

Human remains in society

Curation and exhibition in the aftermath
of genocide and mass-violence

Edited by JEAN-MARC DREYFUS
and ÉLISABETH ANSTETT



HUMAN REMAINS AND VIOLENCE

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Human remains and violence aims to question the social legacy of mass violence by studying how different societies have coped with the dead bodies resulting from war, genocide and state sponsored brutality. However, rather paradoxically, given the large volume of work devoted to the body on the one hand, and to mass violence on the other, the question of the body in the context of mass violence remains a largely unexplored area and even an academic blind spot. Interdisciplinary in nature, *Human remains and violence* intends to show how various social and cultural treatments of the dead body simultaneously challenge common representations, legal practices and morality. This series aims to provide proper intellectual and theoretical tools for a better understanding of mass violence's aftermaths.

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Élisabeth Anstett and Jean-Marc Dreyfus
November 2015

Introduction. Corpses in society: about human remains, necro-politics, necro-economy and the legacy of mass violence

Élisabeth Anstett and Jean-Marc Dreyfus

The visible presence of human remains within societies is not a new phenomenon.¹ Whether these remains have been placed on view for religious reasons (through the creation of ossuaries or the use of relics, for example), for the purposes of experimental science (in particular through the use and preservation of human tissues and skeletons by the disciplines of medicine, biology and physical anthropology) or indeed for those of the humanities and social sciences (through the study and display of mummies or Maori heads in Western museums, for instance), many examples attest to a long history of the display of human remains and even of entire dead bodies. This visibility and presence have generated new thinking regarding their display – whether whole corpses or constituent parts – driven by an emerging host of ethical questions, giving rise to various legal measures and codes of good practice aimed at its organisation and regulation. A paradigmatic example of the changes that have occurred in terms of both public sensitivities and the legal situation is provided by the passing of the UK's 2004 Human Tissue Act and the creation of the Human Tissue Authority, which aim to oversee the transportation, storage and use of human bodies, organs and tissues in the context of scientific research, education and transplant surgery.

The difficult questions posed by the atrocities of the twentieth century have added to the issues raised by corpses and human remains preserved outside of funerary spaces. Genocides and

episodes of mass violence have, in this area as in so many others, overturned existing symbolic and social orders, giving rise to new configurations that are emblematic of the dark side of our modernity.² Chief among these is the presence of very large numbers of corpses in countries including, but not limited to, Namibia, Armenia, the former USSR, Spain, Poland, Ukraine, Cambodia, Darfur, Guatemala and Bosnia. This intentional production of the civilian dead on a mass scale has posed difficult questions regarding the status that should be granted to their corpses or other bodily remains, most often once the violence is over. The aim of the present volume, then, is precisely to examine this status and the factors at stake in its construction.

Once episodes of mass violence and genocides come to an end, the resulting human remains become the subject of numerous and varied forms of investment. They are claimed by families and states and subjected to the attention of international organisations and the media. They may of course be forgotten, but they may equally be instrumentalised, placed in memorials or, to the contrary, reburied far from the memorials built to commemorate the atrocities. They may be individualised or, conversely, collectivised, and in some cases placed under the authority of an institution or a court of law. They are often sacralised and thus used to legitimise political or religious power. They can also function as substitutes for other bodies to whom it has not been possible to give the same degree of care, either because they have not been searched for or discovered, or indeed because they have been destroyed. Which actors, then, are involved in the reinscription within societies of human remains resulting from mass violence and genocide? What is at stake in the way these remains are treated, and what are the logics that govern this treatment? It is the aim of the present volume to attempt an answer to these questions.

This volume is part of a series of publications that present the findings of the research programme entitled 'Corpses of Mass Violence and Genocide'.³ These publications have, first, set out preliminary methodological questions for the study of the treatment of corpses in configurations of extreme violence,⁴ then considered the fate of corpses during the phase of destruction, that is to say at the time of the massacres themselves,⁵ before finally examining the search for bodies and, where possible, their identification, focusing on the 'forensic turn' in the last part of the twentieth century that appears to have been a key development.⁶

Although they might seem quite distinct, these three stages in the treatment of corpses – destruction, search and identification,

return to society – are closely linked, and it is crucial to consider them together in order to fully understand the present volume's dealing with the third phase. In this respect, *Human Remains in Society* represents not only the logical continuation, but also the culmination of our research. It is the fruit of a conference held at the University of Manchester in September 2014 that sought to investigate the legacy of mass crimes, with a particular focus on understanding the different mechanisms and logics involved in the reappearance of human remains. *Human Remains in Society* therefore aims to concentrate on the treatment and the eventual fate of corpses and/or human remains once they have been exhumed and in some cases identified, in particular analysing the technical, political, religious, emotional and social investment placed in the practices governing their return.

Our research programme has from the outset been highly interdisciplinary, involving anthropologists, historians, jurists and criminologists. As the reader will see on consulting the chapters in this volume, this aspect of our work has been retained and even extended to literary studies and archaeology. The chapters brought together here, and more generally the research carried out by specialists representing all the research programme's covered continents, approach different forms of extreme violence and its legacies and allow us to make a number of observations.

First, it seems that the main aspects of contemporary practices of reinscribing human remains within the ordinary life of peacetime societies are invariably still structured by the threefold register of religious, scientific and political considerations. Analysis of ritual and religious practices allows us in the first instance to distinguish their extreme flexibility. For these practices are often novel, the result of various syntheses and personal initiatives echoing the religious and political cultures surrounding each specific case under study. The flexibility of funerary rituals seems in this respect to show that it is possible to restructure practices of reburial and mourning using a highly syncretic approach. The world's religions have sought to control the minds and bodies of the living and the dead alike by giving extremely detailed prescriptions for burial rites, laying down laws on exhumation and establishing numerous taboos around corpses. Yet, while the major monotheisms appear in most of the volume's case studies, they do not state any clear religious policies regarding corpses en masse. For instance, Orthodox Jewish law, the Halakha, which deals in minute detail with the treatment of individuals who have died of natural causes, proved incapable of applying the same rules to the situations that arose from the Holocaust. This becomes

very clear from reading the chapter by David Deutsch who, by analysing the Orthodox rabbinic *Responsas* (decisions) made in the decades following the Second World War on questions relating to the treatment of bodies and human remains from the Holocaust, shows that interpretations of Jewish law have been highly variable. Elsewhere in Europe, Bosnian Islam has also revealed itself to be highly flexible in accommodating funerals *in absentia* or allowing women to attend and participate in mortuary rituals after the Srebrenica massacre, in which all the town's Muslim men were murdered and their bodies hidden for years.⁷ In Indonesia, meanwhile, at the locations of mass graves from the massacres of communists in the 1960s, Muslim or Buddhist rituals were replaced by various forms of religious syncretism.⁸ More recently, in Rwanda, Evangelical churches have rushed into the breach left open by the nervousness of the country's Catholic Church, some of whose members were caught up in accusations of participation in the genocide, thereby offering a space of charismatic renewal in Christian ritual practice.⁹ In all of these cases it is as if the sheer scale of the murder and its unique nature prevented an extension of the usual funerary rituals to the sites of mass graves and to excessive numbers of corpses, making innovation necessary.

Analysing funerary rituals also allows light to be shed on the main actors in these practices, and sometimes even to loose groupings of people that could be thought of, in Pierre Nora's words, as 'environments of memory', at times working as networks, which bring together survivors, families of victims (which may cover several generations), activists representing various political causes, journalists and so on.¹⁰ This milieu of actors is often composed of activists who have turned the exhumation of bodies into a political struggle, human rights campaigners who see it as an important tool of transitional justice,¹¹ forensic scientists working for international organisations, national institutions – such as the police or army – or non-governmental organisations, people living near sites of disinterments or reinterments, victims' families and media representatives. The exhumation of the mass graves from the Franco era in Spain seems to provide the most highly developed example of these groupings,¹² where a part of public space has been appropriated in a continuous or intermittent fashion and within it forms of interplay have been created that are highly revealing of more general social and political tensions.

Treatments of corpses, and their uses, may also vary within a single geographical space according to the period and context in

question. This is shown in the chapter by Gaetano Dato, which, over an extended period (from 1920 to 1970), examines the Julian March, the border region between Italy and Yugoslavia. He clearly demonstrates how, from 1914 to the 1950s, commemorations of the various victim groups of irredentist conflicts, anti-Semitic persecution and repression against Resistance fighters to Nazi occupation have brought into play a vast palette of rituals that are not always primarily religious in character, but always eminently political, in a context in which the inscription of corpses within a framework of identity is crucial in justifying the region's political and national affiliation. Similar issues are addressed in the chapter by Devlin M. Scofield, which examines the transfer of the remains of eleven members of the French Resistance to Alsace at the beginning of the 1950s, who had been murdered by the Gestapo in the Baden region. These bodies became the subject of a complex pattern of investment in the fraught context of early Franco-German reconciliation in two border regions with similar cultural characteristics (religion, language) but with opposing political histories. Here, too, religion and politics go hand-in-hand.

The study of the various scientific practices underpinning the social reinscription of the human remains resulting from mass violence (through techniques of identification, classification and display) focuses on the historical configurations that presided over the birth of physical anthropology, and which are inextricably linked with genocides and crimes against humanity. One has the feeling that a spectre hovers above a number of chapters in this volume: that of racial anthropology as it developed in the West at the end of the nineteenth century, a discipline that subjected bodies and human remains – in particular skulls – to study using instruments to measure and compare them, in order to justify hierarchies between different human 'races'. The scientific assumptions that form the basis of studies of the evolution of humanity have since changed following a de-racialisation of physical anthropology in the wake of the Holocaust. Even so, at the end of the 1950s, certain French forensic experts and anthropologists still considered that, in the case of exhumations of the Nazi concentration camps' mass graves, science was able to distinguish a French skeleton from a German or Italian one.¹³ While the forensic scientists whose work is analysed in this volume no longer have a racialist agenda, genocides and episodes of mass violence are still both the source and the product of their knowledge. This dark memory of physical anthropology is displayed in

the chapter by David M. Anderson and Paul J. Lane on the fate of the skeletons of Mau Mau insurgents in Kenya, and similarly presented in the chapter by Vilho Amukwaya Shigwedha on the Hereros and Namas of Namibia murdered by German colonial troops. The collection of skeletons of these natives – whose return from Germany is still ongoing – was established at the behest of Eugen Fischer, the master of German racial science and the mentor of Josef Mengele, the infamous chief doctor of Auschwitz.

Museums, universities and anatomy institutes in Europe, the United States and throughout the world have thus inherited immense collections of osteological specimens, corpses and human remains that were patiently assembled in the general context of the birth of physical anthropology; these collections helped to consolidate these institutions' reputations and prestige, for a long time constituting their true *raison d'être*, even if they are much less openly exhibited and promoted today. The University of Berkeley in California, for instance, still holds a veritable ossuary composed of the remains of Native Americans robbed from tombs in California and elsewhere.¹⁴ Along with the question of the 'ghosts' of pre-war racial anthropology, then, arises the emergence of a positivist and scientific vision of the human body for which anthropology served as a vector.

The constitution of these collections thus forces us to point out the ambiguous role of cultural institutions and museums in not only preserving but also confiscating and appropriating human remains, to the extent of locking them away in safes inaccessible to the outside world. This is precisely what John Harries reveals in his chapter devoted to the presence/absence of a Canadian First Nation tribe, the Beothuk, the skeleton of one of whose members was displayed, then hidden and finally shut away in the safe of a local museum in Newfoundland. From this arises the question of the appropriation, or rather of disputes surrounding the appropriation, of human remains. Who has the right to exercise control over them? Which groups or individuals can assume responsibility within the long chain of custody of corpses or body parts? This ethical and legal question once again becomes political, in this way reminding us that the dead remain the subject of vigilant and somewhat anxious governance, and sometimes highly elaborate necro-political strategies.¹⁵ The conflicts around what to do with the bodies that have been recovered also reveal disputes over reappropriation and legitimacy between survivors, victims' families, administrations, states, international organisations and even diaspora communities of exterminated minority groups.

