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Unclaimed and Unknown: Examining Hart Island

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Introduction to Hart Island:

Hart Island in New York City is only one mile long and about half a mile wide but its population is estimated to be 1 million individuals. Those individuals are dead; their bodies went unclaimed and were then loaded onto a truck and taken on a ferry across the Long Island Sound to be deposited three coffins high, into trenches dug by a work detail comprised of individuals who were incarcerated at Rikers Island penitentiary. Those individuals were compensated for their labor with a salary of fifty cents an hour. The average individual buried on Hart Island was most likely experiencing homelessness at the time of their death, had no next of kin or none could be found, and it is also likely that if this individual died during the height of the AIDS crisis, they died due to the illness and were thus outright denied a private burial. Much of the population of the island consists of miscarried or still born infants who are buried in much smaller coffins than their adult neighbors and are thus stacked in the trenches at a higher quantity. Since Hart Island is owned, operated, and maintained by the New York State Department of Corrections, visitation to the island is essentially prohibited unless under specific circumstances, so knowledge of the island and who is buried there is very limited.

This paper explores and analyzes Hart Island as a case study and physical representation of the theories of social death, grievability, and memorialization. Additionally, I argue that Hart Island represents a population of “doubly dead” individuals who faced social death in life, as well as actual death. Theories of social death state that a life that isn’t recognizable through any kinship relationships cannot be mourned, but I argue that memorialization is a way to combat the state of double death for the individuals on Hart Island. Memorialization is the first step towards reconnecting the doubly dead with human kinship relationships, and thus making the

ungrievable, grievable, as well as undoing some of the social death they face in addition to end of life death.

History of Hart Island:

Historically, Hart Island was a prison camp for confederate soldiers during the civil war until in 1868 it was purchased by the state of New York from a prominent Bronx family for \$75,000. A year later, Hart Island would become a public cemetery. In the decades to follow the Island would be used for quarantine during a yellow fever epidemic, an insane asylum, a military hospital, and a prison, but it always remained a public cemetery even through its other uses, none of which were particularly glamorous. It was common for those being housed there on the island to take up the duty of digging the mass graves and burying the unclaimed dead of the city. Hart Island was handed over to the Department of Corrections in 1954 and took on the utility it serves now; an isolated and abandoned potter's field with no living residents.

In her New York Times article, Nina Bernstein presents extensive research coupled with gut-wrenching storytelling to paint a picture of Hart Island as a tragic and inappropriate place for persons to be buried.¹ Bernstein makes the claim that while certain populations are no doubt especially vulnerable to burial on Hart Island, anyone can end up being buried there. She makes this assertion based on anecdotal evidence of some individuals who had other intended plans for burial that were either ignored or neglected until it was too late. Additionally, Bernstein reveals the circumstances and institutional failures that allow for some to be more vulnerable than others

¹ Bernstein, Nina. "Unearthing the Secrets of New York's Mass Graves" *The New York Times*. May 15, 2016.

such as: the corpse trade, end of life legal guardianship, homelessness, and nursing homes. Bernstein's piece is not only deeply moving in a heart-wrenching way, but also fruitful with information and assertions about the ways in which society deals with the dead. Her investigations into the ways in which certain people and institutions failed the three main individuals she centers her article around can easily be traced by the theories of social death and grievability. In addition, activist Melinda Hunt's work with The Hart Island Project mirrors the article in the sense that both are aiming to humanize the individuals who have in many ways been stripped of their humanity by the nature of their burials.

Similar to Bernstein's approach, Melinda Hunt utilizes visuals and storytelling to bring to light the lives of those who are buried on Hart Island by way of an interactive database and digital tour of the island on HartIsland.net.² With a dedicated section to those who died of AIDS, Hunt is focused on specific social issues and how they contribute to the devastation and heartbreak facing those who discover their loved ones are buried there. Hunt is offering a way to memorialize those who are lost on Hart Island not only for loved ones, but for the greater population of New York, and also society at large. By creating a curated and dedicated space for memorial, she repairs some of the damage social death, and then the true end of life death, caused these individuals.

