

# Formal response to Dept. Of Justice

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In respect of the request by The Riverside Project to further retain and conduct experiments upon ancestral human remains taken from Stonehenge in 2008

20<sup>th</sup> October 2010

Submitted on behalf of the druids of Aes Dana Grove as 'Stonehenge Druids'

And on behalf of the Loyal Arthurian War Band who are representing also the Council of British Druid Orders

We also speak for the 5000 members of the public who signed our petition.

## Contents

Introduction .....	3
Our understanding of the request: .....	3
An introduction to our position: .....	4
Who do we speak for: .....	6
What is our agenda .....	8
The Riverside Project (RP).....	9
Organisation.....	9
Funding .....	9
Contribution to knowledge .....	9
Attitude towards ourselves.....	10
RP retaining the ancestors .....	11
The Human Rights Act.....	12
Religious discrimination and public authorities:.....	12
Our Observations: .....	12
English Heritage and DCMS.....	13
Sheffield University:.....	14
Our responses to what is being said by MPP on-line.....	15
Our response to The Riverside Project ‘proposed timetable’: .....	18
Human remains in UK institutions (DCMS Guidelines) .....	20
Rights to human remains .....	20
Our observation of DCMS Guidelines referring to Responsibilities & ethics.....	22
Ethical considerations made in Guidance for the Care of Human Remains in Museums .....	22
Procedural responsibilities.....	22
Ethical principles .....	22
Our Observation:.....	23
The petition:.....	24
The potential scientific value of the AH7 Ancestors .....	26
The Spiritual and Cultural Value of the AH7 Ancestors .....	28
Reasons we cannot trust to archaeologists .....	30
How does Archaeological research benefit the public? .....	31
The reburial Issue Globally.....	32

## Introduction

### Our understanding of the request:

Professor Mike Parker Pierson, on behalf of the Sheffield University 'Riverside Project' has requested an extension to the period of study under license of ancient human cremated remains retrieved from Stonehenge Aubrey hole 7 (AH7), in August 2008.

He is requesting a period of time of five years which he suggests would consist in the first part of research, but subsequently for material retention against the need to test the conclusions reached as part of a PhD Thesis.

The justifications given are roughly as follows:

- The scientific value of this investigation far outweighs any religious cultural or spiritual value.
- We might discover the approximate demographic for those buried, male or female, adult or child, and when they died.
- Studying the cremated remains from the Aubrey Hole is our only chance of finding out who the people of Stonehenge were.
- That his researcher only works part time and is now on maternity leave
- His researcher wishes to achieve a PhD based on the study of these remains

## An introduction to our position:

“Modern Druidic ceremonies at Stonehenge are a contemporary manifestation of a continuing tradition of reinvention and rediscovery at the monument that reaches back to the very erection of the original megaliths 4000 years ago” Mike Pitts – Archaeologist, writing in 2000.

This is a very good description of how we might describe ourselves. The Druids represented by this document have between us led open ceremony at Stonehenge since it re-opened to us in 2000 and we are the present generation in a very long tradition of ‘Stonehenge Druids’ that predates Christianity in Britain and which has suffered greatly from many centuries of oppression by the Christian Church, cynical treatment from secular authorities and academics alike.

Whatever the impression that outsiders may have formed about us as a result of considerable misinformation over centuries, we are a force for good and we are sincere in our beliefs.

These beliefs include a deep reverence for the AH7 ancestors of Stonehenge analogous to the reverence that a Roman Catholic might feel for the bones of St Peter and other relics held within the precincts of the Vatican. Please keep this analogy in mind when reading further through this document and consider with how much more sensitivity and prior consultation the removal and analysis of the bones of St Peter would engender.

Would anyone even consider retaining the bones of St Peter indefinitely or returning them to be reburied other than at the Vatican? Would anyone question the validity of belief of those pilgrims to the Vatican that feel a great sense of spiritual loss if St Peter was no longer present within? Would anyone dare to presume that the value to science outweighed the value to the faithful?

The fact that all of the public bodies involved in the removal of the AH7 Ancestors from Stonehenge have treated us with almost complete disregard on such an obviously sensitive matter is indicative of deep seated prejudice against Druidic beliefs within those organisations and majority culture.

In recent years we have been very open towards the media and public in order that people may see for themselves what we do. We have sought liaison with our local communities and we try to engage with secular authorities in order to gain a voice on matters that concern us. We have also sought to embrace the archaeological world in a positive way.

When the recent wave of archaeological study was announced to us in 2008 by English Heritage we were told that licences to dig were to be granted but we were not asked our opinion and neither were we informed of the detail. The first dig by Profs Wainwright and Darvill we were given roughly 48 hours notice. Despite this we responded warmly and greeted the Archaeologists and performed opening and closing ceremonies for the dig in which the archaeologists participated.

The dig resulted in evidence coming to light of continuous covert use of Stonehenge from Roman times through to the 1700’s which contradicted prior thought and connects the modern Druidic use of Stonehenge back to the late Iron Age.

We were delighted with the results that our cooperation had brought about and the newly forged positive relationship taking place between Druids and Archaeologists. We therefore approached the digs by the RP with positivity and a desire to make further progress.

We reacted to the removal of the Aubrey hole 7 ancestors with horror and outrage once we learned that we would not necessarily get them back. We learned this on the morning of the dig itself as we had gathered to give it our blessing. Since that time we have sought to understand the archaeological and legal position, make everyone aware of our concerns, and we have waited.

Very quickly we made our objections known to English Heritage who responded by hosting a meeting between Mike Parker Pearson, his colleague Julian Richards and ourselves. At that meeting it was promised that we would be updated on the progress regarding the research on our ancestors, and that IF any extension to the research licence was requested that we would be given adequate prior notice in order to respond.

We started to gather information about the reburial issue, about archaeology at Stonehenge, and about the legal position regarding the ancient dead. Many of the things we discovered were very disturbing and cast considerable doubt upon the maturity of Archaeology as a science, its governance and the apparent inability of DCMS to protect the public interest.

So far our opponents have refused to meet us mid way or to acknowledge that any view but their own has validity. Since this situation first arose two years ago we have made every reasonable effort to understand the motivations and values and fears of those who took our ancestors away in order that we might suggest solutions that could accommodate all sides. Unfortunately the people and organisations involved have not engaged with us on this issue, but rather have adopted entrenched positions.

It is our sincerest hope to avoid the need for a direct legal challenge or any other form of further confrontation between archaeologists of the Riverside project and ourselves. We seek a solution whereby both sides are able to achieve the greater part of their desired outcomes by reaching an accommodation that is mutually satisfactory.

We believe that Stonehenge is a special case which should be considered as apart from any other due to its unique characteristics, history and cultural meaning.

We strongly believe that we have justifiable grounds to make a strong legal challenge should the current request for an extended licence be granted.

Ancient Celtic Teaching:

“There are three only whose frenzy is a benefit to their people :  
The Warrior on the field of battle,  
the Dancer in the place of dance,  
and the Seeker of Justice where ever they may be”.

## Who do we speak for:

### Members of the public who have signed our petition:

We will show you:

- That once made aware of the issue, many people of many faiths agree with our position and consider reburial to be the only decent thing to do, as indicated by those who signed our petition this is not simply a pagan issue.