All things considered, it is perhaps more in the field of artistic creativity (whether literary, visual or multi-media), and in particular that of corpses' image production, that a discourse on and questioning of the place of the dead in society currently seems to be developing in the most dynamic way. These forms of creation offer individualised representations of feelings, allowing the disturbing materiality of death to be kept at a distance, while at the same time producing a particular form of intelligibility created by the artist. This is shown in the chapter by Ayala Maurer-Prager, who examines the question of intimate proximity to corpses and bones in Rwanda based on the study of texts with a dual documentary and literary character. Comparing the writings of the journalists and memorialists Philip Gourevitch and Jean Hatzfeld, read alongside the novel by Boubacar Boris Diop, *Murambi, The Book of Bones*, Maurer-Prager reveals how the survival of Rwandans who escaped the massacres has been inscribed within a simultaneous relation of their contact with and their distancing of themselves from the masses of corpses produced by the genocide. Another question, which follows from the appropriation and control of the dead, is that of the rights to images, in a period when the display of human remains is taking a new turn and leaving visual taboos, such as those concerning the bodies of dead soldiers in the trenches during the First World War, far behind. Indeed, images of corpses are becoming an integral part of curatorial representations of mass violence. Some have become iconic, such as those taken at Bergen-Belsen and Buchenwald by the photographers and cameramen of the American and British forces.¹⁶ The last three decades have consequently seen the production of numerous works of art that examine the place of corpses and human remains in societies marked by extreme violence. Among them is the work of Anselm Kiefer, who delves into the cannibalistic nature of Western societies in paintings such as *Osiris and Isis* (1985–87) and the highly explicit and figurative work of the Belarusian painter Mikhail Savitsky, who reconstructs his experience of the Nazi extermination camps. While the functions of these works are primarily artistic and metaphysical, they are nevertheless able to generate a sense of immediacy, a 'reality effect', which scientific analyses can often lack. In this respect, documentary films have today become an indispensable part of the process of human bodies' return to society, employing this reality effect and proclaiming a professional and ethical stance that is resolutely non-commercial and independent of the major entertainment and media outlets; they

draw attention in a wider sense to what is a real moral and aesthetic crisis regarding representation of violence.¹⁷ Whether the subject is Bosnia, with the work of Sabina Subasic;¹⁸ Spain, with the work of José Luis Peñafuerte or the photographer Clemente Bernad;¹⁹ Latin America, with the work of Virginia Martinez;²⁰ Rwanda, in the films of Philippe Van Leeuw and Marie-Violaine Brincard;²¹ or Cambodia, including the enormously important work of Riti Panh,²² documentary-makers remain, in this respect, in the avant-garde of representations of extreme violence, in terms of both expressing and analysing this phenomenon.

The involvement of artistic creation in this process raises two sets of questions. The first is linked to the place accorded to (and taken by) technology in the production of a discourse on death and the dead en masse: through the multiplication of images, which seem to assist the multiplication of the corpses themselves, through the competition between amateur and professional image-makers and through the creation of a unique manner of being in the world that combines absence and omnipresence. Social media now plays a dominant role in this process. Representations of reburials and their fluctuating meanings are heavily present, accompanying the constant reconfiguration of the environments of memory mentioned above, following the fluctuations that occur within specific movements and the political situation more generally. Images of bodies and human remains are in this respect creating a new visual culture,²³ as much through the efforts of victims' families using a variety of image-recording devices as through those of the major traditional media sources. These new images clash with those present in popular culture, where the display of corpses in police dramas, horror films and television series centres – almost obsessively – on the figure of the forensic pathologist and the cutting-up of dead bodies.²⁴

The second set of questions is more strictly ethical in nature. Works of fiction, along with photography and film, engage just as directly as religious or scientific practices with the fundamental questions raised by the bringing to light and public display of corpses and human remains with regard to the respect they are owed. These documentaries and works of fiction force us not only to think about the degree to which the dead are objectified, and even the very possibility of the continued existence of an 'individual subject' in the face of mass killing, but also to consider the rights the dead retain over the use of their image and, finally, the extent to which images help to spread and legitimise voyeurism and complacency towards

violence. These are all issues that international law and the various national legislations around the world are still reluctant to address.

A final series of questions relate to the realities and dangers of an instrumentalisation, a 'commodification' of corpses; this was pointed out by the anthropologist Alejandro Castillejo Cuéllar over a decade ago when he was studying the status of the victims of apartheid during the process of transition in South Africa, underlining the extent to which victims have become commodities in an international network of prestige.²⁵ There is no escaping the fact that in situations that follow genocides and extreme violence, human remains – just as much as surviving victims – become 'goods'. As a result, a dual necro-economy comes into being. This consists, first, of a symbolic necro-economy developed on the level of a moral economy,²⁶ which derives its power from the terror generated by the phenomenon of mass killing. This moral economy is established through the selective assignment of defined statuses to individuals or groups (spokesperson, victim, survivor, sons and daughters of ...) that result in the production and accumulation of symbolic capital.²⁷ These varied statuses sometimes give rise to conflicts of appropriation or legitimacy, shedding light on the eminently political nature of the unique form of goods that are human remains.

Second, this necro-economy is more than just symbolic, for it is now monetised and globalised – or well on the way to being globalised, at any rate. It is the product of a free-market logic that feeds off the practices involved in the search for, identification and preservation of bodies, and finally their transformation into heritage, as described in our previous volumes. While the search for and identification of corpses of mass violence and genocide has given rise to a market in forensic expertise,²⁸ as a counterpoint there has sprung a whole industry of 'dark tourism', a 'thanatotourism', along with a leisure and entertainment industry revolving around the creation of permanent displays or temporary exhibitions in museums, as well as dramas, documentaries and publications of all types. Sites of burial and exhumation may in this respect be regarded as symbolic and material 'resource banks', containing a highly varied selection of resources to suit a range of actors who differ radically from one another in terms of their investments. For instance, in the first few years of the post-war period, the people living next to the actual sites of the extermination camps in Poland dug up and sifted through the soil from Treblinka, Sobibór and Bełżec, creating a local gold-panning rush that constituted a final profanation. This is shown in the excellent account given by

Zuzanna Dziuban in her chapter on the spatiality of the death sites in Poland. Yet while these same sites have yielded corpses to be identified and returned to their families, they are also destinations for tour operators and even objects of scientific study for scholars, including the authors of the present volume. The chapter by Caroline Sturdy Colls reveals how, in this respect, the locations of the Holocaust's death camps in Poland constitute sites of symbolic and scientific resources for victims and their descendants, as well as for archaeologists – in the context of the recent development of a specific archaeology of the Holocaust – yet they are also sites of conflict between different religious and political authorities. It is thus possible to see how, within this curious necro-economy – and often in the name of survivors or their descendants, not to mention justice and human rights – competition can sometimes develop over access to these resources.

In the final analysis, we still need to work out exactly how the moral economies generated by the return of the dead to society fit into contemporary major economic and (geo)political world orders. It is all the more crucial and urgent to understand this relationship within the current context of the globalisation of the treatment of large numbers of dead bodies. This is a context in which there exists not only situations of intentional mass killing, but also countless recent experiences of disasters, whether natural or industrial, from Hurricane Katrina and the 2011 tsunami in Japan to the Savar building collapse in Bangladesh in 2013, the recent Ebola epidemic or multiple air crashes such as the Malaysia Airlines flight MH17 in Ukraine or the Germanwings Barcelona–Düsseldorf crash in the French Alps, which serve to remind us of the reality and deep significance of this issue.

Notes

- 1 Translated from the authors' French by Jon Hensher.
- 2 J. Assayag, 'La face obscure de la modernité', *L'Homme*, 170:2 (2004), 232–43. URL: www.cairn.info/revue-l-homme-2004-2-page-232.htm (accessed 5 May 2015).
- 3 ERC Starting Grant no. 283–617. We would like once again to thank the European Research Council for the support they have given to this research programme.
- 4 J.-M. Dreyfus and É. Anstett (eds), *Human Remains and Mass Violence: Methodological Approaches* (Manchester: Manchester University Press, 2014).

- 5 É. Anstett and J.-M. Dreyfus (eds), *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence* (Manchester: Manchester University Press, 2014).
- 6 É. Anstett and J.-M. Dreyfus (eds), *Human Remains and Identification: Mass Violence, Genocide and the 'Forensic Turn'* (Manchester: Manchester University Press, 2015).
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- 8 G. Fealy and K. McGregor, 'Nahdlatul Ulama and the killings of 1965–66: religion, politics and remembrance', *Indonesia*, 89 (2010), 37–60.
- 9 T. Longman, 'Church politics and the genocide in Rwanda', *Journal of Religion in Africa*, 31:2 (2001), 163–86.
- 10 P. Nora (ed.), *Realms of Memory: Conflicts and Divisions* (New York: Columbia University Press, 1996), p. 1.
- 11 For discussion of transitional justice in Argentina, see S. Garibian, 'Ghosts also die: resisting disappearance through the "right to the truth" and the *Juicios por la verdad* in Argentina', *Journal of International Criminal Justice*, 12:3 (2014), 515–38.
- 12 F. Ferrándiz, 'Exhuming the defeated: civil war mass graves in 21st century Spain', *American Ethnologist*, 40:1 (2013), 38–54.
- 13 J.-M. Dreyfus, 'Renationalizing bodies? The French search mission for the corpses of deportees in Germany, 1946–58'; in J.-M. Dreyfus and É. Anstett (eds), *Human Remains and Mass Violence: Methodological Approaches* (Manchester: Manchester University Press, 2014), pp. 129–45.
- 14 T. Platt, *Grave Matters: Excavating California's Buried Past* (Berkeley, CA: Heyday, 2011).
- 15 For a general discussion of this issue of control, see F. Stepputat (ed.), *Governing the Dead: Sovereignty and the Politics of Dead Bodies* (Manchester: Manchester University Press, 2014).
- 16 On Bergen-Belsen, in particular, see S. Bargett and D. Cesarani (eds), *Belsen 1945: New Historical Perspectives* (London: Vallentine Mitchell, 2006).
- 17 For a discussion of images showing the Rwandan genocide and its commemoration, see N. Réra, *Rwanda, entre crise morale et malaise esthétique: Les médias, la photographie et le cinéma à l'épreuve du génocide des Tutsi (1994–2014)* (Dijon: Les Presses du Réel, 2014).
- 18 S. Subasic, *Earth Promised Sky* (Documentary, France, 52 mins, 2003).
- 19 J. L. Peñafuerte, *Los caminos de la memoria* (Documentary, Spain, 96 mins, 2011); for an overview of Clemente Bernad's work, see <http://clemente.format.com> (accessed 1 May 2015).
- 20 V. Martínez, *Las manos en la tierra* (Documentary, Uruguay, 52 mins, 2010).
- 21 P. Van Leeuw, *Le jour où Dieu est parti en voyage* (Drama, Belgium, 1 hour 34 mins, 2008); M.-V. Brinard, *Au nom du père, de tous, du ciel* (Documentary, France, 52 mins, 2011).
- 22 See R. Panh, *La terre des âmes errantes* (Documentary, Cambodia–France, 100 mins, 2000); *S21, la machine de mort Khmère rouge* (Documentary, France, 101 mins, 2003); and *Duch, le Maître des forges de l'enfer* (Documentary, France, 100 mins, 2012).

