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Commentary on “Incorporating a structural vulnerability framework into the forensic anthropology curriculum”

We have read with great interest the article by Litavec and Basom [1] who produced an overview of potential sources of structural violence in casework and research within forensic anthropology. What particularly drew our attention was the discussion on the current role of unclaimed remains in osteological collections, in the section “The Importance of Teaching a Structural Vulnerability Framework and the SVP”. The authors maintain that incorporating unclaimed skeletal remains into anthropological collections and museums violates the right to consent and perpetuates the structural violence to which these decedents were already subjected during their lifetime as marginalized individuals. Structural violence is defined as an indirect harm perpetrated by political, social, and economic structures, in which individuals experience unequal life opportunities and limited access to resources (such as nutrition and health care) [2,3]. In forensic anthropology, considering lesions potentially resulting from structural violence can allow to better understand living conditions, providing a broader “biocultural” profile rather than one limited to biological characteristics, which considers the biological effects of cultural and social living conditions [2,3]. In particular, the authors quote Italy (referencing [4]) as one of the countries where the use of unclaimed remains for educational purposes is “still legal”. The authors argue, from an ethnocentric standpoint, that the skeletal remains in osteological collections “disproportionately originate from poor and marginalized groups as a result of 1800s anatomical laws”, assimilating the Italian situation to that of the American collections they cited, concluding that “laboratories and museums further the structural violence inflicted on these decedents”. Although we recognize the nobility of the subject raised by the authors, arguing from a position of defense of the rights of the individuals present in the collection, the authors are clearly not aware of Italian laws and the context for the creation of the CAL (Anthropological Collection of the LABANOF), referenced in their paper.

In Italy, the inclusion and use of unclaimed skeletal remains is severely regulated. Mortuary Police Regulations (Presidential Decree No. 285, 10.9.1990) sanctions the possibility to collect bone and anatomical specimens to be preserved for research and education in anatomical institutes or museums, with the permission of the local health authority and with proven clearance from relatives (Art. 41, National Police Mortuary Regulation). Cemeteries are bound to dispose of unclaimed remains to make room for new burials, resulting in the cremation and destruction of the remains. As in article 43 (National Police Mortuary Regulation), remains destined for the common ossuary, i.e., not claimed by the relatives, may be given to academic institutions for education, research or study purposes. In light of the above-mentioned legislation, in the last 20 years, the University of Milan assembled the largest contemporary Italian cemeterial collection, the CAL, which comprises over 2000 individual skeletons from

contemporary cemeteries across the city of Milan [5]. Each skeleton is stored in an individual anonymized box and archived in the collection along with its anonymized antemortem data, when available.

Reports on the “state-of-the-art” of anthropological collections worldwide have been recently published [6–8], highlighting the powerful contribution they provide for the development of the discipline. From our standpoint, the primary intent of the CAL collection- and of osteological collections, in general- is to preserve unclaimed remains from the inevitable fate of being cremated and destroyed, which would mean losing the wealth of information the remains hold. Indeed, the skeletons constitute an invaluable anthropological asset for research, education, professional training [6,8], and knowledge dissemination, pulling the discipline out of the boundaries of the laboratory and projecting it into real case-scenarios, enabling to perform scientific studies that can be eventually applied to casework. As a consequence, the constant progress of biological and forensic anthropology is inevitably bound to the informative wealth derived from the collections that provide anthropologists the tools to test, improve, validate methods, interpret evidence on skeletons [7,8] both contemporary and archaeological, and to promote the safeguarding role of the discipline for our society. Society, and in particular the more vulnerable parts of it (the unidentified, the victims) are therefore the resulting beneficiary of anthropological research that involves unclaimed remains. According to Thompson [9], “research for research’s sake” is frowned upon, although establishing which research is beneficial and which is not is not hassle-free. As forensic anthropologists and bioarchaeologists, we strongly believe that human remains, whether they are from past or recent contexts, are to be respected and safeguarded from exploitation and misuse. We advocate for transparent, respectful and considerate use of the subject of collections in research studies and we acknowledge the vital role they have in the development of the discipline of anthropology [10–13] and in the indirect safeguard of the rights of the living. This approach of handling unclaimed remains has nothing to do with past abuses and malpractices to explain pseudoscientific and often racist concepts (e.g., phrenology, Nazi experiments or exhibits of pathological individuals as in freakshows) which, indeed, perpetrated structural violence towards marginalized individuals. Therefore, we must emphasize the scientific and humanitarian basis of these collections, which are not to be confused with those of colonial origin, aimed at ‘astonishing’ or teaching pseudo-scientific theories (e.g., the despicable case of Saartjie Baartman’s body exhibition [14]).

We therefore strongly disagree with the general perspective that individuals in osteological collections are currently exposed to structural violence, and especially with the statement “the presence and curation of these individuals in laboratories and museums today furthers the structural violence inflicted on these decedent”, as expressed in Litavec

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and Basom [1]. Assuming that all unclaimed skeletons in anthropological collections were marginalized actually promotes an outdated stereotype, as it may not reflect the actual welfare and socioeconomic background of the individuals, which are not to be inferred from their status of unclaimed remains. In fact, in recently assembled collections, including ours, many individuals outlived their family unit and became unclaimed without being marginalized, in life as much as in death. Similarly, over the years, people may not remember old family members who died decades prior, and their becoming “unclaimed skeletal remains” do not make them marginalized.

Osteological collections allow us to develop the methods and expertise necessary to protect human rights, support the justice system, reconstruct who we were, how we evolved over time and understand the trajectory of social phenomena such as violence and discrimination [15, 16]. Finally, the use of unclaimed skeletons for anthropological studies intertwines with the final aim to preserve and help improve our society by understanding those very processes that lead to the marginalization. We thus believe that our approach to osteological collections is a form of protection, conservation and utmost respect towards the individuals that were not claimed by their families, in the ultimate perspective of the most ancient and respectful saying concerning what the dead can give us: “mortui vivos docent”.

Declaration of competing interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

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Andrea Palamenghi*, Lucie Biehler-Gomez, Mirko Mattia, Cristina Cattaneo
 LABANOF, Laboratorio Di Antropologia E Odontologia Forense, Sezione Di Medicina Legale, Dipartimento Di Scienze Biomediche per La Salute, Università Degli Studi Di Milano, Via Luigi Mangiagalli 37, Milan, Italy

* Corresponding author. Laboratorio Di Antropologia E Odontologia Forense, Sezione Di Medicina Legale, Dipartimento Di Scienze Biomediche per La Salute, Università Degli Studi Di Milano, Via Luigi Mangiagalli 37, Milan, Italy.
 E-mail address: andrea.palamenghi@unimi.it (A. Palamenghi).