### Ourselves the Druids of Stonehenge:

We will present our legal position:

- Prolonged and unjustified removal of the AH7 Ancestors from Stonehenge breaches our Human Rights under the Human Rights Act.
- That there is a legal responsibility on the part of the public bodies concerned to demonstrate that they have reached a fair decision and behaved without undue bias and any failure to do so would give grounds for Judicial review.
- There is a moral and legal responsibility on the part of the institutions funding and conducting this research to take full account of the moral ethical and cultural dilemmas raised by this kind of funded research and to minimise the impact upon others.

We will present our evaluation of the scientific argument

- That the scientific value of archaeological investigation into ancient human remains does not outweigh any religious cultural or spiritual value of these ancestors being retained in situ.
- That the scientific value of this kind of research as applied in this situation can be very limited and the harm done very significant.
- That the RP have not adequately justified their request on scientific grounds and that they have wasted the adequate time already granted through poor resourcing.
- That the RP have expressed bias against our religious views and have failed to act in an ethical manner.

We will explain the Druid connection with these ancestors

- That there is a long standing and well documented tradition of ancestor reverence within the Druid tradition (from the Iron age to today) and also amongst people of the time now referred to as the Neolithic and Bronze Age.
- That there is scientific evidence for the continuous use and reuse of the sacred landscape around Stonehenge dating from 7000 years ago through to the 1750's after which the document trail can be picked up for Druidic use.
- That the Druids of today add value to Stonehenge, serve the interests of the public and the wider community, attract visitors and function as we have for the last 350 years as the priests of the Stonehenge temple function.

- That we do not need to prove a continuous direct lineage between our present day form of worship and belief and that of the ancestors in order to have made a spiritual and cultural connection with them, or to consider ourselves to be their cultural descendants.

We will present our evaluation of value of the AH7 Ancestors

- That the ancestors are essential to our culture and worship in situ.
- That there is significant general value to these ancestors remaining at Stonehenge
- That without the ancestors present considerable long term harm will be done.

## What is our agenda

We do not seek to obstruct archaeological research generally, or the Riverside project specifically, as we recognise that archaeological exploration can bring new information to the surface which is of value to those people who are generally interested in it. That interest extends to ourselves.

However we cannot allow this specific research project and study of the AH7 Ancestors to obstruct our fundamental human right to worship our ancestors in situ or to violate the sanctity of these most sacred ancestral dead beyond any reasonable and justifiable necessity.

For us, permanent removal of these ancestral dead from Stonehenge, whom we regard as its guardians, would be completely and totally unacceptable. We would like these ancestors returned for reburial at Stonehenge without any undue delay and not later than by the autumn of 2012.

Ultimately, we hope to achieve circumstances whereby a new request to complete this research will be submitted by the Riverside Project that is better justified and to which we can lend our support.

For this to happen the RP must be willing to compromise with us and the other public bodies to perform an unbiased role of facilitation and enablement. If no-one is willing to compromise with us then a costly legal battle would seem to be the unavoidable consequence.

All of us agree that Stonehenge is in many ways unique and special. As such all of those with wider political agendas regarding the reburial issue, the validity of the Druid religion, or the supremacy of scientific interests should completely cease trying to manipulate this situation to gain advantage. Let us all come up with a resolution that is appropriate and fair in this specific unique instance please.

## The Riverside Project (RP).

### Organisation

The Stonehenge Riverside Project is a major archaeological research study of the development of the Stonehenge landscape in Neolithic and Bronze Age Britain. In particular, the project is interested in the relationship between the Stones and surrounding monuments and features including; the River Avon, Durrington Walls, the Cursus, the Avenue, Woodhenge, burial mounds, and nearby standing stones. The project involves a substantial amount of fieldwork, the initial phase being a 5-year project from 2003–2008, which hoped to then be extended, reliant on funding.

The project is directed by Mike Parker Pearson (Sheffield University), and also comprises Julian Thomas (Manchester University), Colin Richards (Manchester University), Kate Welham (Bournemouth University), Joshua Pollard (Bristol University) and Chris Tilley (UCL).

### Funding

The Stonehenge Riverside Project is funded by the **Arts and Humanities Research Council (AHRC)** is a British Research Council and non-departmental *public body* that provides approximately £102 million from the Government to support research and postgraduate study in the arts and humanities, from languages and law, archaeology and English literature to design and creative and performing arts.

The University of Sheffield is a *public body* run as a charity. It is subject to the legal rules generally applicable to all charities and public bodies.

### Contribution to knowledge

The basic approach of the RP is to try and understand Stonehenge by its context to the surrounding features. It has shed light in particular on the size and usage of the settlement at Durrington Walls and made a notable rediscovery of a disused henge beside the river Avon for which we gave Mike Parker Pearson an award.

We do not agree with the hypothesis that the RP set out to prove that ‘Stone’ = death, and ‘Wood’ equals life, or with many of the interpretations being made, however we do recognise the value of this science in locating, dating and identifying features long forgotten.

The Bluestonehenge is evidence of knowledge passing between the Neolithic period and Iron age, placing the Iron age Druids squarely back in touch with our Neolithic forbears.

The Cursus discovery of the linear banks carefully circumventing two great trees supports the ‘Druidic’ idea of the sacred nature of trees (Oak or Yew) as having originated in the Neolithic.

The discovery of a small child buried with care together with a small stone toy hedgehog shows the love with which these people regarded their children, a far cry from some of the recent sensational claims made by some archaeologists about our ancestors.

### Attitude towards ourselves

We have enjoyed an open and friendly relationship with Mike Parker Pearson such that he welcomed us to the site of 'Bluestonehenge' where he personally showed us the site and we subsequently conducted a ceremony (although he would not take part), and we offered spiritual support at some of the RP Stonehenge dig sites.



We regard Mike (Picture: Mike centre, Druids Frank left and Kazz Right) personally as very likable and one of the most generous spirited of his profession.

Clearly though, within the RP there is deeply held contempt for religious values generally and prejudice against our beliefs in particular when it comes to human remains. That the RP have not even tried to reach an accommodation with us indicates that they have confidently dismissed any possibility that we will be able to bring any influence to bear.

## RP retaining the ancestors

It seems to us that they are counting upon five things:

- That they can depend upon support from their archaeological colleagues within the DCMS and EH to always share and back their position, seeing the academic need as by default incontestably pre-eminent over cultural religious or moral argument.
- That their impressive scientific credentials and connections will mean that no-one will question their performance, the value of their work to society as a whole, or challenge their reasoning on scientific, legal or historical grounds.
- That they will be able to deflect attention away from the generic moral argument that we have put forward by focussing attention upon on and then discrediting the Druidic lineage and the special connection that we believe we have to these ancestors.
- By suggesting that if these ancestors from Stonehenge were to be returned it would set a precedent that would stop all science and give control of our heritage to a bunch of hairy 'non-academics' the pro archaeology lobby will whip up a storm of outrage.
- That moral guidance on reburial of the Ancient Dead is now offered by an advisory group that calls itself APABE that consists of the DoJ, English Heritage and The Church of England and that all three can be counted upon to dismiss Druid opinion.

## The Human Rights Act

'Religion or belief' under the Equality Act and the Employment Equality (Religion or Belief) Regulations 2003 (EERBR) means any religion or philosophical belief, as well as a lack of religion or belief. This means that widely recognised religions such as Christianity, Islam, Hinduism, Judaism, Sikhism and Rastafarianism are protected, as well as branches or sects within a religion (such as Catholics and Protestants), collective religions (such as Druidism or the Church of Scientology) and other beliefs which are very similar to a religion in their cogency, seriousness and importance, provided those beliefs are worthy of respect in a democratic society and are not incompatible with human dignity.