- 23 F. Ferrándiz and A. Baer, 'Digital memory: the visual recording of mass grave exhumations in contemporary Spain', *Forum Qualitative Social Research*, 9:3 (2008), 1–23.
- 24 M. Moisseeff, 'Requiem pour une morte: aftermath (Cerdà 1994)', *Techniques et Culture*, 60 (2013), 160–79.
- 25 A. C. Cuéllar, 'Unraveling silence: violence, memory and the limits of anthropology's craft', *Dialectal Anthropology*, 29:2 (2005), 159–80.
- 26 D. Fassin and R. Rechtman, *L'empire du traumatisme: Enquête sur la condition de victime* (Paris: Flammarion, 2011).
- 27 G. Gatti, *Surviving Forced Disappearance in Argentina and Uruguay: Identity and Meaning* (New York: Palgrave Macmillan, 2014).
- 28 C. Merli and T. Buck, 'Forensic identification and identity politics in 2004 post-tsunami Thailand: negotiating dissolving boundaries', *Human Remains and Violence*, 1:1 (2015), 3–22.

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The unburied victims of Kenya's Mau Mau Rebellion: where and when does the violence end?

David M. Anderson and Paul J. Lane

All over central Kenya, the bones are coming up. Travelling around the countryside of the Kikuyu-speaking areas of these intensely farmed and closely settled fertile highlands, there are strange patches of uncultivated land to be seen: places where local farmers have found the remains of their kith and kin, those who were killed during Kenya's bloody rebellion against colonialism in the 1950s. At Othaya, where the bitter war raged worst of all, the corpses thrown into a shallow pit after a rebel raid on the local police station in 1953 began to emerge from the earth some thirty years later.¹ A local committee was formed to address the problem, and they decided to build a memorial hall in front of the site, with the burial ground at the rear. Move on some thirty years more and the project remains unfinished; work began on a building and some 'peace trees' were planted, but even the uncompleted building we saw in the mid-2000s no longer exists,² and there is now little to show after the group's treasurer absconded with their meagre funds. Though a local politician subsequently took the bones away – no one knows why, or where to – a few local residents still cherish the sanctity of the place and have created a commemorative 'peace garden' on the site. It is a place of peace, now, and a site of reconciliation, but it is no longer a cemetery.³

The bones at Othaya were heroic. And they were politically potent. They belonged to ancestors renowned as Kenya's brave nationalist fighters – the young men among the Kikuyu who joined

the Mau Mau Land and Freedom Army and took up arms to overthrow British oppression. Though they lost their war, Kenya's national history declares that they won their country's freedom, precipitating the British flight from Kenya in December 1963.⁴ Now, after many years of official silence, these nationalist heroes are venerated: a statue of their leader, Dedan Kimathi, is proudly erected at a busy traffic junction in downtown Nairobi close to the parliament buildings; a new memorial to the victims of torture by British security services personnel during the emergency was unveiled on 12 September 2015 in Nairobi's Uhuru Park;⁵ and roads and streets throughout the country are named after the generals and captains of Mau Mau's rag-tag army.⁶ But there are other memories of rebellion that are not so easily assimilated into the political life of Kenya. Among those who opposed the rebels were many of their fellow Kikuyu. Driven by a wide range of motives and incentives,⁷ the so-called 'loyalist' Kikuyu who refused to take Mau Mau's oath of allegiance, who opposed violence, who retained their Christian convictions and their employment in the colonial economy, or who joined the Home Guard militia to fight Mau Mau, became what Daniel Branch has termed 'the enemy within'.⁸ As the war developed, the struggle increasingly focused on intra-Kikuyu violence as Mau Mau fighters tried to purge their communities of the scourge of the 'loyalists'. In this intimate, local violence, loyalists were frequently the victims of Mau Mau assassinations, seized from their homes or workplaces and murdered, their bodies left in shallow graves in the forests or by rural streams or stuffed unceremoniously into urban sewers.⁹

These loyalist bones, too, have been coming up: but they are not heroic. And in central Kenya their acknowledgement presents considerable difficulties, for these bones are politically toxic. This chapter examines the fate of a collection of these 'loyalist' bones, using the case to consider the wider issues that surround the treatment of human remains from conflicts of this kind and looking also at the institutional and ethical dilemmas that the dead bring to life for the museums that come to house them. We will ask how Kenya should deal with the human remains from its troubled past, whether potent or toxic, but we will frame our analysis with the recognition that Kenya's problems with human remains of this kind are far from unique. We begin, therefore, with a wide-ranging discussion of the politics of the dead in the context of museum collections generally, which we describe as a classic example of what is termed a 'wicked problem'. We then move on to contextualise

the Kenya case, giving a detailed account of the human remains currently housed in the Osteology Department of the National Museum of Kenya in Nairobi, dealing with the technical challenges confronting the museum, but also with the specific 'readings' of the ethical and political conundrum these human remains create within Kenya. The conclusion then makes a plea to Kenya for a resolution of particular difficulties with its human remains from the Mau Mau rebellion of the 1950s, offering suggestions as to how this might be accomplished.

Human bones in museums: a 'wicked problem'

Over the last quarter-century, the treatment of human remains encountered during archaeological excavations, their subsequent disposal and their display in museums and research institutions have become matters of widespread and frequently heated debate across a range of academic disciplines and in a growing number of public contexts.¹⁰ As these cases have highlighted, human remains, whether studied in an archaeological, anthropological or biological context, are invariably enmeshed in a complex web of sociocultural practices. Legal, ethical and theological concerns all impact upon how such remains are treated, as do human emotional responses and also, increasingly, scientific, technical and even political or religious sectarian interests. Whether the exhumation is ethically appropriate, whether it is legally constituted, when, where and in what circumstances remains should be reburied, and how human remains should be curated and by whom, are all questions that now excite public as well as professional debates.

These issues represent a classic example of a 'wicked problem' – a term commonly used in public policy and planning circles to refer to problems that are especially resistant to resolution – at least at a macro scale – because of the multiple positions involved.¹¹ Such problems invoke a complex web of issues that typically challenge pre-existing systems of organisation and governance, epistemological truth claims and the ontological frames of reference on which these are based. 'Wicked problems', as Coyne notes, persist over time, are only ever loosely formulated as they depend very much 'on the viewpoint of those presenting them' and are regularly 'subject to redefinition'.¹² As a consequence, there is never a simple right or wrong way forward; instead solutions have either 'good' or 'bad' tendencies with the result of making the previous situation either

better or worse. Resolving 'wicked problems', as identified by Rittel and Webber,¹³ requires attention to context, historical specificity, the authority of interpretations, inter-connectedness, sociality, different value judgements and the mechanisms by which values are defined and determined.¹⁴ All of these intractable issues commonly come into play in the treatment of human remains.

Broadly speaking, three key areas of concern and debate have emerged around the treatment of human remains:

- the treatment of human remains encountered during archaeological fieldwork;
- the treatment of human skeletal remains held by medical schools, surgeons' colleges, museums, universities and other comparable research institutes, for the purposes of providing comparative reference material;
- the public display of human remains, whether skeletons, skeletal parts, mummified bodies or parts thereof in museums and similar settings.

Often cross-cutting these debates are arguments concerning the rights of Indigenous or First Peoples. Many comparative collections held by Western museums and similar institutions were collected from among groups subject to European conquest and colonisation, and who now claim Indigenous or First Peoples/Nations status.¹⁵ In some countries, especially those where First Nation/Indigenous communities are formally recognised and accorded particular rights, legislation has been introduced that extends these concerns to include the treatment and disposal of human remains recovered from archaeological contexts.

The best-known example, and probably the most widely discussed, is the Native American Graves Protection and Repatriation Act (NAGPRA) (PL 101-601). This federal legislation entered into US law in 1990, after two decades of lobbying by Native American groups and the earlier enactment of various state-level pieces of associated legislation.¹⁶ NAGPRA's passage resulted in the compilation of a national inventory of Native American skeletons held in museums and related institutions around the United States, and led to a process of review being initiated preparatory to systematic repatriation. Critically, NAGPRA extended to the graves of Native Americans and Native Hawaiians, regardless of their age, the general principles of American common law, namely 'that human remains do not belong to individuals or to governmental or institutional

organizations and that artefacts placed in human graves as funerary offerings belong to the deceased.¹⁷ The effect of this clause was to invest the deceased with both agency and ownership, so it is not surprising that this generated considerable concern among archaeologists, osteo-archaeologists and biological anthropologists in the negotiation and passage of the Act. While the issues can still generate concern, anger, heated debate, disagreement and considerable litigation (including between different Native American peoples), there is now greater consensus that NAGPRA's enactment has been of benefit to all of the various stakeholders involved.¹⁸ The outcomes of the Act have not always been as intended, however: numerous individual cases remain unresolved, and critics allege that NAGPRA has failed to accomplish the ultimate objective of restoring dignity to Native Americans and Native Hawaiians.¹⁹

The passage of NAGPRA and the experience gained in handling the cases has combined with greatly increased lobbying efforts by groups of Indigenous Peoples around the world to encourage greater reflection within the academy on the ethics of holding and exhibiting human remains and has stimulated considerable research on the history of individual collections. Numerous professional bodies serving the anthropological, medical and heritage sectors have issued revised ethical codes and have developed procedural guidelines aimed at facilitating decision making with regard to the curation and repatriation of human remains. The Vermillion Accord on Human Remains is perhaps the best-known example.²⁰ Adopted by the World Archaeological Congress in 1989, the Vermillion Accord was the first international ethical code specifically concerned with the treatment of human remains.²¹ A host of other bodies have since developed their own codes and guidelines, often tailored to fit their specific disciplinary and professional remits and national settings.²²

Countries other than the United States, especially former European settler societies with a sizeable proportion of their populations self-identifying as Indigenous persons, such as Australia and New Zealand, have also taken measures that favour repatriation of human remains. In Australia, for example, these include pieces of state legislation, such as the Queensland Torres Strait Islander Cultural Heritage Act 2003 and the Victoria Aboriginal Cultural Heritage Act 2006, along with a joint Commonwealth Government and States Government Return of Cultural Property Program.²³ These, in turn, have encouraged various Australian institutions, including museums and universities to amend their own policies.²⁴

Scandinavian countries with Sámi or Greenlander Inuit populations have also begun to address similar issues. In Sweden, the Sámi Parliament made an official demand in 2007 for the compilation of a national inventory of all Sámi human remains held by government-funded institutions and their repatriation for reburial – a call that was eventually taken up by a total of eight national, county and university museums.²⁵ Conflicts nonetheless remain,²⁶ as is also the case for other parts of Scandinavia even where particular repatriation cases have been considered successful.²⁷

But even with this increased global awareness of the issues and the introduction of overlapping legal, ethical and scientific frameworks, opinions on how human remains should be treated typically lie along a continuum. At one extreme are those who insist on the retention of human remains by recognised secular, scholarly and publicly oriented institutions, such as museums, for the purposes of study and exhibition both now and in an indefinite future. At the other end, there are those who argue for the repatriation of all human remains currently held by public and private institutions and by individuals for reburial, ideally by direct descendants or other representatives of the deceased's descendant community. In practice, and in terms of the solutions to specific calls for repatriation and reburial, most responses fall somewhere between these two extremes and would appear to vary on a case-by-case basis.