By contrast, The New York City Department of Corrections maintains a page on their website dedicated to Hart Island as well.³ It has FAQs, a link to a searchable database, general historical information, and details explaining how to visit the island. This source is interesting to

² Hunt, Melinda. Hart Island Project. Accessed October 29, 2019. <https://www.hartisland.net/>

³ New York Department of Correction, Hart Island. Accessed on November 1, 2019. <https://www1.nyc.gov/site/doc/about/hart-island.page>

compare to Melinda Hunt's website and database dedicated to Hart Island and its inhabitants as they each have vastly different intentions. The DOC is primarily concerned with appearing transparent and accessible to the public who may have concerns about the circumstances of burials on Hart Island. While they present a database, it is purely functional; there is no attempt to memorialize or honor the dead. This source demonstrates the differing ways in which certain entities or institutions address Hart Island; either as a tragedy, or simply as a useful entity.

Social Death, Grievability, and Double Death on Hart Island:

Lisa Guenther poses a theoretical framework from which to examine populations facing extraordinary circumstances of isolation in her essay "Solitary Confinement: Social Death and Its Afterlives."⁴ Guenther presents the idea of social death, a concept that encapsulates the experience of living with no kinship connections and no recognition from society at large. Social death is defined as being "the effect of a (social) practice in which a person or group of people is excluded, dominated, or humiliated to the point of becoming dead to the rest of society.

Although such people are physically alive, their lives no longer bear a social meaning; they no longer count as lives that *matter*." Her claims about social death are useful when thinking about Hart Island and the idea of being "unclaimed."⁵ To be unclaimed in death is to extend one's own social death beyond life and into literal death. The unclaimed dead that end up buried on Hart Island are not only socially dead in their lives, but they remain socially dead while also being literally dead. This idea that someone can die and not be memorialized at all, not mourned by

⁴ Guenther, Lisa. "Solitary Confinement: Social Death and Its Afterlives". University of Minnesota Press, 2013.

⁵ Ibid., pp. xx.

any next of kin, and not even be known to be dead is a level of social death beyond what is being theorized about in Guenther's work. The individuals buried on Hart Island represent a socially dead population whose status as socially dead transcends life and pervades into death, rendering the population of Hart Island an example of a doubly dead population, because they are both literally and socially dead.

It is an anomaly to be doubly dead in this manner; social death itself is a category that is difficult to reach and maintain (while it is certainly not a desirable state to reach). Guenther states that, "It takes a whole network of interconnected obligations, both in the present and extending into the past and future, to create and sustain social personhood, and it takes a network of exclusions, interruptions and violations, not only against individuals but against the social and temporal horizons of their lives to destroy that personhood."⁶ Hart Island is representative of a socially dead population that faced that network of exclusions, interruptions, and violations after they had died, as well as in life.

Perhaps the most relevant aspect of social death for application to Hart Island is the state of violent individuality that allows for miscarriages of human rights to be seemingly justifiable due to a person's lack of kinship relationships. "To be socially dead is to be deprived of the networks of social relations, particularly kinship relations, that would otherwise support, protect and give meaning to one's precarious life as an individual. It is to be violently and permanently separated from one's kin, blocked from forming a meaningful relationship, not only to others in the present, but also to the heritage of the past and the legacy of the future beyond one's own

⁶ Guenther, Lisa. "Solitary Confinement: Social Death and Its Afterlives". University of Minnesota Press, 2013. pp. xxi.

finite and individuated being.” Here, Guenther is highlighting this key aspect of social death and noting some of the consequences of this phenomenon which is, in this instance, essentially being forgotten by history, lost from the past, present, and future. Hart Island starkly represents social death in this way: individuals buried there are completely removed from any past heritage and legacy of the future; they are buried in unmarked mass graves; family is usually unaware that someone they love is buried there; and if family does become aware, their loved one cannot be visited easily. Traditional cemeteries have mechanisms to keep the dead attached to their social history and life. Headstones stating that someone is a “beloved mother” are a demonstration of such a mechanism; the individual buried there is identifiable by their kinship relationships and is connected to their social history of past and future. Hart Island has no such mechanism and thus perpetuates a state of social death for those who are laid to rest there.

Judith Butler theorizes about what people are worthy of grief and mourning, what demographics are deemed less grievable than others, and what factors contribute to grievability in her work *Precarious Life: The Powers of Mourning and Violence*. Similar to Guenther, Butler is interested in how our relationships with others affect our vulnerability and precarity in relation to mournability after death, and thus in a sense is concerned with the vulnerability of the already dead. Butler's theory of grievability, vulnerability, and precarity can be mapped onto the inhabitants of Hart Island as representative of those who most embody her proposed state of existence. Butler says, “An ungrievable life is one that cannot be mourned because it has never lived, that is, it has never counted as a life at all.”⁷ This idea of ‘not counting as a life’ is in line with the theory of social death; a life that isn’t recognizable through any kinship relationships

⁷ Butler, Judith, *Frames of War*, Verso, 2009. pp. 38.

cannot be mourned. It is their relationships with others that make someone worthy of grief. Precariousness is an idea that Guenther mentioned as well; it is the idea that because humans (and non-human animals) are interdependent on one another, we are therefore all vulnerable to loss and thus are living in a state of precarity.⁸ Like grievability, precarity is also an unevenly distributed phenomenon. Butler also hones in on how the human capacity for connection to others is both what creates vulnerability, but also what makes living in such a vulnerable state bearable. This idea is central to what makes Hart Island such a tragic place; it is literally and metaphorically disconnected from humanity and thus makes the population on Hart Island literally and socially dead.