### Religious discrimination and public authorities:

Wider general prohibitions on religious discrimination apply in the public sector. Education authorities have a general legal obligation not to discriminate on religious or belief grounds.

Public authorities must not do anything (subject to some exceptions) which amounts to discrimination on grounds of religion or belief. Public authorities includes for example central government and individual government ministers, government departments, local and borough council (including planning authorities), NHS trusts, prisons, social services, and specialist public sector regulators and agencies like the Environment Agency, the Health and Safety Executive, trading standards bodies, and other industry sector regulators like OFCOM (which regulates broadcast media and communications). Basically, any authority which carries out public duties falls within this general prohibition.

### Our Observations:

- Druid belief is covered under this act
- Whilst not all modern Druids share the ancient idea that the ancestors are sacred and essential to our worship at Stonehenge, this is the belief that we as 'Stonehenge Druids' do hold.
- Ancestor worship amongst the Iron Age Britons and earlier British peoples is a matter of historical, folkloric, archaeological and anthropological record.

The public authorities: Sheffield University, Dept of Culture Media and Sport, and English Heritage have failed to fully appreciate or to assess the impact upon ourselves when taking decisions about the ancient dead.

**Removal of the ancestors from Stonehenge denies us spiritual contact with them in situ. Stonehenge is a most sacred place of worship for us, and thus the removal of our ancestors infringes upon our freedom to worship them, to continue our culture and traditions, or to call upon them as part of our religious observances.**

## English Heritage and DCMS

Druids have been visibly present at Stonehenge for roughly 200 years prior the Dept of Works taking over the management of Stonehenge. They know this having shared in a Druid ceremony on day one of their taking over the site management.

Despite that a very strong argument can be made that modern Druidry is a descendant tradition with one major root in the Neolithic culture and the fact that it is the mystery surrounding Druids at Stonehenge that is a powerful draw to visitors from around the world:

- Druids are given no acknowledgement of our historic or prehistoric connection to Stonehenge, no special consideration to assist with our access to Stonehenge or to allow us to function there, we are not specifically informed or asked about events or visits by other cultures of a non secular nature, no contemporary record is presented of our involvement and we are excluded from the telling of our own story.
- Instead we are left only with 'Open managed access' to which EH encourage other religious groups and individuals giving all an equal footing of 'no support what so ever'.
- The insult to our temple of Stonehenge that one million visitors a year still circle it anticlockwise in contravention of our beliefs despite repeated requests over many years to put this right.
- Very short notice was given before the recent crop of archaeological digs with no detailed explanation of what would be involved for each or opportunity to challenge the scope which by the time we hear about anything has already been approved.

There are many examples we could go into of how inadvertently or otherwise the Druids are being held at bay and the pagan people who flock there managed as a problem rather than as an asset. Given our religious profile and history in connection with Stonehenge it is interesting how many of English Heritage senior executive are academics and that there is no significant pagan influence.

For the Avebury consultation on reburial of the ancient remains of a child known as 'Charlie' EH conducted a survey that was heavily biased in the presentation of its questions, overly simplistic, and not presented to pagans. So it resulted predictably in providing an excuse to ignore the wishes of the local pagan community on the grounds that the majority of people asked saw a value in presenting human remains in museums. The argument for reburial was not presented.

They completely missed the point that the issue is not about majority verses minority, but about morality and human decency and the deeply hurt feelings of the minority who do care about such things. The outcome in this case was decided against reburial.

EH are members, together with the Church of England, and the DoJ of APABE. They advise on best practice concerning ancient human remains. Not only do we not have a Druid presence on APABE despite expressing a very strong interest, this means that the advisers are a judicial body who enforce a law shaped by the C of E, and the C of E which is a religious group with an accepted history of destroying our Neolithic heritage and preaching hatred against our beliefs, and archaeologists and antiquaries well represented amongst the EH representation.

What chance do we stand of balanced fair advice being given by this group? Actually we believe none. It will be referred to for advice in contested issues like this and give the appearance only of providing an impartial view. The APABE advice will then prop up the argument for retention.

The Guidance to museums provided by DCMS on the subject of repatriation of ancient human remains specifies conditions that our exclude our requests and although this has been achieved by using dates and references we believe that it is deliberately prejudicial and therefore possibly illegal.

### Sheffield University:

A government funded public institution leading the Riverside Project and conducting research upon the Aubrey Hole 7 Ancestors. It is governed by the same human rights law stated above as other authorities yet this is what the project leader Mike Parker Pearson has to say about our concerns:

*And in an e-mail reply to us:*

*“My opinion, and that of other archaeologists, is that the scientific value of the bones to society as a whole outweighs their value to a particular religious group. Studying the cremated remains from the Aubrey Hole is our only chance of finding out who the people of Stonehenge were.”*

We will have a lot to say about this comment later on in this document.

We believe that it is being made abundantly clear to us that as far as the Riverside Project are concerned, the impact of their research upon ourselves is considered by them to be “outweighed” by what they want to wish to get out it.

No serious consideration is being given to our human rights or even to the value of being left in peace to the dead themselves and at no point have the Riverside Project written to us in order to try and understand our position or measure the impact that we feel result from their actions.

We do not wish to challenge the authorities and public bodies on these legal grounds unless we are left with no other choice but to do so.

The argument for the return of the Aubrey Hole 7 Ancestors for reburial within a short space of time is so strong that neither do we feel that it should be necessary. As the DoJ is essentially a legal authority we feel that it is necessary to point out that we believe that the human rights act sits in our favour and provides further recourse should we need to call upon it.

## Our responses to what is being said by MPP on-line

*In a recent web interview with a group calling themselves PfA Mike had the following to say:*

### **Do you feel a kinship for the people of the past?**

*MPP: "Most of the time "no", because they were so different to us in many ways, really quite strange."*

### **Our response:**

These people were exactly the same species as we, at the same state of physical and mental development, living within a sophisticated social environment. We find it surprising that anyone would struggle to regard them as 'so different' to us although it is perhaps that their way is less alien to the Druid than to a scientist.

What it is important to note is that MPP views these people as having been very different and strange, which might make it easier for him to treat them as artefacts rather than as deceased *people*.

The age in which these people lived and their simple technology means that their achievements by building Stonehenge are indicative of perhaps more social cohesion and common sense of purpose than we are capable of today.

### **What is the scientific and/or social value of retaining human remains for study?**

*MPP: "Because our scientific capabilities are changing so fast, there is no point at which anyone can say "that's done, the research on those remains is finished".*

### **Our response:**

The true position of the academics is revealed. They believe in permanent retention of all such human remains because the analytical science might always move forwards, thus the human remains will be forever exploited and not necessarily for any eventual gain.

We cite the example of Neanderthal bones, which are extremely rare finds and which were mostly discovered many decades ago and which have been carefully retained in museums worldwide ever since. All but one surviving bone are rendered useless to the modern genetic analysis techniques because they have been so contaminated by handling and cleaning. Without knowing what future analysis might be possible you cannot anticipate how to preserve the possibility of its application.