Nonetheless, certain constituencies and particular categories of stakeholder often align themselves with, and argue in general support of, one or other of the extremes. Thus, many biological anthropologists, osteologists, bio-archaeologists, forensic scientists and some archaeologists and museum curators, among other scholars, are strongly in favour of the principle of the retention of human remains so as to permit both current and future research on them:

- To learn more about human evolution, adaptation and genetic relationships;
- To explore population relationships through genetics and morphology;
- To investigate variations and commonalities in burial practices, beliefs and attitudes;
- To learn more about the history of disease and medicine in the past and how this relates to present day situations;
- To investigate past diet, growth and activity patterns;
- To reconstruct past demography and health;

- To explore and document the diversity of cultural practices in which the body and/or its parts are used;
- The information that can be obtained from research on human remains is valuable to contemporary society and individuals, including challenging racism and other forms of discrimination;
- Research on these materials provides objective information about the past and the ancestry of present-day populations, untainted by narrower religious or ideological beliefs;
- Their potential to contribute to the development of forensic and medical science;
- Their future potential, as methods evolve and new techniques of analysis develop, to provide fresh information on all of the above;
- The impact that their reburial will have on continuing research and on maintaining international research leadership;
- There is widespread public interest in learning about past human lives through scientific study of their remains.²⁸

In articulating these arguments, the benefits of retaining human remains for future generations as part of a wider ‘preservation ethic’ are typically held to outweigh both culturally specific and cross-cultural calls for their repatriation and reburial. In contrast, support for repatriation and reburial, whether indiscriminate or more selective, is generally greater among groups who self-identify as Indigenous Peoples: religious clerics and scholars and different faith communities, including newly emergent constituencies such as self-identifying ‘Druids’ and ‘Pagans’,²⁹ as well as members of the various world religions such as Judaism and Christianity. Most arguments made in support of reburial commonly emphasise the spiritual significance of the human corpse and the place of burial; cultural or religious taboos surrounding touching and disturbing the dead; the violation of religious law and the dignity of the dead arising from exhumation/excavation; the common lack of any efforts on the part of those collecting the human remains to obtain consent from direct relatives descendant communities; the harm caused to communities by the exhumation of burials and the colonial structures of thought and power such behaviour represents; and the individual universal human rights that excavation and exhumation of human remains may infringe. The legality of the acquisition of human remains by the holding institutions may also be challenged, but so too might a claimant’s alleged relationship with specific human remains be contested in the courts. Many of the guidelines now available for museum curators, archaeologists and other professionals acknowledge the

importance of these issues and emphasise the need to always treat human remains with respect and dignity and that human remains should not be disturbed without good cause. Consultation on these issues with relevant descendant communities and respected authorities on matters of religious and cultural practice and belief is also emphasised (see, for example, the guidelines developed by the Church of England and English Heritage).³⁰

As recent debates in Britain over the final resting place of King Richard III have highlighted,³¹ these issues do not solely concern the remains of non-Western 'others'. In Germany, for example, different legal provisions pertain to how human remains held by museums and other institutions in general are treated, and how those specifically from the Nazi era should be handled. Thus, for instance, treatment of the latter is governed by a combination of criminal law³² and the decision of the Standing Conference of the Ministers of Education and Cultural Affairs of the German federal states of 25–26 January 1989,³³ whereas the way human remains from other periods are dealt with is subject only to the interpretation of more generic ethical guidelines. In 2004, the British government initiated a review of various, largely outdated Acts (passed in the nineteenth century) concerning burial and the disposal of human remains that were aimed at protecting 'the Victorian public from exposure to recent corpses, grave-robbing and clearance of recent graves in the over-crowded cemeteries and graveyards of the rapidly growing towns and cities of England and Wales'.³⁴ These included Section 25 of the Burial Act of 1857, which made it an offence to remove buried human remains without a licence from the Secretary of State (except in cases where a body is removed from one consecrated place of burial to another). This review led to an announcement, in 2008, that 'henceforth, all human remains archaeologically excavated in England and Wales should be reburied after a two-year period of scientific analysis',³⁵ provoking widespread concern and debate within the archaeological and museum sectors.³⁶ As Parker Pearson and colleagues note, many professional archaeologists and museum curators consider that in the process of attempting to simplify the law, the Ministry of Justice, which has responsibility for burial legislation, has unnecessarily complicated a system that, despite certain anachronisms, was working reasonably well for all concerned stakeholders, whether professional archaeologists and curators or otherwise.³⁷

Though it is unclear how these issues will be resolved in the United Kingdom, this recent British case illustrates the inherently 'wicked' nature of the problems associated with deciding how to

treat human remains and especially those arising from legacy collections currently held by museums and similar bodies. With these challenges firmly in mind, we now turn attention to our Kenyan case to further illuminate the multilayered complexities raised by questions of human remains.

The Kenya case: human remains in the Nairobi osteology collection

The Nairobi Museum, which is also the headquarters of the National Museums of Kenya (NMK), holds significant collections of human skeletal material. Human remains from excavated archaeological and palaeo-anthropological sites are to be found in the Osteology Department of the Nairobi Museum as well as the Archaeology Department and the Palaeontology Department. Fort Jesus Museum in Mombasa, also managed by the NMK, similarly holds the remains from some human burials of excavated sites in Kenya's coastal province. The palaeo-anthropological specimens curated by the NMK include several internationally famous fossil specimens of different hominid species, such as *Homo habilis* and *Homo erectus*, which have provided vital information concerning human evolution and our common ancestry. The archaeological examples derive from both inhumation and cremation burials excavated from various archaeological sites around the country and which date to different chronological phases of the last 70,000 years. Some of these remains are relatively recent, dating within the last 2,000 years. These more recent archaeological specimens are associated variously with ancestral early farming, herding and urban communities and possibly some foraging groups.

But the story we will tell relates to part of the collection that is considerably more recent, originating from the violence of the Mau Mau rebellion of the 1950s. This unusual collection, which serves as the institution's primary reference material, is held in the Nairobi Museum's Osteology Department. It came into the hands of the Coryndon Museum (the colonial precursor to the Nairobi Museum) in 1959, when Kenya's Chief Police Pathologist, Morris Rogoff, resigned from his post.³⁸ Rogoff was by then the custodian of a collection of more than 400 sets of human remains that had been recovered from police murder sites over the previous six years. Examined by the pathologist to compile autopsy reports that might then be used in evidence, should the case ever come to trial, the

police necessarily and legally retained these remains pending future prosecutions. However, the police would normally only hold a small number of such bodies at a time – before the State of Emergency the Kenya Police dealt with only around thirty murders each year, and they would expect to process such cases and then hand over the bodies to their families for burial relatively speedily. From 1952, the murder rate rose dramatically as the violence of Kenya's Mau Mau rebellion worsened. Those among the Kikuyu who opposed the rebellion, known as 'loyalists', became the target for Mau Mau attacks. The abductions and assassinations of these people, sometimes carried out as executions following mock trials by Mau Mau 'courts', were conducted in great secrecy, and although members of local communities often knew the identities of the victims and the resting places of their remains, they were too fearful to report this information to the police. Consequently, remains were often only recovered months and even years after the killings and disposal of the bodies.³⁹

From 1955, the government introduced a programme of public confessionals among villagers and also sought confessions via the interrogation of detainees,⁴⁰ which led to the identification of many more burial places. Over that year, and into 1956, the police recovered over 300 bodies. These remains flooded into the Police Pathology Department over 1955 and 1956, where Rogoff and his staff prepared the autopsy reports, detailing the injuries to each set of remains and seeking to establish the cause of death – reports that would be presented as evidence in the trials of those accused of Mau Mau murders.⁴¹

As bodies were retrieved from their undignified resting places across central Kenya, Rogoff's police mortuary filled up to bursting point. By the time of Rogoff's departure the war was over – the State of Emergency officially coming to an end in January 1960 – and it had been decided to halt the prosecutions of rebels, even of suspected murderers. Seeing no further use for his burgeoning collection of corpses, Rogoff offered the skeletons to the Coryndon Museum, where the famous Dr Louis Leakey then presided as director. There are no papers among the traceable archive sources, either at the museum or in the Kenya National Archive, that shed light on the legal and technical aspects of the transfer of these human remains, although the few documents attached to the collection give some clues. A box of record cards catalogues the collection, each skeleton having its own entry with details of the assemblage and information on the injuries and wounds sustained to the body. At the front of the box holding the cards that record the facts about

each skeleton appears a simple explanatory note about the origins of the collection. It reads:

The skeletons of this collection are the remains of Africans (mostly of the Gikuyu tribe) who were killed during the great emergency of 1952–1960. They were uncovered and exhumed by the police and were then used as evidence against the Mau Mau by Her Majesty's Police. This collection was generously donated to Dr Leakey by Dr Morris Rogoff, then the Chief Police Pathologist.

It is reasonable to assume from this note that some of the murders represented by these remains had come to trial, and that the government had either not sought to return the corpses to the relatives or, more likely, that no relatives had come forward to claim them. In the difficult politics of Kenya's rebellion, the unwillingness of a family to claim a body, and in doing so identify themselves with the 'loyalist' cause, is understandable.

The documentation accompanying the collection indicates that there are 481 sets of remains in total, 443 of which are attributed as having been 'given by Dr Rogoff'. The other thirty-eight skeletons were therefore added to the museum from other sources, but we do not know how or when this may have happened. Of the 443 bodies, all have a record card indicating basic details of ethnicity – virtually all of these human remains derive from the Kikuyu-speaking peoples of central Kenya – and information about where the body was found. Most of the specimens can in fact be linked to particular settlements, and in several cases the cause of death is clearly established. The gender is known, the age of each specimen is estimated and, for around 200 of the skeletons, a name is provided.

As is common with excavated skeletons in many other museum collections, the human remains in the reference collection from the 1950s held by the NMK are of varying completeness. In fact, none of the reference specimens are actually complete (i.e. none comprise the full range of cranial and post-cranial elements). Skulls, several of which are missing their lower mandibles, form the most common component of the reference collection. The post-cranial elements belonging to the different individuals represented by the cranial material are far less numerous. The incompleteness of these 'reference' skeletons can be attributed to three principal factors. First, a lack of completeness of the human bodies may simply reflect the circumstances from which the skeletal materials originally derived. Retrieved from secret hiding places, including remote shallow graves, latrines and pits, many of the burial sites had been disturbed.

Moreover, the only published study we have of the pathology of Mau Mau violence,⁴² based upon the examination of corpses and the injured at Tumutumu Hospital, in South Nyeri District, details the mutilations of the victims as a common feature, with multiple injuries and varied bone damage. Second, it is possible that elements of the skeletons were lost or disintegrated between their exhumation and their accessioning at the museum. Third, there may have been post-accessioning damage and loss owing to periodic poor curation. Mary Jackes,⁴³ possibly the only research osteologist to have made a systematic study of these remains,⁴⁴ noted signs of post-accession damage to some of the bones.

Yet, despite such limitations, the collection is far more comprehensive than those that exist elsewhere in the region, such as in the national museums of neighbouring Tanzania and Uganda. The staff at the NMK are accordingly justified in considering this collection as a valuable resource for scholars from a variety of disciplines, especially archaeology and biological anthropology. As a national research institution, as well as being part of the national museum service, the Nairobi Museum has a legally mandated responsibility and authority to conduct and facilitate research on all aspects of Kenya's human and natural capital. Maintaining suitable reference collections that can be consulted by local and foreign researchers for comparative purposes is thus part of its remit and public responsibilities, and this provides the primary justification for the continuing retention of the collection.