These theories about social death and grievability are demonstrated clearly by the human bodies that end up buried in mass graves, and by prisoners who are also cast out from society and made to dig the graves. Hart Island serves as a physical demonstration of these theories and confronts the ontological matter of whose lives are seen as valuable, and why certain lives are valued over others.

Accidental Burials and AIDS:

While every individual buried on Hart Island is socially dead in their state of death, some were arguably not socially dead while living and thus don't meet the criteria for being ungrievable despite the fact that they are buried on Hart Island. One such case is that of Doris McCrea. Doris was a retired widow who had worked in the top tier of a private corporation and thus had a hefty burial fund and a plot waiting for her in Massachusetts next to her late husband.

⁸ Butler, Judith, *Precarious Life: The Powers of Mourning and Violence*. Verso, 2004.

Doris still ended up being buried on Hart Island. She lays in trench 356 with 143 other bodies. It was that very network of exclusions, interruptions and violations that Guenther defines as being central to maintaining social death that allowed for Doris to be buried on an island, far away from her bought and paid for plot next to her kin.⁹ On paper, Doris seems to be highly grievable: she had money, worked at a large company, and was white, and yet she still fell prey to social death after her passing. This case makes it clear that death itself is an entirely new state of vulnerability that leads to a new kind of precarity and then social death or, double death in the case of those interned on Hart Island.

Politically, Hart Island remains obscure. However, due to organizing in part lead by Melinda Hunt more attention is being paid to the state of the potter's field. In a speech delivered by Council Speaker Cory Johnson, he describes a visit he took to the island as “an emotional and overwhelming experience,” citing his status as an HIV positive man and how many of the dead buried on Hart Island died of AIDS at the height of the AIDS crisis-- more people who died of AIDS are buried on Hart Island than in any other cemetery in America. Johnson makes a call to action saying, “We can do much better, much better, for the people who are buried on Hart Island and I feel an obligation to help.” Then Hunt’s website directs viewers to the current bills being heard that are relevant to Hart Island so as to offer more information on policy. A window into the political and policy-oriented side of the debates surrounding Hart Island is key to understanding what, if anything, will be done about the way in which New York handles its unclaimed dead.

⁹ Bernstein, Nina. “Unearthing the Secrets of New York’s Mass Graves” *The New York Times*. May 15, 2016.

Memorialization as a Means to Combat Double Death:

To most accurately theorize about Hart Island, it is key to examine memorialization and how other instances of mass graves are handled by societies that create them. Mass graves are typically a response to instances of mass losses of life in concentrated areas such as those resulting from nuclear bombings, genocides, or civil wars. A mass grave is not usually the initial response to an individual's death. As such, it is understood that mass graves are not the most respectable place to be laid to rest. As such Hart Island can be understood as a case of an “average atrocity” or in other words, something that is commonly recognized to be an atrocity (such as mass graves) but is happening in an average context. In this case, mass graves are used as a solution to an infrastructural problem, and something atrocious has been made an average occurrence. The atrocity of Hart Island is itself a part of the infrastructure of New York City.

Studies surrounding memorialization efforts following events that create mass graves have identified key aspects of proper memorialization. One such study titled, “Narratives of Mass Violence: The Role of Memory and Memorialization in Addressing Human Rights Violations in Post-Conflict Rwanda and Uganda,” gathered data from focus groups of survivors of the Ugandan civil wars and the Rwandan genocide respectively.¹⁰ The participants noted four key aspects of a good memorialization effort, which are: community involvement, physical spaces of reflection, education, and days of commemoration.

¹⁰ Fox, Nicole & de Ycaza, Carla, “Narratives of Mass Violence: the Role of Memory and Memorialization in Addressing Human Rights Violations in Post-Conflict Rwanda and Uganda”. *Societies Without Borders* Vol. 8. Issue 3, Article 2. Case Western Reserve University: School of Law, 2013.

