finnish legislation does not permit the use or reuse of dead people as a source of art. The relation to the deceased has, first and foremost, been defined in two regu-

lations: the Law on Antiquities (295/1963) and the Health Protection Statute (1286/1994). The law regulating the protection of and research into antiquities and monuments states that "Monuments serve as protected memories of the previous settlements and history of Finland". Included in the law is a list of monuments, of which two subsections deal with pre-Christian and Christian graves.

According to subsection 2 the following are protected: pre-Christian graves and graveyards, including those of which there are no visible traces on the ground ... (and subsection 6) ancient, abandoned castles, castle hills, forts, fortresses, embankments and moats and their remains, the ruins of churches, chapels, monasteries and other outstanding buildings and ancient graveyards which are not taken care of by the church.

But there is no specific mention in the law of bodies, although the notion of grave can be assumed to include the bodies. Section 40 of the Health Protection Statute deals with burying, and in its first paragraph states that "The body of the deceased must be buried immediately in an appropriate coffin or its equivalent, or cremated in a crematorium". The body can be left unburied only if the body or parts of it are to be used for medical purposes, either in the treatment of another person or for medical education. The section of the existing criminal law that deals with the desecration of bodies and graves dates from 1889 and its meaning is clear: "Any person who without permission takes a body or parts of it from a grave, or disposes, hides or dismembers an unburied body, vandalises the body or causes damage to a grave or commits mischief, is to be sentenced to imprisonment for up to one year, or to pay a fine".

Archaeology, though still in its infancy, had been assigned a national task in the 19th century around the time of the above mentioned regulation. It is no wonder that the exhuming of bodies had to be properly motivated. Johan Reinhold Aspelin, who was appointed the first state antiquarian in 1884, explained that "For the benefit of science, and in spite of the problems, the bones of the deceased are to be invited out of the ground to testify to the pre-historic past as much as they can".⁷

The declaration of human rights ratified at the general meeting of the United Nations in 1948 does not mention the rights that people have over their own bodies or those of their relatives or someone else. However in the above mentioned ICOM Code of Ethics the issue is raised in Chapter 6.6. *Human Remains and Material of Sacred Significance*⁸:

"Collections of human remains and material of sacred significance should be housed securely and respectfully, and carefully maintained as archival collections in scholarly institutions. It should be available for legitimate study on request. Research on such material, its housing, care and use (exhibition, replication and publication) must be accomplished in a manner consistent with professional standards and the interests and beliefs of members of the community, ethnic or religious groups from which the objects originated. When sensitive material is used in interpretive exhibits, this must be done with great tact and with respect for the feelings of human dignity held by all peoples. Requests for removal from public display of human remains or material of sacred significance must be addressed expeditiously with respect and sensitivity. Requests for the return of such material should be addressed similarly. Museum policies should clearly define the pro-

178 cess for responding to such requests (see also 4.4 above)."

The position of indigenous peoples was widely discussed in the 1960s. As a result of this publicity, work was begun on a declaration in 1970 under the supervision of the UN. To date it has not resulted in any such document. However, in the United States of America, the cultural claims of indigenous peoples led to the passing of a law regulating their rights in 1990 which also takes a stand on human remains⁹:

"Native American Graves Protection and Repatriation Act (NAGPRA) ... assigns ownership and control of Native American cultural items, human remains, and associated funerary objects to Native Americans. It also establishes requirements for the treatment of Native American human remains and sacred or cultural objects found on Federal land. This act further provides for the protection, inventory, and repatriation of Native American cultural items, human remains, and associated funerary objects."