However, the fact that a substantial number of the remains held by the NMK are identified by name raises issues other than the scientific value of the collection. It is undoubtedly the case that Kenyans would normally expect human remains of known murder victims to be given a proper burial, regardless of religious affiliations or beliefs. We have limited knowledge of how the Kikuyu peoples of central Kenya disposed of their dead during the precolonial era, except that before the twentieth century elaborate burial was reserved for the wealthy. With the advent of colonialism and the rapid spread of Christian belief from 1900 onwards, however, formal burial became widely practised.⁴⁵ In more recent decades, burial has also been seen as a way of laying claim to 'ancestral lands':⁴⁶ Kikuyu families, and many others in Kenya, commonly wish to bury their dead on their own lands, partly as a means to identify their ownership in a context where legal claim to land is often contested and where the bureaucratic process for confirming registration and title can be unreliable.⁴⁷

As a consequence of this coincidence of social and political interests, burial is a subject in which Kenyans take a lively concern; in recent years, a major book has been published on the cemeteries of Nairobi,⁴⁸ while the deaths of two notable political figures, S. M. Otieno and Robert Ouko, have led to the publication of academic studies dealing with bodies and burial that have been widely read and discussed nationally and internationally.⁴⁹ Similarly, until 2010 an extensive public debate revolved around the fate of the remains of Dedan Kimathi, the leader of the Mau Mau forest fighters. Sentenced to death by the British, it is believed that Kimathi's remains were taken to Nairobi's Kamiti Prison and interred in a mass grave alongside the bodies of other hanged convicts. Keen to find the body of their nationalist hero, public pressure groups were formed and the government was persuaded to make a search for Kimathi's remains in the grounds of the prison. Though human remains were found within the prison, it did not prove possible to identify any of these as belonging to Kimathi.⁵⁰ Despite the ultimate failure of the campaign, the intensity of the debate around the search for the remains indicates how important the need to finally give Kimathi a 'proper burial' was considered.

Had Kimathi's remains been exhumed from the prison grounds, it is likely they would have been formally reburied in Kenya's Heroes Acre, a plot of land set aside in Nairobi's Uhuru Park for the commemoration of the country's national leaders.⁵¹ Though it has been suggested that the bones from the 1950s now in the Nairobi Museum should also be buried in Heroes Acre,⁵² there is no apparent public support for this move. The 'toxic' political character of the collection is the critical issue: as victims of Mau Mau violence, the human remains in the museum are self-evidently the enemies of the nationalist movement. These individuals were not heroes of Kenya's independence struggle, but rather persons who were targeted precisely because they (allegedly) opposed the armed struggle. Though Kenya has recently completed the inquiries of a Truth and Reconciliation Commission, no attention was paid to the intra-Kikuyu violence of the Emergency years: the focus, instead, was upon colonial state violence during this period, and state violence in the years that followed independence. No consensus has therefore yet been reached about reconciliation from the 1950s, and although some groups of Mau Mau veterans have allied with former loyalists, as at the Peace Garden in Othaya, throughout much of central Kenya loyalist history remains largely unspoken and unacknowledged.

In these circumstances, while the Kenyan public were enthusiastic about locating and exhuming the remains of Dedan Kimathi to rebury him in Heroes Acre, they have shown no interest in the ultimate fate of the remains in the museum, despite the publicity provided by newspaper reports on the loyalist human remains.⁵³ The obvious ethical questions this raises are all the sharper given the highly unusual situation that the remains are, at least in part, already identifiable by name – and, indeed, it is quite possible that careful research into newspaper reports and archival documentary sources might reveal the identities of even more of these skeletons. However, the question of identity is a double-edged sword: if the identities of the skeletal remains can be known, so too might the identity of their murderers be revealed. The dilemma of what to do with these remains is surely another example of a ‘wicked problem’.

Conclusion: ending the violence?

In conclusion, we must consider the issue of violence: for over sixty years, the bones of 443 individuals whose mortal remains should have been buried have been trapped in its overlapping webs. The violent deaths of these individuals brought them to the attention of the British colonial authorities and security services during the Mau Mau insurgency. Since then, virtually the only scholarly attention they have attracted has concerned the capacity of these bones to act as signifiers of violence – first, through their examination by Rogoff as part of authorised post-mortem examinations, and subsequently by Jackes in her use of these bones as modern analogues for inferring traces of violence in Mesolithic Europe.⁵⁴ Further violence was enacted upon the bones when an agreement was reached between Leakey and Rogoff to divert what should have been their normal course to interment, whether by relatives or the state, towards their deposition within the museum.

Once accessioned, numbered, boxed away and stacked on storage racks, the bones gradually lost their identity as human beings, becoming instead mere reference samples for comparative study and analysis. Records that provided some indication of who these individuals once were and how they came to be in the museum steadily became detached from the remains themselves. Further violence was enacted on the bodies when their cranial and post-cranial elements were separated and stored apart, making it increasingly difficult to reassemble the individuals without perhaps destructive sampling

aimed at recovering their DNA. Subsequent handling and storage have further taken their toll, fragments of bone becoming detached and possibly even complete bones being misplaced.⁵⁵ New records were then added to the original bodies deposited by Rogoff, emphasising once again their violent death and their value as signifiers.

The physical violence that ended the lives of these individuals is long past, yet the symbolic violence and infringement of personal human rights, initiated when Leakey and Rogoff contrived to deposit the bones in the museum and compounded when their cranial and post-cranial elements were separated, live on. Continued retention of the collection by the National Museums of Kenya sustains this symbolic violence and the potential psychological wounds that the post-mortem history of these bones may have caused to relatives and friends of the deceased. The passage of time may have healed some of those wounds, especially where those who had direct knowledge of these individuals have themselves, in turn, died. Many of these individuals may now only be remembered as a named family member or even as an unnamed ancestor: but memory of these individuals can be, and we believe should be, restored. Descendants and living relatives can potentially be traced and be given the option of deciding how to dispose of *their* dead for the first time. Given the bloody and fractured nature of the Mau Mau movement in Kenya, the struggle for independence and the often violent legacies of these events in postcolonial Kenya, the injustices inflicted on Mau Mau members, sympathisers and veterans by both the colonial and post-colonial state, and the near absence until very recently of official recognition and memorialisation of Mau Mau fighters,⁵⁶ there are understandable fears that repatriation of alleged *victims* of Mau Mau might trigger yet further dispute and conflict.⁵⁷

We acknowledge these as entirely legitimate concerns – no one would wish that on any community. Yet, as other similar cases from Northern Ireland to Buenos Aires, Sarajevo to Soweto have shown, when correctly and sympathetically handled it is possible to find reconciliation and peace through the act of returning human remains to descendant communities. As news of the existence of the human remains in Nairobi's museum is now in the public domain in Kenya,⁵⁸ keeping a tight lid on the boxes no longer seems a tenable strategy. How much longer can the NMK afford to keep the relatives of these deceased individuals waiting for news of their fate? How much longer is it right to keep the bones themselves? Surely the time has come for acknowledgement of this collection, for tracing and contacting the relatives of the

deceased and for arranging their dignified reburial. Whether the National Museums of Kenya are prepared to face this challenge remains to be seen. But if they do, they can be sure they will receive the support and assistance of an international body of scholars and museum professionals.

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the attention of the NMK they acted promptly and, with financial and practical support from the British Institute in Eastern Africa, arranged for the re-boxing of the remains (and wherever possible the cranial and post-cranial elements from the same individual have been reunited). They also created a new digital catalogue of all the associated paper records. At the time of writing (September 2015), the remains are kept under excellent conditions in accordance with international curatorial standards.

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(Re)politicising the dead in post-Holocaust Poland: the afterlives of human remains at the Bełżec extermination camp¹

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At the official dedication of the Memorial to the Murdered Jews of Europe on 10 May 2005 in Berlin, Lea Rosh, a German journalist who launched and led the long-lasting campaign for the erection of this contentious monument,² herself became a source of extreme controversy. During her impassioned speech, held in front of a large and engaged audience including Holocaust survivors, their relatives and Jewish religious authorities, Rosh held up a tooth and informed those attending that the molar, which she had carried in her purse since 1988, would be embedded into the newly erected Holocaust memorial. Found seventeen years earlier at the site of the former extermination camp in Bełżec, Poland, the tooth was to be fixed into one of the monument's 2,711 pillars. This decision, according to Rosh, had been discussed with a rabbi and agreed upon with the monument's designer, Peter Eisenman, although the executive office of the Memorial Foundation had not necessarily been consulted. It sparked off a heated debate.³ Centred on the tooth, its unsettling presence at the Berlin ceremony, its daunting provenance and its problematic status as a remnant of an anonymous victim of the extermination camp, the immediate critical responses to Rosh's performance came from different directions and expressed very diverse concerns. All of these responses indicated, however, the profound political, symbolic and religious significance of the tooth, the fiercest opposition being voiced not so much by shocked and disgusted journalists and public intellectuals as by the representatives of various Jewish communities

in Germany and Polish officials actively involved in the local commemoration of the former National Socialist camps.

Condemned by the president of the Central Council of Jews in Germany, Paul Spiegel, as an act ‘bordering on blasphemy’, the plan to bury the tooth of the Holocaust victim in the Berlin memorial, as well as the fact that it was left unburied for almost two decades, was a clear violation of Jewish religious law. To take a body part from its place of burial and to attempt to inhume it outside of the Jewish cemetery is patently against the norms of the Halakha. Moreover, the plan outlined for the future handling of the tooth skirted dangerously close to the cult of relics, which is strictly forbidden in Judaism. According to Albert Meyer, the chairman of Berlin’s Jewish community, the implementation of Rosh’s idea would therefore force its members to avoid visiting the Holocaust Memorial, which was, after all, not conceived as and should not be transformed into a Jewish cemetery.⁴ He unequivocally castigated both the former treatment of the tooth and the intentions for its future handling. The Orthodox rabbi of the Jewish community of Berlin, Yitzhak Ehrenberg, who initially backed Rosh’s plan, quickly withdrew his support in reaction to the widespread outrage caused by her address and proposed that the molar be buried with all due respect and deference to Jewish law at Berlin’s Jewish cemetery at Scholzplatz.

Yet the Polish officials adopted a slightly different line of reasoning. Focusing on the highly problematic – if not criminal – nature of Rosh’s decision to take the tooth from the site of the former extermination camp, Krystyna Oleksy, a representative of the State Museum Auschwitz-Birkenau, framed it as ‘bordering on theft’ and a desecration of the grave.⁵ The first director of the newly established museum-memorial site at Bełżec, Robert Kuwałek, also pointed out the almost unlawful character of the deed: ‘It is strictly forbidden to take “souvenirs” whilst visiting our premises’;⁶ ‘I have no knowledge of another instance of laying hold of such a peculiar souvenir by one of the guests.’⁷ Thus, he both intimated and explicitly demanded that the tooth be returned to the former camp. Even though a few accounts exist of Holocaust survivors and relatives of Bełżec victims collecting bone fragments and human remains at the site and bringing them for burial in Israel or the United States,⁸ apparently unbeknown to Kuwałek at the time, the public display of the ‘Jewish’ molar taken from the former Nazi camp in Poland clearly overstepped too many boundaries. Ultimately, on 16 July 2005, the tooth was brought back to Bełżec and buried – in accordance with Jewish law and with the assistance of a rabbi – in a small box under one of

the trees growing in the vicinity of the recently framed and protected mass graves of the victims of the extermination camp.

There are several reasons why I decided to quote the controversial story of the Bełżec molar as an entry point for the analysis of the material, political and affective afterlives of the human remains at this former National Socialist extermination camp. After all, the posthumous life of the tooth itself can be traced and investigated along various axes, both diachronic and synchronic, spatial and temporal. First, its unquestionable symbolic resonance and ability to mobilise diverse claims to sovereignty over the anonymous body part on religious, legal or political grounds allow an initial glimpse into the complex politics around the human remains from the Holocaust. In this respect, the struggle over the tooth could be perceived as a fascinating, if not somewhat perverse, example of the workings of the 'dead-body politics' as described by Katherine Verdery in her *Political Life of Dead Bodies*. Framed as a polysemic and multivocal 'symbolic vehicle' and the site of intersection of various constructions of meaning of both the molar and the past that it evokes,⁹ the tooth serves as a prism through which one could examine the dynamics of transnationalising Holocaust memory politics, within which all three interested parties, the 'Germans', the 'Jews' and the 'Poles', are pursuing and redefining their own, sometimes conflicting, agendas. In what follows, I will concentrate primarily on the trajectories of dead-body politics in post-war and post-1989 Poland, thus bringing my analysis closer to Verdery's reflection on the nationally based responses to the postsocialist transformation expressed in the treatment of the 'political corpses'. Notwithstanding this focus, the story of the Bełżec tooth clearly demonstrates that any purely national perspective on 'the politics of the Holocaust dead' is virtually impossible. This holds true in the case of Poland, just as is the case in Germany.