### **Why do you need the time allowed to study them to be extended?**

*"Because working with fragments of cremated bone just takes ages. There are over 50,000 pieces of bone and they are all mixed up - we don't know which individual is which out of the 60 deposits of bones that were found by Col. Hawley in the 1920s."... "it's normal for it to take years to get all the specialist analyses queued up and completed. For example, the Amesbury Archer was excavated in 2002 and the report is still not published. Money and time are always hard to find."*

### **Our response:**

We consider that it is remiss of DCMS to give authority to projects of this importance and sensitivity that are not adequately funded or resourced to allow adequate study to take place within an acceptable timeframe or for the supposed value of the information gained to take so long to be fully documented and placed into the public domain.

If there are 50000 fragments of bone, mixed up, then how likely is it that the work proposed could ever complete given the little progress achieved during two years?

'Normal' is not necessarily 'acceptable', and in this specific instance is certainly not so.

### **What do you think about the way human remains are displayed in museums?**

*"I haven't got a problem with this. It's part of my culture. Obviously, all curators treat human remains with respect - that's part of the culture, too. The public at large are fascinated by human remains - we all want to know about death"*

#### **Our response:**

A minority of people today take an interest in their past, and it is natural for these to be interested in archaeology and history. We do not feel that display of human remains is always appropriate or respectful to the dignity of the dead when a photo or model would suffice. If seeing human remains is the point of fascination then museums are in a very ugly and immoral business.

Although many curators treat remains with professional care, this is no substitute for the remains being returned to the earth and into the care of their gods.

Further, we are aware of verifiable witness accounts of serious abuse of human remains by archaeologists and will present this evidence in court if necessary. We know that MPP is not one of the rogue archaeologists who break IFA guidelines however we also know of very high profile cases where the worst has happened in recent times.

### **Do you think the heritage sector should engage with Pagans?**

*"Difficult, because some Pagans seem to me to be very antagonistic to other people's point of view. Some of them even seem to think that they have a more powerful claim to 'ownership' of the past and our ancestors than the rest of us.*

*But I think that's a problem with all religious belief systems - the danger of thinking only you are right, and everyone else is totally wrong (People's Front of Judea and all that!)."*

#### **Our response:**

This is hypocrisy coming from someone who feels that he has the right to do as he pleases and that his academic circle can justify turning a deaf ear to any with opposing interests! It is not we who have walked into his university and walked out with something precious regardless of his views.

The second part of this quote indicates a deep seated prejudice against religious thinking and spiritually based values. He is entitled to his personal views about religion but not to apply them on behalf of a public body to our detriment.

*And in an e-mail reply to us:*

*"My opinion, and that of other archaeologists, is that the scientific value of the bones to society as a whole outweighs their value to a particular religious group. Studying the cremated remains from the Aubrey Hole is our only chance of finding out who the people of Stonehenge were."*

#### **Our response:**

We do not believe that Mike can speak for all archaeologists although he probably does represent a sizable majority of them with his views. The scientific value of these bones is not as useful as is being portrayed and they are most certainly not our only chance to study the henge building people, there are many human remains from the area surrounding Stonehenge in a much better state of

preservation. There is no rational or philosophical basis by which to assume that the science outweighs their value to 'a particular religious group' by which we assume that he is referring to the Druids.

The fact remains that most of the world's population place enormous value on their religious beliefs and cultural traditions and that it is the belief in a divine pattern or order that keeps society together. Faith and religion unite people when in a crises, and provide a moral compass and meaning by which to navigate through our lives.

That you cannot bring the Gods within science does not exclude them from existence or from having a profound effect upon the very nature of everything.

This was almost certainly the view of those who's remains the RP now study.

## Our response to The Riverside Project 'proposed timetable':

1. *"Those bones derive originally from about 60 prehistoric cremation burials. They were excavated in the 1920s from various locations within Stonehenge and were subsequently co-mingled and dumped in 1935 in the prehistoric pit known as Aubrey Hole 7."*

### **Our response:**

We are aware of the damage done to Stonehenge whilst under the guardianship of the Dept of Works (Later DCMS) by archaeologists who lost finds and who kept few records. These precious ancestors were kept in a cardboard box under a bed for a decade and transferred to a potting shed before being 'Dumped' into Aubrey hole 7.

These ancestors are thought to have been originally buried in the eastern Aubrey circle a placement which makes them of unique spiritual importance even as Stonehenge ancestors, for we believe that their placement makes them spiritual guardians of the temple site.

They are important scientifically, but as ancestral 'guardians' they are also essential in situ spiritually and are of central value to our beliefs and to future generations. This is one reason why we believe that they must be returned to Stonehenge itself.

2. *"Osteological analysis has so far established that most of the individuals from these c. 60 burials were adult males, with evidence for just 2 women and 2 or 3 children."*

### **Our response:**

This is very interesting and demonstrates that something of value has already been learned from Mikes research. Clearly there is a possibility that more might be learned but at what cost to the bones themselves, the anxiety caused to the pagan community by their absence, and the interruption to the ancestors peace and sanctity?

Presenting interesting findings is no justification for continued disruption to others, it could equally be argued that value has been already obtained from their study and that now the balance is in favour of limiting the damage caused by their continued absence.

We are very concerned about the destructive and invasive nature of the dating tests proposed. How much material is required for these tests and therefore how many of our ancestors can never be returned if these tests go ahead?

If selected samples were taken in the order of grams from bones such that no bone sampled is to loose more than 20% of its mass we might accept that as being reasonable as it would still allow something of each individual to be returned to the earth at Stonehenge.

3. *“Analysis is not yet finished. Ms Christie Cox Willis’ preliminary analysis has not been completed. The assemblage is unusually complex because the bones of separate individuals were all mixed up in the 1920s and 1930s, an unexpected state of affairs that has slowed down subsequent analysis. Additionally, Ms Cox Willis has only been able to work part-time. She is now on maternity leave.”*

**Our response:**

In the attached timetable for study it makes clear that Ms Cox Willis has only been working part time on this project. Two years would have been adequate as a period of study if adequate resources had been applied. The number of bone fragments was known from the moment they were counted, that they were mixed up together was known from the outset and suggested by prior archaeological records.

The responsibility to supply adequate resources for such a high impact project rests fully with Sheffield University and their funding agencies.

The failure to properly resource this work to complete within the current licensed timeframe, despite early assurances from Mike Parker Pearson that it would, suggests that if further time is given we cannot trust that work will be progressing at the optimum rate so as to minimise the impact upon ourselves or that it will deliver to schedule.

4. *“The full analysis (details in the attached project timetable) will not be completed until 2012. This assemblage of bones is so important and interesting that Ms Cox Willis will continue its analysis as a doctoral research project, supervised by myself and advised on by Jacqui McKinley.”*

**Our response:**

We note that the study now waits for Ms Cox Willis to complete maternity leave and be ready to return to the study, and whilst we wish this mother to be every happiness and no complications, there is always the chance that she may be further delayed. The timetable indicates that the study requiring the presence of the ancestor’s bones could complete in 2012. That we might accept if as stated earlier, we have a guarantee of this deadline.

However, Mike goes on to say that the bones should be retained for a further three years in reserve against validating questions being asked about the content Ms Cox Willis thesis.

We question how scientists basing their study on singular events such as observations of a volcanic eruption, or events in history as they unfold, manage to achieve PhD level peer review and acceptance of their data and conclusions without being asked to reproduce the event. Presumably the data that they collect and controls applied are deemed sufficient for this purpose.