The issue has also become topical in other countries and remains as such. Primarily the discussion has revolved around the differences of opinion between researchers and indigenous peoples, which culminate in the question: who, in the end, has a right to the deceased from the preceding centuries and millennia?¹⁰

The Banyoles City Museum in Spain gained publicity in Europe in the 1990s as a result of the display of the mummified body of a Botswanaian tribal chief. Before the Olympics in Barcelona in the spring of 1992, many Africans objected to the display and announced that they would not participate in the Olympics unless the body was removed from the exhibition. In a similar fashion, in 1998,

the Inuit of Greenland laid claim to a body displayed in the Museum of Natural History in Rotterdam. They demanded that the body, which had been taken to the museum in the 19th century by Dutch sailors, should be returned to Greenland for burial.¹¹

In Finland, bodies or body parts have not been regarded as an issue; nor did the 1987 national ICOM "Guidelines" contain any of the above mentioned passages included in the ICOM Code of Ethics. Are bodies and body parts then entirely unproblematic in Finnish museums? I will approach this topic in the light of four examples.

THE SKELETON OF MATTI HAAPOJA, THE MURDERER

Matti Haapoja (1845–1895), bom in Ylistaro in Southern Ostrobothnia, killed his first victim in 1869. This manslaughter was the beginning of recurring imprisonments and escapes, during which he killed some ten people in Finland and Siberia. Popular stories, ballads and the press turned him into a mythical mass-murderer, who took his own life in 1895 by hanging himself in his prison cell. At that time the Institute of Anatomy at the University of Helsinki had the right to receive the bodies of prisoners for the purposes of the teaching and practising of medicine. This is why Haapoja's body was not buried but instead had the tissues removed from the body, while the prepared skeleton ended up in the university's collection.

In 1926, the Centre for Crime Investigation was set up. It operated under the supervision of the Ministry of the Interior and also organised courses in investigation. The Police Museum was established in 1937 to support this task. The museum material was ac-

Mass-murderer Matti Haapoja (1845–1895). The National Board of Antiquities.

cumulated as a result of the centre's activity, or was donated to it by the police or other authorities. In March 1938, the chief of police, Kosti Vasa asked the council of the University of Helsinki for permission to add the skeleton of the famous criminal, housed in the Institute of Anatomy, to the collection of the Police Museum. The council agreed but on one condition: the head of the Institute maintained the right to carry out scientific experiments on the skeleton, if this was considered necessary. The skeleton was added to the collection in June 1938, and for decades it occupied a central place in the exhibition.

The Centre for Crime Investigation later

became the Central Criminal Police. In 1994 its office was also moved from Helsinki to Tikkurila in Vantaa. The Criminological Museum (fi. Rikosmuseo) was moved into a new building and its image badly needed updating: what used to be a pedagogical exhibition had become a cabinet of curiosities. What was needed was an exhibition that would tell the history of the Finnish crime investigation and the nation's police force, arranged according to current museological criteria. Haapoja's skeleton was not compatible with this concept – something that the people working with probation and aftercare had also noticed. To deal with this state of affairs, the Central Criminal Police, the University of Helsinki, the Ministry of Justice, the Church Governors and Ylistaro parish began to co-operate and what happened was a miracle: the human remains that had once been turned into a museum object were transformed once again into a deceased on the road from Helsinki to Ylistaro on the 16th September, 1995. The deceased was committed to eternal rest in the old Ylistaro graveyard.¹²

THE SKULLS OF THE SAAMI

The Swede Olof Rudbeck carried out the first anthropological measurements of the Saami people as early as the 17th century. In the course of the centuries and parallel with the development of racial theories, the interest in the Saami became all the more fevered and all self-respecting universities longed for physical exhibits of the Saami in their anthropological collections. The first Saami skulls in the collections of the University of Helsinki, were obtained in 1878. The skulls were supplied by M. Solitander a mining engineer, who was a member of an expedition panning for

180 gold in the River Ivalo, Lapland. He was given the authority to carry out excavations, and under his supervision, 103 skulls were dug up on the island of Vanhahautuumaasaari in Inan. The next, more extensive dig on the same island, was conducted in 1934, when Professor of Anatomy, Väinö Lassila, acquired a further 49 skulls, with the authorisation of the Ministry of Education.¹³