While Hart Island is shrouded in mystery and extraordinarily inaccessible, there are still some memorialization efforts being made to commemorate those buried there. One such effort is the previously mentioned Hart Island Project; the ever-growing interactive online database begun by activist Melinda Hunt. The mission statement for the project reads, “The Hart Island Project assists families and individuals with limited resources in accessing public burial records and information concerning burial procedures on Hart Island, and increases public awareness of the history of Hart Island, the Potter’s Field in New York City through engaged storytelling.”¹¹

There are pages where stories about certain individuals are posted either by Hunt herself after she does research, or by loved ones who find their relatives or friends have been buried there. The Hart Island Project is certainly the largest and most successful memorialization effort for those who are currently buried on Hart Island and thus the most easily applied to the key aspects of memorialization discussed in the study mentioned above.

Community involvement is the first and perhaps most important aspect of memorialization that participants in the study identified. “One Ugandan participant highlighted the importance of community involvement in memorialization efforts: ‘The government and communities must all work together like a family. If something happens to a child or mother or father, we must all be involved. This is the problem in Africa, where governments tend to use authority or domination on the people. We don’t see the connection between the government and the people. That really gives us a lot of pain.’ Here, the participant emphasizes the importance of community involvement versus state-led actions to institutionalize memories.”¹² The Hart Island

¹¹ Hunt, Melinda. Hart Island Project. Accessed October 29, 2019. <https://www.hartisland.net/>

¹² Fox, Nicole & de Ycaza, Carla, “Narratives of Mass Violence: the Role of Memory and Memorialization in Addressing Human Rights Violations in Post-Conflict Rwanda and Uganda”.

Project centers community; its goal is to generate a sense of community for loved ones that may be searching for someone buried there, and for those who have found a loved one that was lost to the island, a sentiment echoed in Hunt's mission statement and throughout the website.

In addition to centering community involvement, the project creates an online space of reflection since the island itself is difficult to visit and cannot currently be a physical space of reflection. Physical spaces of reflection were found to be key: "The ways in which participants in both cases found memory projects to be helpful were how memorials served as sites of documentation and evidence collection, and how memorials are sites for community engagement and social networking."¹³ So while the island is difficult to access for the general public, there have been efforts in the past to create physical spaces of reflection on the island that were begun by those who do have access to it: the prisoners who bury the dead. A work detail made up of 230 prisoners designed and erected a statue to honor those lost to the potter's field in 1948. The memorial still stands on the island despite the fact that it cannot be visited by the prisoners or the general public and thus cannot be interacted with, which is a key point of having physical spaces of reflection in the first place. For now, the island is still owned by the Department of Corrections. However, due in part to Hunt's organizing, it has been proposed to the City Council of New York that ownership of the island be transferred to the Parks Department. If such a change takes place, that monument erected by the prison work detail all those years ago could in fact serve its intended purpose more fully.

¹³ Fox, Nicole & de Ycaza, Carla, "Narratives of Mass Violence: the Role of Memory and Memorialization in Addressing Human Rights Violations in Post-Conflict Rwanda and Uganda". *Societies Without Borders* Vol. 8. Issue 3, Article 2. Case Western Reserve University: School of Law, 2013. pp, 355.

Along with community involvement and physical spaces of reflection, education is another highly important piece of a memorialization effort. “In addition to memory being a form of cultural and historical documentation, memorials and memory spaces are often thought of as a form of violence prevention that educates the community past violence and injustice. Many participants in both cases stated that one function of these memorials in post-conflict communities is to show communities what can happen when inequality and violence escalates.”¹⁴

It is clear that education is central to not only memorialization but also to reparation. Education is a central point of The Hart Island Project; the mission statement supports increasing public awareness, and in addition, Melinda Hunt’s personal organizing prioritizes educating the public about the island’s existence as well as its injustices.

Serving as a liaison between those trying to navigate the city’s resources on Hart Island, which are limited due to the Department of Corrections’ control of the island, and families searching for loved ones who may have been buried there, the project makes a point of dismantling the inaccessibility of the island itself, and makes knowledge more public and attainable. Knowledge of Hart Island is so limited because the Department of Corrections has a stake in maintaining the average atrocity that is Hart Island. With more public knowledge would come more demand for change. It is in the best interest of the Department of Corrections that the general public remains unaware of Hart Island, and the Hart Island Project seeks to dismantle that secrecy and instead offer education in order to properly memorialize those buried there.