Second, the focus on the controversies surrounding the handling of the molar provides an interesting venture point into the following debate on the problematic status of the human remains resulting from the Holocaust. Framed, at times implicitly, through the language of blasphemy, idolatry, desecration and looting, the tooth became a battlefield of conflicting and shifting 'articulations', both discursive and those established through practices evolving around it.¹⁰ As a result, the discussions about the tooth's past and future did not so much stabilise its meaning as contribute to its profound ambivalence, blurring somewhat the distinctions between its various meanings and 'usages'. The molar transpired

to be, at the same time, a relic and a trophy, a souvenir and *corpus delicti*, a subject to be literally and symbolically reburied, a private possession and national property.¹¹ Building upon the ideas of Deborah Posel and Pamila Gupta, I would like to provisionally attribute this ambivalence to the specific ontology of the human remains, described by the authors of 'The Life of the Corpse' in terms of their 'dualistic life'.

'As a material object, on one hand, and a signifier of wider political, economic, cultural, ideological and theological endeavours, on the other', the corpse indeed evades any stable and unambiguous articulation.¹² The different though overlapping trajectories of the material and political afterlives of the Bełżec tooth, as an object and as a repeatedly revisited and reinvested 'symbolic vehicle', clearly testify to this. Moreover, the 'dualistic life of the corpse' could pertain to yet another unstable distinction, that of the 'object' from the 'subject'.¹³ This unsettling quality of the human tooth as being both a thing (carried for years in a purse) and a remnant of a once living human being, first and foremost, affectively fuelled the debate over the fate of the Bełżec molar. One could therefore see the ethically and aesthetically saturated problem of what is considered permissible and impermissible, thinkable and unthinkable with respect to the body part at its epicentre. Thus, an attempt to frame the various forms of engagement with the bones and ashes resulting from the extermination in the Nazi death camp in Bełżec through the conceptual prism of the 'uneasy objecthood/subjecthood' of human remains can be conceived as the main thread of this chapter.¹⁴

Third, the public resonance of Rosh's performance also serves to illuminate the complex 'spatial politics' at play with respect to the remains of the Holocaust victims. The radical out-of-place quality of the Bełżec tooth, suddenly displayed in Berlin at the 2005 celebrations, cannot be reduced merely to the violation of religious prohibitions. Here, the reactions of the Polish authorities seem particularly symptomatic. They certainly suggest the existence of a problematic dimension of the event vis-à-vis the dynamics of spatially mediated politics of the Holocaust dead in Poland. Hence, one could ask, how should such a strong critical response to the anticipated 'dislocated burial' of the Bełżec tooth be interpreted? What enabled the controversial travels of the molar from Bełżec to Berlin and back in the first place? What does Rosh's idea of giving the Bełżec tooth a proper burial in Berlin's purely symbolical necropolis say about the real cemetery at the site of the former Nazi extermination camp in

Poland, at which the molar was found in 1988, 'sticking out of the sand among other teeth from Holocaust victims'?¹⁵

Porous graves

The analysis of early descriptions of the site, created and compiled right after the war, provides a strong entry point to the question outlined above concerning the spatial dimension of the affective, symbolic and political strategies constructed around the human remains resulting from the extermination at Bełżec, and their unsettling 'dualistic afterlife'. Produced and gathered within the framework of the official investigation of the local agency of the Central Commission for the Investigation of the German Crimes in Poland, conducted between 1945 and 1946, these materials offer a detailed portrayal of the fate of the mass graves, bones and ashes of Bełżec victims, as well as of various practices revolving around them since 1943. According to the first on-site report written on 10 October 1945, the terrain of the former camp, where the extermination of almost 450,000 Jews occurred between March and December 1942,¹⁶ was not only cluttered with rubbish, mutilated artefacts, broken glass, pieces of bricks and concrete, but had also been dug up greatly. Several deep pits were scattered around the northern and eastern area of the former camp, where it was believed the mass graves were located; the soil around them was covered with unearthed and abandoned skeletonised and decomposing human remains. As stated in the report, "bones, skulls, vertebrae, ribs, femurs, jaws, women's hair ... as well as fragments of rotting human flesh, such as hands and lower limbs of small children, lie strewn around all over the dug-up terrain. Besides, tons of ashes from burned bodies and small pieces of cremated bones can be found everywhere on the dug-up ground."¹⁷ The overpowering stench of rotting human corpses hung heavily over the site.

Briefed by the representatives of the town's police that the pits had been dug up by local villagers searching for gold and other valuables allegedly hidden among and in the human remains, the investigating judge supplemented the list of queries to be raised during the questioning of the inhabitants of Bełżec and neighbouring towns and villages with a direct enquiry concerning the looting of the mass graves.¹⁸ As a result, the witnesses questioned offered very precise and often detailed answers, dispelling any doubts as to the responsibility of the local Polish residents for the devastation of the former camp's terrain. A rather vague but also extremely inclusive

term, 'local people', repeatedly appeared in their statements. The grave-robbery, which began immediately after the Nazis in authority left Bełżec in early July 1943, following the disposal of the bodies and dismantling of the camp,¹⁹ could thus be depicted as a 'community enterprise'.²⁰ For, even though the looting of the camp site was not practised or accepted by all members of the local populace, it definitely took on the appearance of a phenomenon driven by a group mentality. A railwayman working at a train station near the camp testified that, 'Until spring 1943 the camp was liquidated, the crew departed and thereafter members of the regional and local populace came to the camp site and dug up the soil in search of valuables'.²¹ The accounts collected since 2004 by the employees of the newly established Bełżec museum and interviews, which I conducted,²² also reaffirm this assumption. I quote sparingly: 'after the liberation local inhabitants and people from Bełżec's surroundings came here to find the gold. This activity expanded greatly';²³ 'half of [our city] was searching there';²⁴ 'I used to go there as well, just like the majority of my acquaintances'.²⁵ According to a local policeman, after the camp was liquidated '[local people] dug out single corpses, or sometimes mass graves containing several people ... They looked for golden teeth in the jaws'.²⁶

Moreover, many statements gathered during and after the Bełżec probe vividly portray the practices involved in seizing the legendary 'Jewish gold':²⁷ the demolition of the built structures remaining at the site of the former camp, the burrowing of the area of the camp in search of the burial pits, the digging out of the corpses to divest them of gold teeth, the sifting through ashes to remove gold and prospecting the former camp's latrine in pursuit of abandoned valuables. '[W]ith the help of spades and with bare hands, kneeling on their knees, people would sift the sand mixed with burned human remains in order to find the gold',²⁸ admitted an informant who personally participated in the activities, which were at that time, apparently, almost entirely domesticated. Another person recounted: 'At that time, but also in the following years, it was normal and natural that after school a great majority of the pupils (not all of them) would go in a group to the site of the former camp, where they undertook the searches for the valuables'. Adults, he said, were also prospecting the site, transforming the grave-robbery into a business-like activity: 'Plunderers would sell the gold to real wholesalers of this business ... Bełżec wholesalers would then normally recast the gold into ingots and in this form sell it in Kraków'.²⁹

Clearly, intervention by SS officers only temporarily suspended their activity; they immediately reacted to the alarming news from Bełżec and decided to erect a farmhouse for a Volksdeutsch man and his family at the former camp as a means to protect its terrain from Polish villagers who unearthed the hidden mass graves, which were seemingly not hidden carefully enough. The looting resumed directly after the escape of the guards in the summer of 1944 and went on practically uninterrupted for years. Even the efforts sporadically undertaken by the local police to put an end to this practice – which was penalised under Polish criminal law – failed.³⁰ ‘When one succeeded in chasing away a group [of diggers], another one appeared straight away’,³¹ stated the town’s policeman, interrogated in 1945. Jan, who in 1958 worked in Bełżec in the vicinity of the camp, told me that, at that time, there was still clear evidence that digging had taken place at the camp and that human remains, ashes and bones were scattered over its terrain. He also discovered small piles of sand in a nearby forest, which, according to the information he was given, had been brought from the burial grounds and sifted through in the forest to prevent discovery by the police.³² Yet, until the late 1950s no grave-robbler, or ‘cemetery hyena’ as they were occasionally referred to at that time, was brought to trial. The Regional Court in Lublin sentenced the first four looters from Bełżec in 1959 and 1960.³³ As a result, the descriptions of the dug-up terrain of the former extermination camp could be found in the official documents of Jewish organisations and Polish governmental agencies up until the early 1960s and, considerably more rarely, in the Polish press.

In 1956 an article entitled ‘Bełżec – a Gold Mine: A Report from an Empty Field’, probably the first Polish interpretive gaze into the looting of the camp site, was published in the all-Poland weekly, *Świat*. Its author, Andrzej Muralczyk, depicted with great concern the practices evolving at the site of the former extermination camp and briefly summarised the transformative dynamics underlying its social and cultural afterlife: the transition from the era of extermination to, as he called it, ‘the season of the hyenas’. ‘Bełżec was a gold mine for the Reich ... The extermination camp did not exist any more, but Bełżec was still a gold mine.’³⁴ Pushing Muralczyk’s valiant literary analogy to extremes, one could nevertheless say that while the dehumanising logic guiding the treatment of the ‘Jewish corpses’ remained almost unchanged, the approach to the mass graves differed radically. After exploiting the bodies of their victims to the most extreme level, the Nazis undertook every effort to dispose of the traces of their crimes. The corpses of the people killed in Bełżec

were buried, then exhumed, cremated and buried again. Afterwards, a pine forest was planted on the terrain of the former camp. The main objective of the Nazis was, after all, to remove any visual hint of the graves being, indeed, mass graves. Conversely, the post-war Polish 'hyenas' relied first and foremost on their porosity in order to reach their objectives.

The endeavour to theoretically frame these early activities evolving around the human remains of the Bełżec extermination camp is not an easy one. Despite the assumption held by many anthropologists that the universally shared respect towards one's own dead can take very extreme forms (like, for instance, endocannibalism or, indeed, grave-robbery),³⁵ there is no existing ethnographic study that presents a convincing argument to suggest that this kind of engagement with corpses was culturally permissible in twentieth-century Poland. On the contrary, the sanctity of graves and cemeteries, as well as the very ambivalent status of the dead body, were well-established cultural conventions, symbolically and affectively structuring the handling of human remains. Thus, the fact that the grave-robbery involved only a small minority of Poles living in the vicinity of Bełżec and, for that matter, all Nazi extermination camps in Poland,³⁶ and was not representative of Polish society as a whole, does not render it less disturbing. Neither does the existence of other accounts of lootings of the graves of victims of mass violence occurring across cultures and geographies exempt scholars from having to analyse the culturally and historically specific dynamics of those activities whenever they occur on such a large scale.