5. *“Further work on the Stonehenge material is likely to take 5 more years as you will see from the attached project timetable. After Ms Cox Willis returns from maternity leave, she is due to finish her part-time doctoral research in 2015; it is important to keep the material accessible until the PhD has been examined and awarded in case of questions by examiners or the need to check osteological results at any stage prior to PhD examination.”*

**Our response:** This is completely unacceptable to us.

## Human remains in UK institutions (DCMS Guidelines)

The UK has a long tradition of excavating and collecting human remains for study and museum display and medical teaching.

### Rights to human remains

Some remains were obtained in circumstances now considered unacceptable. For example, those acquired between 100 and 200 years ago from indigenous peoples under colonial rule.

Some groups now claim rights over some of these human remains, including genealogical descendants, cultural communities, custodians and the scientific community.

In 2004 the introduction of the Human Tissue Act allowed 9 national museums to return human remains under 1,000 years old, where they consider it appropriate to do so.

In 2005, DCMS issued, on behalf of the museums sector, Guidance for the Care of Human Remains in Museums which includes advice for museums on handling requests for the return of human remains.

Quoting from Guidance for the Care of Human Remains in Museums :

- “Traditionally in the United Kingdom human remains are treated with respect. No particular sacred or symbolic importance is associated with the remains themselves, except in the case of direct descendants, the remains of major historical figures, or as the focus of collective memorial, such as war dead.”

### **We strongly contest this.**

Clearly as in the case of the AH7 Ancestors some ancient human remains are of sacred and symbolic importance to living descendants and to followers of descendant religious traditions.

- “There is a need to deal sensitively with these issues and to draw a careful balance between different peoples’ attitudes and beliefs. Most would agree that the continued use of the majority of ancient human remains is uncontroversial, but, in some cases, other factors will outweigh their retention.”

### **We completely agree.**

In some cases other factors, such as we might suggest the human remains are or are the subject of current veneration and worship, or have been identified as qualifying for such.

- “Museums intending to de-accession human remains, whether or not in response to a claim for return, should ensure that they have the power to do so. Section 47 of the Human Tissue Act 2004 will give nine national museums<sup>9</sup> the power to de-accession human remains where they are those of a person reasonably believed to have died less than 1000 years before the date that section 47 comes into force;”

### **We strongly contest this.**

It would seem that the human tissues act, and this guidance, do not allow for claim to be made for museums to consider the return of human remains that are over 1000 years old. This is completely prejudicial against claims by British cultural descendants of ancient British remains of Pagan origin, and therefore we consider it to be illegal as it effects to exclude applications on racial grounds.

- *“Property and ownership:* The holding and use of human remains and the handling of claims in relation to them have presented legal difficulties in practice. The laws of England and Wales do not recognise the concept of property (i.e. a right of ownership) in human bodies or tissue except where remains have been treated or altered through the application of skill”

**Noted:** We observe that this makes it unclear under the law who may speak on behalf of the interests of ancient human remains when, as does happen, they are not afforded due respect by the persons in possession of them. We also note that since ancient human remains that are discovered find their way into the hands of the archaeological/museum community, it is essentially they who set the bar as regards what merits a legitimate claim, and our community is essentially disempowered.

- “It is important for museums to be willing to consider the views of all those with interests, but no one view will have automatic pre-eminence. Religious and other institutions may also have a particular locus in relation to older remains from burial grounds in their care.”

**Noted:**

If no one view has pre-eminence then this should apply equally towards the academics as to the spiritual descendants.

English Heritage are those with responsibility to manage and care for Stonehenge as a monument and revenue supporting tourist attraction, but the Stonehenge Druids take responsibility for the religious aspects of care .

- “it is considered that claims are unlikely to be successful for any remains over 300 years old, and are unlikely to be considered for remains over 500 years old, **except where a very close and continuous geographical, religious, spiritual and cultural link can be demonstrated.**”

**Noted:**

At Stonehenge there is excellent evidence of continuous geographical, religious, spiritual and cultural links, and especially so when consideration is applied to the Druids.

## Our observation of DCMS Guidelines referring to Responsibilities & ethics

### Ethical considerations made in Guidance for the Care of Human Remains in Museums

The principles outlined below relate to museums, and we suggest could be applied as a benchmark by which to measure the performance of all the public bodies concerned with this particular instance, the AH7 Ancestors, so far:

#### Procedural responsibilities

These responsibilities are meant to apply corporately, i.e., to be discharged by the museum and by all the individuals representing it.

In handling human remains and claims relating to remains, museums should demonstrate:

- 1 Rigour – act rationally with appropriate knowledge, skill and care and justify your decisions.
- 2 Honesty and integrity – be worthy of trust by others; declare conflicts of interest; show honesty in communicating knowledge with all interested parties; act in a principled manner.
- 3 Sensitivity and cultural understanding – show sensitivity and compassion for the feelings of individuals; show understanding of different religious, spiritual and cultural perspectives.
- 4 Respect for persons and communities – show respect for individuals and communities; minimise any adverse affect on people and communities; respect privacy and confidentiality.
- 5 Responsible communication, openness and transparency – listen, inform and communicate openly and honestly.
- 6 Fairness – act fairly; give due weight to the interests of all parties; act consistently.

#### Ethical principles

1 Non-maleficence – *doing no harm* Non-maleficence would require you to avoid doing harm wherever possible. This could include avoiding harm to an individual, a community or the general public. For example, not taking an action that would cause distress to a particular community.

2 Respect for diversity of belief – *respect for diverse religious, spiritual and cultural beliefs and attitudes to remains; tolerance*

Respect for diversity of belief demonstrates humility and modesty regarding one's own opinions, and shows respect for individuals, cultures, groups and communities. The principle requires decision-makers to give consideration to the cultural and historical backgrounds, beliefs and values relevant to all parties concerned. For example, it would require a museum to recognise and respect that a community may place a particular cultural value on human remains that is not shared by others.

3 Respect for the value of science – *respect for the scientific value of human remains and for the benefits that scientific inquiry may produce for humanity*

This principle holds that individuals and communities (past, present and future) benefit both personally and indirectly, through the benefit to their loved ones, descendants and communities, from the fruits of science.

*4 Solidarity – furthering humanity through co-operation and consensus in relation to human remains*

The principle of solidarity recognises that we all have a shared humanity and an interest in furthering common goals and tolerating differences that respect fundamental human rights. Mutual respect, understanding and co-operation promote solidarity by fostering goodwill and a recognition of our shared humanity. This principle emphasises the importance of rising above our differences to find common ground, co-operation and consensus. It would be reflected, for example, by seeking to find a consensus in relation to competing claims over human remains that all parties can accept.

*5 Beneficence – doing good, providing benefits to individuals, communities or the public in general*

Beneficence would dictate that your actions have good outcomes wherever possible. This could include advancing knowledge that is of benefit to humanity (for example, by using human remains for scientific research) or respecting the wishes of an individual (for example, by returning the remains of their relative for burial).

**Our Observation:**

We have not seen any of these good principles applied to this situation so far, and in so far as these principles have been endorsed by DCMS we can only wonder why.

We also wonder if Sheffield University, whilst holding on to the AH7 remains, may be considered as performing a 'museum function' and therefore that these guidelines should have been applied.

## The petition:

Realising that the relevant authorities would be unlikely to listen to the views of the Stonehenge Druids we decided early on that it would be a good idea for us to canvass support from the general public and so we prepared a petition. We were astonished by the support that we received from visitors to Stonehenge.

5000 people signed.

These people came from over 40 countries and represented all of the major faiths. Clearly our values of common decency towards the ancestors are universally shared by ordinary people.