As the importance of the racial theories diminished, the desire to maintain skull collections was partly lost. As a result of Jouni Ilmari Jomppanen, a member of the parish council, bringing the issue to discussion, the university returned 95 Saami skulls to Inari in June 1995. Bishop Olavi Rimpilainen committed the skulls, which had been placed in two coffins, to eternal rest. However, over one thousand skulls remained in the collections of departments of Forensic Medicine and Anatomy. In order to decide on the fate of these skulls, a consultative committee was set up in 1995 consisting of experts of law, medicine, theology, history, paleontology, the National Board of Antiquities and the Ministry of Education.¹⁴

BISHOP HENRIK'S ELBOW BONE AND QUEEN KARIN MÅNSDOTTER'S TOOTH

During the renovation of the Cathedral of Turku (Åbo) in the 1930s, a bundle of relics stored in the church found their way to the National Museum in Helsinki. Among other items, the collection included 12 small relics, all of which were kept in a wooden box especially made for this purpose. One of the twelve was the elbow bone of Bishop Henrik, the first bishop of Finland, who was killed in 1156 with an axe wielded by a peasant. The relic

The painting "Erik XIV and Karin Månsdotter" by Erik Johan Löfgren, which he finished in Paris in 1864. The portrait had been commissioned by a remarkable donor in Sortavala, the Assisting Judge and Councillor of State Herman Hallonblad and his wife Elisabet, who bequeathed the painting to the Fine Arts Association of Finland. Collections of the Finnish National Gallery.

was lent by the National Board of Antiquities to the catholic parish of Bishop Henrik in Helsinki for a mass. In 2000 it was loaned to the parish for five years. It was decided that the precious relic should be put on display behind bullet-proof glass in a silver box on the church altar. The Evangelical Lutheran church of Turku has also laid claim to the relic, demanding that it should be returned to the Cathedral of Turku.¹⁵

The collections of the Ateneum i.e. the Finnish National Gallery include a large histori-

cal painting portraying Erik XIV (1533–77), King of Sweden 1560–68, resting on Queen Karin Månsdotter's (1550–1612) knee. It was painted in 1864 by Erik Johan Löfgren (1825–1884), who lived in Turku but studied in Stockholm and later spent a lot of time in Düsseldorf and Paris. The professor and Councillor of State, Fredrik Cygnaeus, who was the chairman of the Fine Arts Association of Finland, helped Löfgren in his career and encouraged him to paint monumental paintings depicting events in Finnish history, one of which was the one just mentioned. Cygnaeus was familiar with Erik XIV, since the topic of his dissertation on the history of literature was Erik XIV as a dramatic character.

As was the practise of that time, Löfgren was commissioned in 1862 to paint this portrait by a remarkable donor, the Assistant Judge and Councillor of the State, Herman Hallonblad (1825–1894) from Sortavala (E Finland, now Russia). The commission was part of a conscious plan to build up a national art collection, as Hallonblad and his wife Elisabeth (1831–1907) intended to bequeathe their works to the Fine Arts Association of Finland. After receiving the commission, Löfgren travelled to Paris in 1862 and finished his painting there.

C. J. Gardberg, the former state antiquarian, in a recent book tells the story of how the body of Karin Månsdotter was removed from the crypt in the Cathedral of Turku and placed in a sarcophagus in the chancel of Kankainen on August 27th 1867. He quotes the lively contemporary description given by Adolf Lindman (1821–1871), a clergyman and a remarkable collector. Gardberg also mentions the tooth, which "fell out" as the body was being removed, and which was pick-

ed up by the artist Erik Johan Löfgren. He also mentions that the tooth was later donated to the Historical Museum of Turku, founded in 1881.¹⁶ The tooth became one of the major objects of interest in the exhibition, along with the pistol with which the district police superintendent had shot the famous criminal Kustaa Nummelin, also known as 'Pig-Kyosti', close to Raisio Church in 1836. However, Gardberg emphasises that the tooth was no longer on display but remained in the museum store. The tooth can be found in the main catalogue of the museum, numbered 7674 with the following information: "Karin Månsdotter's tooth. Belonged to the historical collections of Justice Court of Appeal K. A. Weckström. A gift from Justice Court of Appeal K.A. Weckström." K. A. Weckström (1832–1905) was born in Helsinki and spent the most of his life there working as a lawyer, finally retiring from the post of chief accountant to the National Board of Health. At the end of the 1850s he worked in the Turku Court of Appeal and probably made Lindman's acquaintance at this time.¹⁷