By the same token, the comparison drawn by some Polish historians between the post-war robberies of German graves on the so-called 'recovered lands' and the lootings of the camps in which a large majority of Polish Jews was killed is, in my opinion, somewhat misleading.³⁷ For it not only blurs the distinction between the pre-war grave of a defeated 'enemy' and the mass grave of a brutally murdered 'fellow citizen', it also obscures the difference in the political and affective economies guiding the treatment of their remains. Moreover, the historical analyses of the grave-robbers' activities provided in recent years by Polish scholars focus primarily on the broader context of the Second World War and the effects of long-term German occupation,³⁸ which enabled and domesticated such behaviours, and rarely on the on-site activities themselves.³⁹ Additionally, by designating extreme poverty, wartime demoralisation, the omnipresence of theft and the normalisation of death and dying, as well as post-war political and social chaos and resulting impunity, as the

primary conditions of possibility of the grave-robbery, they render a theoretically informed analysis of the looting of the camp sites somewhat elusive. Much more plausible seems the thesis advanced by Jan Gross and Irena Grudzińska Gross in *Golden Harvest*, that not only greed and wartime demoralisation, but also sharp cultural and political divisions in pre-war Polish society, the legacy of Polish anti-Semitism and clear separation between 'Polish' and 'Jewish' war experiences, prepared the ground for these activities.⁴⁰ Less convincing is the conceptual juxtaposition proposed in *Golden Harvest* of the looting Polish villager with Zygmunt Bauman's modern, rational 'gardener' methodically ridding his surroundings of every trace of the people 'considered weeds'.⁴¹

Therefore, building upon the ideas developed by Simon Harrison in *Dark Trophies: Hunting and the Enemy Body in the Modern War*,⁴² I would rather see the grave-robbery resulting from radical shifts in the frames of permissibility/impermissibility with respect to the bodily remains of the Jewish Poles as an example of an 'interstitial practice'.⁴³ This concept, which Harrison refers to as historically recurrent patterns of violent behaviours towards an enemy's corpse accompanying warfare conflicts, such as trophy-taking, robbing of body parts or mutilation, denotes a collective 'deviant or transgressive activity produced by transporting schemas from one domain of social interaction into another'.⁴⁴ Interstitial practice is thus a highly problematic and – mostly – culturally prohibited outcome of the 'misapplication' of cultural metaphors whereby conduct acceptable to one social realm is restructured in a different social context, whereupon it evolves and becomes normalised in anomalous conditions. Interpreted by Harrison as a form of violence perpetrated across cultural, class or, most often, racial lines, trophy-taking develops from a taboo-breaching conflation of war-waging and practices of hunting resting upon, and performatively leading to, the conceptual transformation of the enemy and (most often) his bodily remains from human into animal. Though Harrison's fascinating analysis of the racialised logic of dehumanisation visited upon remains of the 'other' is not entirely applicable in the context of the lootings of the extermination camp's mass graves – where the objects found in mass graves functioned not so much as trophies but as commodities – it certainly can provide a theoretical framework to conceptualise those activities.

The hierarchisation of nationalised deaths – even if not justified in strictly racial terms⁴⁵ – certainly served to structure the perceptions of and affective dispositions towards Jewish victims of the

extermination camp among the inhabitants of Bełżec and the neighbouring villages. This was preconditioned by the pre-war othering of the 'Jew' as culturally distant and economically threatening, – radically deepened by the wartime separation of the 'Polish' and 'Jewish' orders of death and dying that resulted from the exterminatory politics of the occupying forces. The daily observation of the extermination process and (as emphasised by all interviewed witnesses) the troubling long-term sensory participation in its outcomes, which increased greatly when the method of exhuming and burning the corpses had been implemented, must have contributed to the radical distancing from and dehumanisation of the 'Jewish other'. It probably also 'aesthetically' prepared the ground for the following 'visits' to the camp site and digging among the decomposing human remains. On the other hand, the fact that the local residents definitely profited financially from the functioning of the extermination centre, for instance by trading food and liquor or, in the case of females, providing sexual services⁴⁶ in exchange for the 'Jewish' gold and valuables brought from the camp by the guards, had an effect on the framing of the bodily remains resulting from the nearby extermination centre.

Thus, by locating these earlier activities in the broader context of the economically beneficial dimension of the Holocaust for Polish society,⁴⁷ one could see them as merely one of many forms of the widespread wartime and post-war practice of 'repossession of the Jewish property'.⁴⁸ This is, in my opinion, exactly the cultural metaphor that provided the conceptual and affective framework within which the 'interstitial practice' of grave-robbery could develop, thoroughly blurring the distinction between the reappropriation of 'post-Jewish' property, as it was commonly referred to even during the war, and the treatment of the 'Jewish corpse'. In this context, one statement put forward by a female inhabitant of Bełżec seems particularly emblematic: 'After the war the terrain of the camp was haunted by the seekers of the post-Jewish gold and valuables'.⁴⁹ This suggests a radical emotional and conceptual detachment from the humanity of the desecrated Jewish bodies buried on its terrain.

Hence, unlike in the case of trophy-taking where the enemy's body was handled in a way resembling the treatment of the cadaver of hunted game (a trophy), the 'Jewish' bodily remains were seen merely as a commodity or as a depository of 'Jewish gold'. Consequently, it is not the human/animal (in)distinction – central to Harrison's analysis of the 'interstitial practice' of robbing the body parts of the dehumanised combat opponents – that is the crucial

point here, rather it is that the looting of the camp site was greatly dependent on the perception of the remains of the murdered subjects as mere objects. Thus, the above-mentioned unsettling and irreducible quality of bodily remains, described by Joost Fontein and John Harries as 'uneasy subjects/objects',⁵⁰ was denied by the actual forms of engagement with victims' flesh, bones and ashes developing at the site of the former extermination camp.⁵¹ This radical 'objectification' of the human remains, which deprived them of the 'human' component, had a dual effect: rendering the mass graves porous, and the Belzec dead 'unburiable'.⁵²

The buriable dead

It is unquestionable that the rites of separation for the treatment of symbolically and politically charged human remains were central in twentieth-century Poland. Even in the face of the consequences of mass death brought about by the Second World War, whose numerous mass graves, burial pits and countless provisionally buried corpses spread all over the war-torn country caused practical challenges, the cultural politics of burial did not undergo any major transformation. On the contrary, the dead-body politics around the victims of Nazism came to occupy a prominent position in legitimising the ideology of the new state apparatus. The practice of inhumation, bringing about the physical and symbolic separation of the living and the dead and the 'rearticulation' of the dead in their relation to the living, was considered the most respectful and politically efficacious way of dealing with the corpses, both individual and en masse. The political subjectification of the dead according to dominant interpretations of the recent past was also crucial for the treatment of the corpses coming out of the Nazi camps. As an example, one could consider the concentration and extermination camp Auschwitz-Birkenau, where, as early as 28 February 1945, one month after its liberation, a ceremonial burial of 470 of its victims took place. According to Marta Zawodna, this successfully established a new symbolic order, in which not only the humanity and sanctity of the dead of Auschwitz-Birkenau were asserted, but they were also framed (or better put, reappropriated) politically.⁵³ Moreover, as Zawodna claims, the religiously framed inhumation of the corpses, even if it did not put an end to the looting of the camp site, once and for all ethically and affectively delegitimised the activity of the grave-robbers plundering Birkenau.

For a variety of reasons, no similar operation of rearticulating the human remains through the practices of political burial was mounted at Bełżec at that time. Certainly, the lack of 'Polish' victims played a critical role in the symbolic marginalisation of the site, a fate similar to that of all Nazi extermination centres, which did not (simultaneously) perform the function of concentration camps.⁵⁴ In this respect, the selective politics of burial reflected the constitution of gradually homogenising post-war Polish society, 'the hierarchy of dead bodies mirroring the political hierarchy of the Polish state',⁵⁵ to slightly paraphrase Finn Stepputat. Even though the communist-dominated state administration granted relative autonomy to various Jewish organisations in the early post-war years, the lack of financial resources and constant struggles over the sovereignty of Auschwitz-Birkenau and Majdanek with Polish political prisoners' organisations⁵⁶ hugely restricted the possibility of decisive on-site action.⁵⁷ The fact that there were only two known survivors of the camp, Rudolf Reder and Chaim Hirszman, greatly reduced the chances that effective lobbying for the commemoration of the camp would take place on behalf of its victims. As a result, apart from provisional excavations carried out within the framework of the official investigation conducted at the site in 1945, no research was undertaken in order to bring to light and protect the mass graves at Bełżec. Moreover, no evidence exists to suggest that any clean-up or inventory works were performed at the site before the mid-1950s.

In 1954, on the initiative of the governmental Council for the Protection of the Memorials of Combat and Martyrdom, responding to the demands of Jewish organisations in Poland, the camp was fenced in for the first time.⁵⁸ It was probably at this point that a small crypt was erected in the northern area of the camp, in which the bones and artefacts found on its territory were assembled. Yet, as Jan informs me, the small doors leading to it were left unlocked and, consequently, the numerous skulls gathered in the crypt were easily accessible. The fact that the human remains scattered over the territory of the camp surrounded the substitute 'grave' only added to its incongruity. As reported by the representatives of the council sent to Bełżec in May 1962 – when the decision to commemorate the former camp was finally reached – the traces of digging were still visible at the site.⁵⁹ Therefore, the idea to seal off the existing burial pits by covering them with concrete slabs (as was later the case in Treblinka) was presented as the recommended course of action.⁶⁰ Additionally, a forester's lodge was erected at the former camp, its

inhabitants charged with the task of protecting the site from further profanation.

The material, symbolic and political transformation of the remains of the Bełżec victims into 'dead (political) subjects',⁶¹ to borrow Fontein's phrase, took place in 1963. On 1 December, the memorial landscape fashioned by Henryk Jabłuszynski was opened to the public. Designed in the form of a complex of monuments, obelisks, urns and a mausoleum housing the remains of victims of the camp (built over the crypt described above), the landscape was formed to mark the key sites of the extermination centre, such as the gas chamber and burning pyres, and to portray the monstrosity of the events that unfolded at Bełżec. These were framed through a figurative representation of its victims, designed by Stanisław Strzyżński: a sculpture representing the disfigured bodies of two men, one apparently dying, in their last act of human solidarity. The wrongly located mass graves were surrounded by a concrete kerb and covered with a raised lawn. The idea to seal them off was ultimately not implemented. Additionally, the fact that some of the burial pits were not even contained within the fenced-in terrain of the memorial site clearly testified to their purely symbolic character. Nevertheless, the memorial landscape, dedicated to the 'victims of Nazi terror', as declared in the inscription engraved on the central monument, unambiguously rearticulated the human remains that were now at least provisionally separated from the living. In line with contemporary state ideology, entangled in broader geopolitical tensions, the dead were both subjectified into a broad community of victims, somewhat lacking a clear national identity, and remade into politically potent reminders of the threat associated with 'Western imperialism'.⁶² It was thus, most probably, the rebuilding of the Bundeswehr (1955) and the approaching expiry in West Germany of the statute of limitations for murders committed during the war (1965)⁶³ that acted as an incentive to rehumanise the Bełżec dead by making them 'appropriately meaningful'.⁶⁴

The belated and makeshift character of the spatial and symbolic strategies constructed around the bodily remains resulting from the extermination at the camp soon turned against itself. As a result of the process of natural exhumation, small bone fragments and complete bones began to resurface, pointing out the highly problematic nature of their handling. In 1988, as the history of the Bełżec tooth clearly shows, they were still lying on the ground and could easily be picked up. Moreover, the overall neglect of the site, owing to its low position in the hierarchy of Second World War commemoration



Figure 2.1 Museum-Memorial site at Belzec

in Poland and its – one can assume – problematic status vis-à-vis the ‘local populace’, began to draw attention and criticism from a number of sources. In 1994 an Israeli citizen, outraged by the state of the site and the anti-Semitic inscription on the monument, alerted international Jewish organisations and the Israeli state. Consequently, in 1995 a formal agreement was reached between the US Holocaust Memorial Museum in Washington and the Polish government, obliging the Polish side to redesign the memorial landscape at Belzec. Soon thereafter, a closed national competition was announced. The winning project, by Polish sculptors Andrzej Sołyga, Zdzisław Pidek and Marcin Roszczyk, was unveiled in the summer of 2004 in the presence of high-ranking officials from Poland, Israel and the United States, Jewish religious authorities from Poland and abroad, and the Holocaust survivors.