Our petition reads:

WE PETITION THE DEPT' OF JUSTICE AND DEPARTMENT OF CULTURE MEDIA AND SPORT, TO ENSURE THE ANCIENT CREMATED HUMAN REMAINS REMOVED FROM STONEHENGE BY 'THE RIVER-SIDE PROJECT', SUMMER 2008 ARE RETURNED AUTUMN 2010 WITH THE HONOUR, DIGNITY AND DECENCY THEY DESERVE AT STONEHENGE

Countries	Religions
United Kingdom	Agnostic
Argentina	Atheist
United States	Anglican
Spain	Baptist
Wales	Buddhist
Lithuania	Catholic
Austria	Southern Baptist
Macedonia	Roman Catholic
England	Evangelist
Mexico	Druid
Germany	Hindu
Scotland	Jewish
Canada	Church of England
Australia	Christian
South Africa	Kabala
Brazil	Wiccan
Russia	Celtic Christian
Norway	Spiritualist
Bolivia	Orthodox
China	Quaker
Italy	Witch
Japan	Oglala
Denmark	Pentecostal
France	Sikh
Holland	Lutheran
Bosnia	Eastern Orthodox
U.S.A. (tribal)	Church of Jesus Christ and Latter-day
New Zealand	Saints
Columbia	Herbalist
Ireland	Presbyterian

Finland	Unitarian
Uruguay	Non-Denominational
Sweden	Protestant
Switzerland	Nilist
India	Muslim
Poland	Goddess
Belgium	Jedi
Venezuela	Methodist
Belgium	None
Chili	Pagan
Singapore	Earth Centred
Bulgaria	Pantheist
Serbia	Hare Krishna
Greece	Astru
Algeria	Zoroastrian
Saudi Arabia	Scientology
Burma	Taoist
Trinidad	Hermetic
Marishas	Eclectic
Iceland	Humanist
Lebanon	Theosopost
Nepal	Santeria
Taiwan	Aboriginal australian
Peru	Vanina
Philipines	Kosi Ruffi
Iran	Brabant
Korea	Masonic
Ghana	Norse
Hungary	Druze
Rumania	Rosicrution
Malasia	Haida
Haida (Canada)	Discordian
	Osaka
	Bahai



## The potential scientific value of the AH7 Ancestors

As we understand it there were a series of digs authorised in the 1920's conducted by an archaeologist known as Hawley. Hawley excavated human remains from the eastern side of Stonehenge that were deposited within some of the 56 'Aubrey Holes' that are thought to date from the first phase of Stonehenge construction.



It is not known whether these postholes originally held bluestones or wooden posts however the latest discoveries at BluestoneHenge by the RP would suggest that it was Bluestones. The cremated human remains may have been placed into these holes after the posts or stones were reused for the second stage of Stonehenge.

In the ditch have been found tools and animal remains that predate the ditch by hundreds of years which implies that they were retained as being special and dedicated to the ditch at the end of its construction. The AH7 Ancestors cremated remains could have been contemporary, perhaps builders of Stonehenge who lost their lives during the construction, part of a Royal Dynasty, or already venerated remains of ancestors removed from ancient tribal barrows to be placed in circle around the newer henge to be its guardians.

Unfortunately the science available when Hawley dug them up was not much better than treasure hunting and had little interest in bones and hence they were disturbed needlessly, stored with indignity in a cardboard box beneath Hawley's bed for a while before being moved to a potting shed in his garden and eventually put into a sack and dumped back at Stonehenge in 1935.

It is perhaps worthy of note that if as we feel, these guardians of Stonehenge somehow contribute to the wellbeing of our nation, when they were excavated was followed by the worst economic slump since the time of the great plagues. In 1998 we had a great economy or so we had thought but we are experiencing the worst slump since the one before. It may be coincidence, it may not.

It is a common claim by archaeologists that the study of human remains will enable us to tell their story. This is rarely if ever true. At best we might tell some ones sex, age at death, place of birth, nutrition and general health. That hardly tells their human story.

The very best that we can hope to learn from these ancestors is whether they are male or female or a mixed group, ages for some, and perhaps get a date that proceeds their cremation with an accuracy of plus or minus a few hundred years. We will not be able to tell their story from this and never will. Now that we have disturbed their peace for a second time to feed our curiosity about them, we too hope that some dating evidence will be the result.

However, the science is not going to cure cancer, solve global warming, find a new source of renewable energy or halt climate change so let's please keep some perspective before taking the view that it automatically has precedence over our concerns and spirituality.

MPP has also stated that this is our only opportunity to study the people who built Stonehenge. We disagree. MPP excavated Durrington walls and confidently declared this to be the town of those involved in its construction and we have many other human remains from this period to study and new locations for their activity being discovered year on year it seems.

We are concerned about the technique that the RP hope to use to obtain dating results. It is a new technique and has almost as much chance of giving back wrong results as right ones, we will not know which we are seeing. The interpretation will be based upon the results and this might be entirely misleading as to the true origins of these people.

## The Spiritual and Cultural Value of the AH7 Ancestors

### **Tourist Dollars:**

Stonehenge is ancient and as mysterious today as it was in Saxon times when it was known as 'The Giants Dance'. One can forgive the Saxons for thinking that only giants could build such a place. In many ways the ancestors who conceived of and constructed Stonehenge could be considered 'giants among men' for their achievement is literally monumental and it continues to inspire, mystify and draw people to it even 5000 years later.

Close to 1 million people from all over our planet visit Stonehenge every year, it is one of the most photographed and talked about structures ever made, and it continues to be controversial and to challenge the 'experts' who try to understand it. Yet one of the principle reasons that so many visitors flock to Stonehenge ever year, funding EH in the process and putting money into the local and national economy is its *mystery*.

It would be hard to place a figure on the cost to EH and the wider economy of the Stonehenge mystery being completely removed but with the romance and enticement of being able to visit somewhere so beyond explanation stripped away, we believe it would run into tens of millions. Put into this context, you might wonder if there is any sanity in trying to explain Stonehenge at all.

The ancestors, their purpose for building Stonehenge, how they managed it, and the Druids all add to the mystery of the Stonehenge experience to the visitor.

### **The spiritual Quest:**

The modern industrial world and its 'western values' have quite literally brought the planet to a state of over population and ecological collapse. Many people now are looking for guidance and alternative ways of thinking, and for this they can either turn to exotic religions and philosophies, construct their own new path, or seek stability and guidance from our roots and a time when people had not forgotten how to love nature and harmonise with her great cycles.

The ancestors who built and worshiped at Stonehenge are one of the deepest the roots that our people may call upon. Their wisdom is signified by their achievements.

### **The ancestors and the Druids:**

When Druids lead rites of celebration at Stonehenge we stand within the circle and call in all directions for spirit to be among us. The first to which we call are our ancestors.

This is not theatre by which to entertain a crowd, but a genuine and deeply heartfelt call to those whom we admire so greatly and in who's footsteps we seek to tread. In some cultures old people are considered 'elders' and respected greatly having completed their challenges and graduated as success. For us, the ancestors of Stonehenge are the ultimate 'elders' of our people.

We try to honour them, connect with them, seek their guidance and protection, we ask for their help, we ask them for healing and we ask them for guiding wisdom. They are the GREAT grandparents who look out for us from somewhere between the realm of the gods and the realm in which they once lived.

The ancestors can best be reached at ancient places and chiefly at Stonehenge.

