

# The Washington Post

## An artistic body of work's bone of contention

By Monica Hesse  
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"That's the first question that everyone asks," says Benjamin Kelley. "Where I get the bones."

Kelley, 26, is talking about his conceptual art, which is made with bones. Human bones. Femurs, mostly. The bones are pulverized, the powder is mixed with resin, then the mixture is poured into molds of Cadillac hood ornaments, where it dries into a golden color. The resulting art, he says, represents the dehumanization of modern society and the way car culture impacts people's lives in Michigan, where Kelley is from. Conner Contemporary Art gallery in Washington is currently showing two of his pieces.

"The overall focus of my work is industry, and the automotive industry in particular," says Kelley. "Growing up in Mich -- "

But where do you get the bones?!

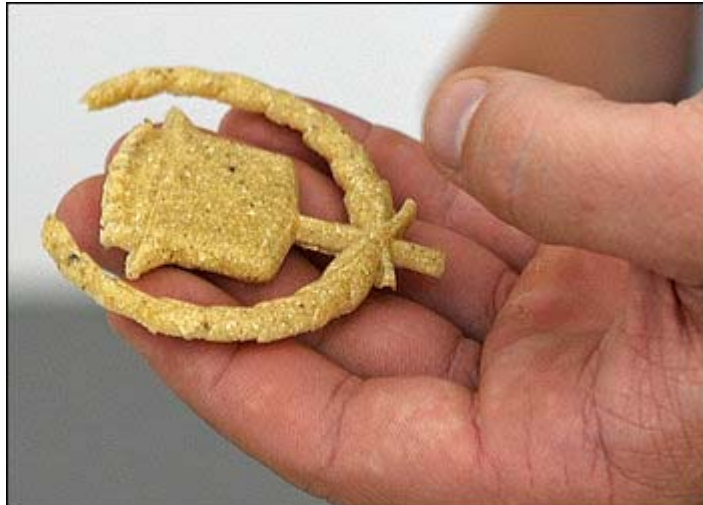
Kelley sighs: He gets them online, of course, where everybody gets everything.

The niche bone industry, in all its Gothic magnificence, does a small but steady trade. In the market for a coccyx, perhaps, or a tibia/fibula matching set? You might stop by -- or visit the Web sites of -- Skulls Unlimited International (based out of Oklahoma City), Maxilla & Mandible or Evolution (New York City), or the Bone Room (Berkeley, Calif.), whose site offers everything from assembled skeletons to pathological skulls displaying the effects of disease. One helpful prompt: "Need just a vertebra?"

A complete arm at the Bone Room will set you back around \$650; individual carpals can be purchased for \$10 a pop. Just now on eBay: a pearly cranium, sold with its own carrying case, current bid \$779. The item description notes that the skull is "used." And how.

But bone dealers worry that theirs might be a dying business, threatened by foreign export laws. India and China used to be the main providers, but those supplies have all but disappeared. Dust to dust. Ashes to ashes.

Ostensibly, the bones are there for medical and dental schools -- professionals who have a vested interest in knowing how the hip bone's connected to the back bone.



However, "we sell more bones to artists than we do to science," says Ronald Cauble, who has been running the Bone Room since 1987. "One of our biggest sales was to Damien Hirst," he of the formaldehyde cows and diamond-encrusted platinum skull. Hirst bought that particular skull elsewhere, but Cauble says he sold the artist a whole pile of other bones. "They haven't become any art yet, to our knowledge," Cauble says. "He's renovating his castle, he's sawing things in half, he's doing sharks in formaldehyde. He's busy."

### A mass shortage

People have been known to purchase bones for unusual reasons. Skulls Unlimited is one of the only facilities in the country to offer full cadaver preparation, meaning that it will transform fleshy bodies into glistening skeletons, with the assistance of dermestid beetles. This is usually for medical institutions, but owner Jay Villemarette says that he recently cleaned a man's skull to be returned to the man's widow. Villemarette says that requests like this are rare, but adds that simple bone purchases are such that "we can barely keep up with the demand."