Kari Suistoranta, who has studied the life of Adolf Lindman, points out that Lindman and Erik Johan Löfgren had been close to the coffin on an earlier occasion, since in August 1862, accompanied by some others, they broke into the crypt of the Totti in the Cathedral of Turku and opened the coffin of Karin Månsdotter in order to get a realistic idea of the size of the Queen for the portrait! As a result of this visit, after seeing and opening the coffin, which was in a poor condition, Lindman petitioned for an appropriate resting place for the Queen.¹⁸ In the exhibition texts of Turku Castle it is mentioned that Löfgren had taken the tooth into his possession during this very visit.

182 It is still unclear whether Löfgren took the tooth in August 1862 or in 1867. Another question that remains unanswered is how the tooth found its way into Weckström's collections. From the perspective of the presentation, these questions are immaterial. The main question is: where does Karin Månsdotter's tooth belong?

A MIRROR IMAGE

In September 1998, I participated in the first conference of the International Federation of Skiing (PIS) on the history of skiing at Holmenkollen, Oslo, Norway. On the same trip I paid a visit to the maritime museum. To my surprise, among the ships on permanent exhibition I saw a temporary exhibition on "the oldest woman of Norway". The skeleton of a woman had been found in the sea and with the help of radiocarbon measurements the skeleton was dated to the mesolithic Stone Age. The exhibition gave a colourful presentation of the finding of the bones and the research and various analyses that had been carried out and were still in progress. The central exhibit was the skull of the deceased. Since I am not an osteologist or a paleontologist who, instead of mere bones, would be able to see a human being, it did not arouse any great excitement in me. It was only a skull among the many I had seen. I proceeded through the exhibition and suddenly there was a face in front of me that had been given life with the help of a computer program designed to meet the needs of contemporary crime investigation. It was the same head but far removed from the bare skull that I had just seen! What struck me was that the face was familiar – even though it was white, hairless and without eyelashes. It could have been any pre-

The theme of the exhibition in the Maritime Museum in Oslo in 1998 was "The Oldest Woman from Norway", a skeleton find dating from the mid Stone Age. Apart from the skull, the exhibition included a face that had been reconstructed with the help of a computer program used in crime investigation. Photographed by Janne Vilkinson 1998.

sent day Norwegian woman! It really made an impact on me seeing this "foremother". It was as if I had looked at her reflection in a mirror, and realised that she was just like us.

I believe it is the researcher's task to study people of the past even as physical bodies. Museums and scientific centres can follow the example of Oslo in presenting their results. Part of the museum ideology in former times was presenting all kinds of curiosities, such as deformed animals and human beings or displaying horrific murderers. But these times are gone. It is not the task of museums

to display the pornography of death. If we want to present the past and its people, we can do it much better by respecting their individuality and showing them the way they were, according to our studies. But we have a long way to go. The following lines appeared in the paper "Archaeology" in the summer of 1998: "The 5,300-year-old frozen remains of 'Ötzi', the Neolithic Iceman, held in Innsbruck since their discovery in the Alps in 1991, have been returned to Italy. They will go on display in a new museum in the city of Bolzano. The clothing, weapons, tools and other equipment will be openly displayed, while the body, in a refrigerated chamber, will be visible through a small bulletproof window".¹⁹

NOTES

• This paper was presented on February 23 2001 at a meeting with colleagues from the three Baltic countries in Riga, Latvia, convoked by John Aage Gjestrum.