It is hugely fortifying when walking into a gathering of up to 40000 people at a summer solstice, many of whom look to us to provide some spiritual insight and leadership, to know that as we do our level best to honour this responsibility that our ancestors are beneath our feet and within the landscape surrounding us. Our weak call for their assistance may be heard. The magic and the continuity that they provide is fundamental to our worship, our culture and tradition at Stonehenge.

If the landscape were to be cleansed of the ancestors by successive waves of archaeology, we would quite literally be witnessing a kind of spiritual genocide, a desecration that would potentially rob us of our ability to worship as we do and it would rob future generations of the experience that we have enjoyed to this point for 5000 years. It would be a disaster for us and for the future generations of people that will seek out the connection with our ancient ancestors as we do now.



Druids Jim and Frank from Aes Dana Grove pictured by the heel stone 2010

## Reasons we cannot trust to archaeologists

When in 2008 we learned that getting our ancestors back might be anything but easy we decided to learn all that we could about archaeology and how it works in practice. Before this we, like just about everyone else, had simply enjoyed the BBC's time team programme and assumed that all archaeologists must be competent enthusiastic and professional.

We did know that archaeology has only recently emerged as a 'sort of science' with its roots being largely as a hobby for well to do antiquaries and collectors. We had no idea of just how much damage has been done by these people and not all in the distant past either, but under the careful watch of the DCMS/Dept of Works. This century around two thirds of Stonehenge was excavated by eminent archaeologists of their day who lost finds, failed to properly record their many digs and leaving little to go on for those who follow. They left much of Stonehenge Archaeologically ruined.

The book by Archaeologist Mike Pitts called 'Hengeworld' details this history of this plunder and we understand fully why modern archaeologists are now reluctant to let any potential 'data' slip from their grasp, but be mindful that this destruction was licensed by the current authorities and took place under their very noses for decades committed by senior archaeologists of the day.

What little survived these digs by way of finds photos and journals is now known as the 'Stonehenge Archive'. We spoke to a former archaeologist who told us of how storage of this important resource was entrusted by English Heritage to an independent archaeological company who, during heavy rain when their building started to leak, moved the archive into a cellar with water dripping onto it in order that a senior member of staff could have a dry office.

The same former archaeologists told us of enthusiastic graduates seeking work in archaeology who are so lucky to get paid work when there are many who would gladly do the job for free, so that reporting poor professional conduct pretty much ensures you the sack and that your career is over. There is a culture of silence operating within the world of archaeology.

The most shocking story to reach our ears concerns an ancient Stonehenge ancestor known as the Amesbury Archer who, we have been informed, had his face completely destroyed through gross negligence. The story, if true, is completely nauseating and caused us so much distress that we reported it to Wiltshire Constabulary as we felt that there might be a case to answer for criminal damage. The senior investigating officer referred to this case as 'gross professional negligence' but unfortunately since human remains have no clear ownership in law then the criminal damage law cannot be applied. He recommended that we complain to the IfA (Institute of field Archaeology) instead.

Another recent example is of Silbury Hill near Avebury, which is part of the same UNESCO world heritage site as Stonehenge. Like Stonehenge, Silbury hill is unique and a complete enigma. It proved too much of a temptation for archaeologists funded by the BBC who in the mid 1960's dug many tunnels and failed to backfill properly afterwards. Silbury hill started to collapse and even after emergency work two years ago to fill the tunnels with concrete and rubble it is not considered safe to climb to the top.

This great ancient site is now denied to us for ritual purposes probably forever more. Imagine if the Druids had done any such damage! We would be banned from ancient sites completely. The reality is that archaeology is a destructive science which by the process of investigation destroys the subject under study and which fails to self regulate. We know that Mike Parker Pearson is one of the very best, however, as Druids, we have no compelling reason to trust archaeologists with our heritage.

## How does Archaeological research benefit the public?

The product of the last 150 years of Stonehenge archaeology has been little seen by the great British Public.

There have been museum displays, special interest books published and occasional TV documentaries however for those a little more interested in exploring the *detail* of finds and wanting to be in a position to review the evidence and interpret it for themselves there is virtually a vacuum.

Institutions have singularly failed to share information with one another or with the public and for the modern age, given the importance of Stonehenge and world interest in the subject wouldn't you expect to find an official, properly funded web resource containing all of the available information?

The absence of such, speaks volumes about the lack of imagination present in those who are employed by the public to preserve and promote our heritage.

We see every decade a new dominant theory about Stonehenge or our ancestors coming to the fore, but we are given little evidence by which to test these theories for ourselves. Sometimes they are greatly offensive.

The great panacea, we are being told is going to be in the form of the new Stonehenge visitor centre. Roughly £80 Million pounds of tax payers money has so far been expended talking about this project yet to date it still shows no sign of manifesting. When or if we do get this fabled centre the story that will be told from there will exclude the Druids and contemporary history of Stonehenge entirely.

When we offered to establish a spiritual garden and display area behind the proposed new visitor centre we had our self funding offer rejected by the project team because "it would complicate their funding". They have no funding! This was doubtless just another way to say "we don't want Druids hanging around Stonehenge telling their own story".

Archaeologists are effectively monopolising the right to interpret and tell the story of the ancient British people for themselves, at the cost that our rich vibrant living folkloric culture and alternative viewpoint go unseen by the next generation. Is the story that they tell even accurate?

We think that it is probably not.

Our ancestors were a vibrant creative and deeply spiritual people. How can scientists today, especially those who do not have a spirituality or religion of their own, ever hope to correctly interpret the actions of our ancestors from the evidence before them?

We are interested in the finds of Stonehenge archaeology, what little is shared with us, but at present the main value is lost to the public and locked away 'who knows where' so that a minority elite group of academics control its interpretation and keep the power to themselves alone to suggest British Prehistory.

## The reburial Issue Globally

In our defence of the right of the Stonehenge ancestors to rest in peace, we have learned of similar struggles elsewhere in the world. The issue of reburial is most strongly contested where indigenous peoples have been oppressed by colonialists, bringing with them a dominant culture that displaces and devalues the local culture.

Reburial goes some way to re-balancing the impact of this in favour of the indigenous culture.

Modern 'Pagans' are ever conscious that in Britain we were invaded by Rome who set about oppressing and devaluing the local culture, and when the authority of Rome was replaced by Christendom the repression continued. Much of the indigenous population converted to the imported ways and were taught to regard those who stuck to the old traditions with the same kind of dismissive contempt and even hatred as colonialists applied to indigenous peoples elsewhere.

In Britain the wishes of the descendants of our indigenous culture / spirituality are still being largely ignored.

Establishing our claim to indigenous culture is not our prime concern; we are most of all concerned about the correct treatment of human remains which are remains of 'human beings' they are not 'relics' or 'curiosities', and they deserve dignity. We revere our pre Christian ancestors and especially those from sacred sites like Stonehenge.

### In the USA

Legislation such as NAGPRA is intended to be an act of restitution for the wrongs done to American Indians by scientists over the years. Throughout the 19th century, and for much of the 20th, anthropologists viewed American Indians, as they did most non-Western peoples, as objects to collect and rank, rather than people with beliefs, cultures and histories to understand. NAGPRA, the American anthropologist David Hurst Thomas suggests, redresses past wrongs by shifting the balance between science and Native American beliefs to ensure that 'no longer is the scientific position privileged'.