However, he notes, the bone industry is at a critical point, due to a mass shortage. The United States, with its efficient burial practices, has never been a good skeleton provider: Americans who donate their bodies to science usually go through an accredited university, in order to prevent illegal use.

Buyers once got their bones from India, which did a brisk trade in expertly prepared skeletons. Then in the 1980s, the Indian government made it illegal to export human remains. Whatever bone scavenging still happens is illicit.



China picked up some of the supply slack, dealers say, but it never did the volume that India had. And the bone trade was halted altogether in 2008 when the Chinese government cracked down. Now, most of what's available in the United States are the stockpiles -- a dwindling stash that could run out within a few years.

The medical community has turned to artificial models, which can replicate human skeletons to near perfection, but that type of substitution simply won't do for artists or collectors.

"It's really been a terrible problem," says Cauble. "You run into all sorts of cultural issues," with various religious beliefs prohibiting interfering with cadavers. He pauses. "And of course there's the yuck factor."

"Our skulls are running very low," says Villemarette. The few that he has in stock are expensive, running in the neighborhood of \$1,400 to \$1,600. Most of those are designated "Research Quality," meaning they can only be sold to doctors or academic institutions. On the other hand, "we have lots of fibula. . . . And ribs? We have a lifetime supply of ribs."

Villemarette pauses. Maybe, he says, "lifetime" is not a good word here.

### But is it legal?

This is all well and good, but we live in America, land of laws. Surely someone has something to say about the legality of all this. Who would regulate the buying and selling of bones? The National Institutes of Health?

"[We're] not aware of any Federal laws on this particular point," writes NIH spokesman Donald Ralbovsky, who then suggests calling the Department of Justice.

"We can't offer a blanket opinion on whether something would be legal," writes DOJ's Laura Sweeney.

Perhaps the Federal Trade Commission?

"We wouldn't be involved in the regulation," says Mitch Katz of the FTC. "We would be more involved in a deceptive advertising aspect."

Meaning?

"If someone was representing it as a human femur, but it wasn't a femur," then the FTC might get involved.

Of course.

There are a multitude of regulations that dictate what one can and cannot do with a human body. Bones of American Indians, for example, are protected by the Native American Graves Protection and Repatriation Act. It's illegal to make a profit on bones for transplantation purposes, just as it's illegal with kidneys or livers. But in general, federal law does not specifically address the sale of human bones.

States have their own laws. Many allow bones to be purchased only for educational purposes. Evolution, for example, can only sell to medical professionals in order to comply with New York's law. Ebay's policy also says that bones must be purchased for research -- but identities are easy enough to fudge online, where no one can tell the difference between a medical student and a skinny Goth kid who needs the skull to represent the blackness of his soul.

In the District, possessing bones is fine, but displaying them is not, writes Kate Stanton, a spokesperson for the D.C. attorney general's office. "Exhibition requires a permit and use in an art exhibition would not be a permissible exhibition . . . the typical permissible request is a medical convention," she writes, not a Cadillac hood ornament.

When Kelley, a graduate of the Maryland Institute College of Art, is informed that his artwork might be illegal, he debates the technicalities: "I'm not using the entire bone," he says. "I've broken it down into dust and altered it into a different form. Does that make a difference?"

Not according to Stanton. "Does the artist specifically call attention to the fact that the pigments include human remains?" she asks. By identifying the bones as human remains, Kelley has shown a lack of respect for the dead.

In any case, if Kelley is investigated for his bone work, he won't be the first artist.

Washington area artist Erik Thor Sandberg has bought several human bones to use as models for his paintings. His purchases once caught the attention of the FBI. "They asked, 'How many skulls do you own?'" Sandberg says. "I said, well, what would you consider a skull? If you add up all the [bone] fragments, it's probably only three and a quarter." The feds halted the questioning when Sandberg gave his profession. "You could be doing the weirdest thing ever," Sandberg says, "but if you say, 'I'm an artist,' then people will leave you alone."