1. When the code was amended by the 20th General Assembly of ICOM in Barcelona in July 2001 it was translated by the Finnish national committee and adopted in Finland in October 2001.
2. Hannu-Tapani Klami: *Museoalan eettisia kysymyksiä*. Museo 4/90.
3. For example 22.4.2002: <http://www.fcsn.k12.nd.us/Shanley/broanth/capuchin.htm> and <http://Iwww.members.tripod.com/~Motomom/index-3.html>
4. For the Church (but fortunately not the body!) see (22.4.2002): <http://www.keminmaa.fi/kunta/matkailu/nahtavyyk/kirkkoml.htm>
5. See the homepages of the Institute of Anatomy of Paris (22.4.2002): http://www.biomedicale.univ-paris5.fr/anat/anatomie/musee/musee_e.html
6. The exhibition situation today (22.4.2002): <http://www.koerperwelten.com/index2.htm>
7. The quotation is translated from Finnish: J. R. Aspelin: M.A. Castrenin Muinaistieteellinen perinto. Suomalais-Ugrilaisen Seuran Aikakauskirja (SUSA) XXX.2 1913–1918,25.
8. 22.4.2001: http://www.icom.org/ethics_rev_engl.html
In the 1986 ICOM Code of Professional Ethics, the same chapter but numbered 6.7. and entitled Human Remains and Material of Ritual Significance, was only slightly different: "Where a museum maintains and/or is developing collections of human remains and sacred objects, these should be securely housed and carefully maintained as archival collections in scholarly institutions, and should always be available to qualified researchers and educators, but not to the morbidly curious. Research on such objects and their housing and care must be accomplished in a manner acceptable not only to fellow professionals but also to those of various beliefs, including particular members of the community, ethnic or religious groups concerned. Although it is occasionally necessary to use human remains and other sensitive material in interpretative exhibits, this must be done with tact and with respect for the feelings for human dignity held by all peoples".
9. See Museum News September-October 2000 which theme was NAGPRA.
10. More of the issue: Museum Journal June 1994 in which the theme was Human remains in the UK – A scientific resource and a political problem. See also Gary Edson (ed.): *Museum Ethics* (Routledge 1997) and Karen D. Vitelli: *Archaeological Ethics* (Alta Mira Press 1996).
11. These cases are from the Finnish newspaper Helsingin Sanomat 10.5.1992: "Heimopäällikön muumio uhkaa olympiasopua, paljastuskirja

- syyttää korruptiosta” and 25.11.1998 Päivi Väänänen: ”Täytetty eskimo museossa suututti gröönlantilaiset”.
12. I would like to thank researcher Leena Voutilainen at the Criminological Museum for these facts; see also the Finnish newspaper Helsingin Sanomat 1.4.1995 Jarkko Sipilä: ”Murhamies Matti Haapoja lasivitriinistä hautaan.”
 13. Aki Arponen: Inarin hautausmaasaaret. Metsähallituksen luonnonsuojelujulkaisuja A:16 (1993), 12–13. Somewhat surprisingly then in the 1930s Professor Lassila strongly criticized the race theories of his time and became a spokesman for human rights.
 14. Helsingin Sanomat 17.7.1995 Jaakko Tahkolah-ti: ”Saamelaisten pääkallot haudattiin uudelleen Inarissa”.
 15. The collections of the Finnish National Museum KM 52090:5 and Helsingin Sanomat 19.1.2000 Paavo Tukkimäki: ”Henrik-piispan jäännös pääsee esille.”
 16. C. J. Gardberg: Tre Katarinor på Åbo slott. Borgå 1986, 162–164.
 17. Finlands jurister år 1898 and Finlands jurister år 1909.
 18. Kari Suistoranta: Muinaistutkija Adolf Lindman. Turun maakuntamuseo Raportteja 5 (1982), 36.
 19. (22.4.2002) <http://archaeology.org/9805/news-briefs/iceman.html> (Archaeology Volume 51 Number 3 May/June 1998)

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