### Australia

In 2000, a special Repatriation Unit was created in the National Museum of Australia by the then Aboriginal and Torres Strait Islander Commission and Cultural Ministers Council and in 2003, the remains of some 300 Aboriginal people were returned to the Ngarrindjeri people of the Lower Murray Lakes and Coorong area in South Australia in the nation's largest repatriation of ancestral remains. These remains were collected at the turn of last century and held in various museums internationally.

In 2003, the Queensland government enacted Indigenous heritage legislation that recognised that Indigenous people are the primary guardians, keepers and knowledge holders of their cultural heritage, with recognition of Aboriginal ownership of human remains and secret and sacred material, as well as cultural heritage removed from land (Queensland Government 2003)

In September 2005, the New South Wales Government declared seven new sites within parks and reserves for the reburial of Aboriginal remains, giving them extra protection under the New South Wales National Parks and Wildlife Act 1977.

Sessions on repatriation are now standard at most museums, archaeology and Indigenous affairs conferences (for example, the Australian Institute of Aboriginal and Torres Strait Islander Studies Conference in 2004). Often, there is robust debate as exemplified by: "Give it Back You Bastards": Indigenous Perspectives on the Repatriation of Human Remains', Repatriation for a New Century, World Archaeological Congress, Washington DC, USA, June 2003, paper by Francesca Cubillo, then of the National Museum of Australia). In July 2005, an international conference, *The Meanings and Values of Repatriation*, was held in Canberra.

## New Zealand

The repatriation of human remains in New Zealand is occurring today in a co-operative, low-profile manner, while in most other parts of the world it attracts high publicity, debate and antagonism. It is shown that the situation in New Zealand is fundamentally different because aspects of Maori culture influenced the kind of remains sought, the way they were collected and also the political and cultural development of the country, so that today Maori are in a much stronger position in their own country than are other indigenous populations around the world. The repatriation movement is thus to a large degree controlled by Maori, whereas other indigenous peoples often require media attention and government intervention in order to achieve their aims, if they are able to at all.

## THE UN

A United Nations report on the protection of cultural and intellectual property argues that 'each indigenous community must retain permanent control over all elements of its own heritage', heritage being defined as all of those things which international law regards as the creative production of human thought and craftsmanship, such as songs, stories, scientific knowledge and artworks'.

UNESCO has envisioned the creation of state folklore protection boards that would 'register works and authorise their use'. Such protection boards might intervene if other peoples produce imitations or if native art was used in culturally inappropriate contexts'. In 2003, UNESCO adopted the International Convention of the Intangible Cultural Heritage that requires governments to prepare an inventory of intangible culture and thence to protect it.

## Conclusion:

There is not a religious priesthood anywhere in the world who would tolerate their most sacred ancestral temple being repeatedly violated and the graves of their ancestors desecrated.

It is a sign of the total ignorance and dismissal towards our religious tradition and beliefs by the British Authorities, that a licence was granted in 2008 to exhume these remains without prior consultation with the Druids of Stonehenge. Our immediate protests at the time were rebuffed. Our efforts to reach a compromise solution acceptable to all sides have met with a brick wall.

We would like to remind you that we have accepted after the fact that these human remains should be studied for two years to enable Mike Parker Pearson the opportunity to gain an insight into their lives, that we were prepared if a strong enough case could be presented, to approve further study beyond the August 2010 expiry of the current section 25 licence so long as we had a guarantee that the remains would be returned before August 2012 with some small proportion retained as samples against future analytical method. We have offered that the remains of our ancestors could be reburied in sealed containers likely to ensure their preservation.

The Ministry of Justice has said that it has 'no process' by which to formally hear our views or recognise 'Stakeholders' and has refused to declare its process by which it decides whether or not to grant licences. Perhaps we are old fashioned in believing that justice requires the balancing of evidence and giving a proper hearing to *both* sides before making any judgement. It is our hope that you will now give full consideration to all of the points made herein and make a strenuous effort to achieve a considered and fair conclusion.

The Department of Culture Media and Sport have seemed throughout only interested in representing the interests of science and in maintaining the almost unfettered access given to a favoured elite to take whatever they want away from our spiritual landscape. We have asked them to help us to present our case but they have not. It is not their job to pick a side to support in this debate but rather to ensure that all sides can be balanced such that the best result is achieved for British Culture without prejudice or favour.

English Heritage are primarily concerned with maintaining their iron tight grip on Stonehenge to function purely as a money making tourist attraction. It is time overdue that they acknowledge the spiritual and living culture aspects of Stonehenge as a temple equal its value to tourism. They should be considerably more respectful of and accommodating towards the Druids in particular.

The Riverside Project have shown ineptitude in resourcing this project and contempt for religious opinion. They have also failed to convincingly justify further work on scientific grounds or to give any confidence in their ability to manage and resource this work. They should consider the impact of their actions upon others, be prepared to compromise, and reflect upon how they liaise going forward.

None of these public bodies has attempted to ensure that our cultural and spiritual needs will be properly and fully taken into account when deciding upon the fate of our ancestors.

We condemn some of those in supposed 'public service' for their complete mishandling of this situation to date and their insensitivity to our genuine anxiety caused by the absence of these ancestors from the Stonehenge landscape.

**Taking together the way that all four public bodies have acted to this point any decision now to grant an extension to the licence of study could be justifiably referred for judicial review.**

The signatures of more than 5000 people collected at Stonehenge by the Druids last year clearly demonstrate that once made aware of the issue, ordinary people from every continent on earth and representing more than 40 religions support our position that the Stonehenge Ancestors should be returned and reburied without further delay.

Seeing Mike Parker Pearsons 'timetable' proposal, after having to chase the DoJ for information and request it ourselves directly from Mike, we are not impressed. This information was promised us, in good time, at meetings between the Riverside Project, English Heritage and ourselves back in 2008.

We consider the late arrival of this information to be a breach of our trust and potentially prejudicial to our making a persuasive and considered response. We have been given a little extra time to consult within our community, take technical and legal counsel, and make a considered and comprehensive response by the DoJ and we appreciate that.

As we have said many times publically and in private over the last two years, we have the greatest respect for Mike Parker Pearson both as a man and as an archaeologist. In taking issue with his request for an extension to the licence we do not seek to criticise him in either regard. He is doing his job as he sees it, no doubt with his usual integrity and single focus, as are we.

Let us be completely forthright and tell you that in the absence of a solid and binding guarantee of the return for reburial of the ancestors at Stonehenge before the autumn of 2012 given to us in writing and signed by all of the concerned public bodies, then we must fully oppose any further extension to the period of study. For the bones to be retained to 2015 or beyond is completely unacceptable. We require the ancestors to be returned prior to December 2012.

We do not object to small samples being retained for dating so long as these do not exceed reasonable and scientifically justifiable quantity by mass for the purpose, or risk that any one individual has no part of themselves returned.

As things currently stand, unless comprehensively challenged, we feel that our ancient ancestors are likely going to be absent from Stonehenge ad infinitum as further justifications for delay are dreamed up.

We shall pursue every avenue open to us within the law to ensure the timely return of our ancestors. We will never tire and we will never cease. We will do our duty today for those who birthed our culture 5000 years ago, and for future generations who deserve to walk upon the sacred land that is and which always should remain 'the realm of the ancestors'.

We reject and oppose the request by Sheffield University Riverside Project as it currently stands and recommend that the current research licence (section 25) period is not extended.

sincerely

Frank Somers

Representing the Aes Dana Grove and The British Druid Association

Arthur Pendragon

Representing the Loyal Arthurian Warband and the Council of British Druid Orders.

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