¹⁴ Fox, Nicole & de Ycaza, Carla, “Narratives of Mass Violence: the Role of Memory and Memorialization in Addressing Human Rights Violations in Post-Conflict Rwanda and Uganda”. *Societies Without Borders* Vol. 8. Issue 3, Article 2. Case Western Reserve University: School of Law, 2013. pp, 356.

Days of commemoration were highlighted in the study as being central to maintaining memorialization. “The role of days of commemoration and ceremonies to keep memory alive was also expressed as important to communities in helping to acknowledge and identify specific numbers killed, by whom, and where in order to give a voice to their stories and experiences. For example, in Rwanda, memorials often hold commemorative events on the annual anniversary of the night people were killed at that site. In one research site in Rwanda, survivors spend the night of April 15th and 16th every year to commemorate the invasion of the militia that killed 10,000 people in 1994.”¹⁵ While there is not a day of commemoration for Hart Island, the idea of holding commemorative events is one to consider as the fate of the island continues to be uncertain. If the Parks Department were to gain control of the island, it would be paramount to consider implementing a designated time during which memorialization could occur on a regular and recurring basis. The goal of a day of commemoration is to create a time as well as a space for honoring loss, as well as a way to keep memories alive in years to come.

Each of these aspects of memorialization --- community involvement, physical spaces of reflection, education, and days of commemoration --- serve the broader purpose of connecting the living with the dead. This connection is what undoes some of the social death that made it possible for human life to be discarded in a mass grave in the first place. Re-connecting the dead with their living human kin serves to reconnect them with humanity and thus, resuscitate them socially.

¹⁵ Fox, Nicole & de Ycaza, Carla, “Narratives of Mass Violence: the Role of Memory and Memorialization in Addressing Human Rights Violations in Post-Conflict Rwanda and Uganda”. *Societies Without Borders* Vol. 8. Issue 3, Article 2. Case Western Reserve University: School of Law, 2013. Pp. 357.

An example of socially and unclaimed dead that have been re-connected with the living in an act of memorialization is the Tomb of the Unknown Soldier in Arlington National Cemetery.¹⁶ The burial of an unknown soldier was approved in 1924 following World War I and in the many years to follow, more unknown soldiers have been laid to rest in the tomb both literally and symbolically. This act of memorialization is only comparable to Hart Island because both are burial sites for the “unknown” or “unclaimed.” The inscription on the Tomb of the Unknown Soldier reads, “Here rests in honored glory an American Soldier known only but to God,” invoking a sense of unreachable distance, a complete lack of identification other than American Soldier. The dead on Hart Island are also unreachable, unknown, unclaimed and unidentified in many cases. The unknown soldiers have been given a proper memorial; the community was involved in creating it and remains involved in maintaining it, it is a physical space of reflection, there are highly trained sentinels who both guard and educate the public about the tomb, and there are a number of days to commemorate the loss of soldiers more generally such as Veterans Day. With examples such as this one, Hart Island can and should undergo significant memorialization efforts to re-connect the doubly dead population with the living.

Conclusion:

With the social efforts that are being made, such as The Hart Island Project and the push to have control of the island transferred from the Department of Corrections to the Parks Department, as well as City Council Member Johnson’s public commitment to do more to

¹⁶ Arlington National Cemetery, “The Tomb of the Unknown Soldier”. Accessed October 11. <https://www.arlingtoncemetery.mil/Explore/Tomb-of-the-Unknown-Soldier>

address the average atrocity that is Hart Island, the future of its existence and utility is up in the air legislatively. But in addition to, and aside from, the legislation, Hart Island demonstrates a societal gap that the individuals buried there were allowed to fall through. The work would ideally be focused on not allowing people to fall through these gaps to begin with. However, with that said, the first step to addressing any aspect of Hart Island should be memorializing those who already did fall through the gap and met their anonymous and isolated fate in the trenches on the island's grounds.

There are social mechanisms for memorializing the unknown dead and this memorialization serves to connect the living with these seemingly ungrivable dead and thus, undoes some of their anonymity and loss of personhood and their state of double death. Therefore, memorialization efforts for those on Hart Island should be paramount. It is clear from the evidence from the study on the Rwandan genocide and the Ugandan civil wars that the ways in which communities address and recover from atrocity, and specifically their treatment of the dead, has greater implications about the nature of communal attitudes towards death. It is worth examining Hart Island in those legislative and social arenas, but also simply as a violation of someone's humanity and dying wishes. Inadequate treatment of the dead, grievable or not, socially dead or otherwise, is not without consequence.

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