The radical, if not somewhat paradoxical, shift in the spatially mediated politics around the remains resulting from the extermination at Belzec, embedded unquestionably in a broader transformation of the approach to the Holocaust in post-1989 Poland, manifested itself, first and foremost, in the explicit emphasis on the Jewish identity of the dead. This was entirely erased from the 1963 memorial. The project, aimed at honouring the victims according to their cultural and religious traditions, was therefore to be finalised in deference to Jewish law. The rabbinical prohibition against removing or disturbing the graves resulted in their full protection, for instance

sealing them off once again on a permanent basis. As the project reads, the whole area of the mass graves was 'covered with a special, heavy-duty geotextile material ... covered with sand and drainage pipes to divert water away from the surface and, in turn, covered with the industrial slag', ensuring that the bone fragments would not resurface.⁶⁵ Only a narrow interstice, free from human remains, leading the visitors through the burial grounds from which the path is separated by massive walls, enables access to the cemetery. The implementation of these measures was, this time, preceded by archaeological research conducted in Bełżec from 1997 to 2002 by Polish archaeologists employing a very traditional methodology in order to locate the graves – manual drilling penetrating the ground to a depth of around six metres.⁶⁶ This is clearly a fundamental breach of the norms of Halakha.⁶⁷ Moreover, the excavations were not conducted under rabbinical supervision. The human remains unearthed outside the burial area were simply packed in plastic bags and reburied in one of the thirty-three mass graves uncovered during the excavations.⁶⁸

Interestingly, it was not so much the highly problematic archaeological research as the construction of the interstice cutting across the burial grounds that in 2002 served as an incentive for the Jewish religious authorities and the relatives of the Bełżec victims to oppose the memorial project. Voiced most forcefully by the New York rabbi Avi Weiss, the objections pertained to the disrespectful treatment of the 'tortured and mute remains' of the Bełżec dead framed through the language of desecration.⁶⁹ According to Weiss, all of the soil in the former camp was 'composed of our people', whose peace was yet again being disturbed by the extremely invasive spatial intervention. Yet neither his journey to Poland in order to block the construction of the memorial, nor the lawsuit filed against the American Jewish Committee (which in 2002 got involved in the project to commemorate Bełżec and replaced the US Holocaust Memorial Museum in its function) was fully successful. Nevertheless, the Polish authorities ensured that the further work on the memorial remained under the strict rabbinical supervision of the chief rabbi of Poland, approved also by the chief rabbi of Israel and the Ultra-Orthodox chairman of the Committee for Preservation of Jewish Cemeteries in Europe, Elyakim Schlesinger.⁷⁰ It was, therefore, based on close cooperation between the designers of the memorial landscape and the representatives of the Jewish Cemeteries Rabbinical Commission in Poland, who made sure that the sanctity of the human remains

buried at the former camp was protected in line with the Orthodox interpretations of the Halakha. The victims of the camp were, as a result, perceived through the frame of religious martyrdom.⁷¹ This religious monopolisation of the Bełżec dead – essentially in line with the intentions of the Polish side – contributed greatly to their renewed subjectification into a fixed identity, this time that of the Jewish victims of the Holocaust – and less so that of Polish citizens who also happened to be Jewish.⁷²

In many ways, the spatial outcome of the dense and controversy-ridden politics surrounding the Bełżec dead mirrors and reinforces this unambiguous assertive reinscription of identity. Framed through the presence of religious symbols, such as the menorah or the Star of David, as well as a wall covered with a long list of ‘typical’ Jewish names located at the end of the controversial interstice, the memorial landscape unequivocally transforms the site of the former camp into a Jewish cemetery and rearticulates the human remains resulting from it into members of a clearly defined (and somewhat stereotypically reproduced) community, to whom a proper burial is finally being given. The sense of religiously and politically saturated closure is exacerbated here by a permanent and technologically ensured closing off of the bodily remains of the camp’s victims on the one hand, and by a careful erasure of all traces of its difficult post-war history on the other.⁷³ As a result, while suggesting the resolution of the unsettled relations between the living and the dead, the transformative process of burial leaves the identity-based division between ‘Jews’ and ‘Poles’ virtually intact; the ‘Poles’ are properly burying the ‘other’.⁷⁴ The sacralisation of the site, which strategically blocks any further polemical intervention, goes hand in hand with a hegemonic rearticulation of its Polish-Jewish past facilitated by the very logic of reburial: human remains are once more animated and radically redefined so that the legacy of their previous material and political posthumous lives can finally be put to rest, without being explicitly problematised.

Could this perhaps be one of the reasons for the strong reaction provoked by the sudden emergence of the tooth at the Berlin ceremony in 2005, bringing back the memories of the complex ‘dualistic afterlives’ of the remains resulting from the extermination at Bełżec – the lootings and the site’s long-lasting neglect – and the obvious implication that the graves might had been sealed off too prematurely?

'Excessive reminders'

The ability of human remains to evade, problematise or radically question the material, symbolic and political strategies constructed around them has for some time now become subject to scholarly interest. Theorised in terms of the 'agency of bones' and dead bodies, founded both in their 'affective presence' as extensions of once-living human beings and in their materiality as objects or, more recently, in their constantly changing material properties as things,⁷⁵ the capability of bodily remains not only to animate but also to 'act back'⁷⁶ and subvert the spatially mediated dead-body politics lies, as the case of the Belzec tooth exemplifies, in their constitutive excessiveness, symbolic and literal. According to Harries and Fontein, precisely because they are excessive, uneasy objects/subjects, human remains defy not only political and symbolic endeavours to make them 'appropriately meaningful', but also 'techniques of subjectification and objectification',⁷⁷ rendering any hegemonic closure of the meaning of the dead, if not impossible, then at least open to contestation. They are, from this perspective, neither entirely mute (Avi Weiss), nor fully containable – their unexpected materialisations, uncontrollable travels and relentless transformations are an integral part of their material, affective and political afterlives.

The controversial journeys of the Belzec molar provides just one of many examples demonstrating how human remains can perform their unobtrusive agency and act as 'excessive and stubborn *reminders*' that, in Shela Sheikh's words, have 'the potential to resist identification ... burial, and sacralization'.⁷⁸ An agency that presents both symbolic and practical challenges to the politics surrounding the Holocaust dead and suggests a problematic dimension of the redemptive closure spatialised at the former camp – although ultimately arrested and pacified through its 'proper', itself somewhat belated,⁷⁹ inhumation. It can also take the form of affective circulation of ghost stories and uncanny narratives, resting upon the 'excessive potentiality' pertaining to the 'human' dimension of bodily remains,⁸⁰ which bears witness to the unresolved legacies of violence and neglect. In this respect, the long history of grave-robbery resulting from the radical objectification of the Belzec dead seems to provide a particularly fertile ground for the proliferation of such narratives. The tentative accounts of sudden deaths or instances of madness among the most notorious 'cemetery hyenas',⁸¹ of the unexpected and severe illnesses suffered by their offspring, of the inability to 'make money' on the 'Jewish gold' and of the extremely short lifespan of the animals bought from it,⁸² recounted in recent years by the inhabitants

of Bełżec, clearly testify that the local populace ‘haunting’ the terrain of the former camp in search of gold is, in turn, haunted back. The uneasiness vis-à-vis the practices perpetrated on the bodily remains of its victims is also expressed in the unsettling encounters with non-figurative ghosts also experienced by representatives of the second generation. As an example, one can quote the story of a middle-aged man who, in 2005, arrived at the newly opened museum in order to return a golden ring, given to him by his grandmother, after a young, beautiful ‘Jewess’ visited him in a dream and ordered him to do so.⁸³

This belatedly transformed affective disposition towards the Bełżec dead – reinscribing them with posthumous ‘subjectivity’ and the ability to act back – nevertheless has very limited critical potential. Centred on the problematic dimension of the ‘repossession’ of the property of the victims and the restoration of the sense of justice shaken by the effective and long-lasting robbery, these narratives paradoxically reproduce the violence-generating polarised identity politics underlying the treatment of the bodily remains of Bełżec victims. The score being settled between ‘Jews’ and ‘Poles’ is strongly implied by the disturbingly phantasmic reference to the ‘Jewish gold’ and the ‘beautiful Jewess’. Here, a statement by an elderly female inhabitant of Bełżec seems (again) particularly emblematic: when the Jewish ghosts appear, ‘one has to cross oneself aloud, then the evil will go away. They were not baptised, that is why they return.’⁸⁴ The legacy of the exclusive othering of the ‘Jew’ remains remarkably intact.

The lingering, affective presence of the dead evoked by the uncanny narratives recounted by those dwelling in the proximity of the former camp and the mass graves of its victims also has, however, a much more disturbing ‘corporeal’ counterpart, unsusceptible to the identity-based politics of the dead. As shown in the work of Polish artist and scholar Elżbieta Janicka, the photographic series *The Odd Place* (2003–04), the problem of the persistent endurance of the traces of the extermination at the sites at which it took place does not, after all, have a purely symbolic character. In six large-format photographs taken at the former Nazi death camps in Poland (Auschwitz-Birkenau, Majdanek, Treblinka, Sobibór, Chełmno and Bełżec), Janicka captured the air drifting above their grounds, penetrated for years by the ashes resurfacing from the porous graves. The images showing white surfaces enclosed within black frames and supplemented with inscriptions stating the exact dates when the pictures were taken ‘represent’ the tacit circulation of the burned remains above the post-Holocaust landscapes. At the same time, the work points out the ongoing relationship between the living and the

dead mediated and sustained through this uncontrollable circulation. ‘The ashes flow in the air. We breathe this air . . . The ashes are in the soil, in the rivers, on the meadows, and in the forests – subjected to constant recycling, in which we participate’,⁸⁵ the artist states.

Interestingly, the thesis advanced in the artwork has found ‘confirmation’ in reality. When archaeological research was conducted at Belzec in the late 1990s, it was discovered that the forester’s house erected at the site in the 1960s was located in the immediate vicinity of one of the mass graves. The well used by its inhabitants was tested and it was confirmed that the water was contaminated, as one of the residents assumed, by the decomposition products from human corpses, which had penetrated the groundwater.⁸⁶ The many families dwelling in the house for almost four decades had been drinking water polluted by the bodily remains of the Belzec dead. This extreme example thus provides an enormously appealing mirror image of the sensory participation of the local populace – for many months exposed to the stench of the burning corpses – in the extermination process, now taking the form of unintentional, corporeal partaking in their decay. It nevertheless perfectly captures the logic of Janicka’s argument: the constant, uncontainable flow of ashes and the seepage of bodily fluids of Belzec victims establishes an exchange between the dead and the living, ‘Jews’ and ‘Poles’, adding a new dimension to their unsettled relations. Described by the artist in terms of the impossibility of a complete and permanent burial of the victims of the camp, the material circulation of their remains, which resists and blurs the identity-based divisions separating them, designates the ‘Poles’ – at least as processual and relational bodies – to act as sarcophagi for the otherwise unburi-able dead.

Notes

- 1 I am indebted to the Alexander von Humboldt Stiftung and the Vienna Wiesenthal Institute for Holocaust Studies (WVI) for their generous support of the research built upon by this chapter.
- 2 For a detailed history of the fierce political debates surrounding the Berlin Holocaust Memorial, see ‘Germany’s Holocaust memorial problem – and mine’, in J. Young, *At Memory’s Edge: After Images of the Holocaust in Contemporary Art and Architecture* (New Haven, CT and London: Yale University Press, 2000), pp. 184–223. This addressed both the contested idea of commemorating the Jewish victims of National Socialism in Berlin and the form such a memorial should take, initiated in the late 1980s by Lea Rosh and Eberhard Jäckel but not resolved until 1999 when the Bundestag finally voted to build the monument.

- 3 J. Bisky, 'Die Beerdigung eines Zahns', *Süddeutsche Zeitung*, 13 May 2005. URL: www.sueddeutsche.de/kultur/holocaust-mahnmal-in-berlin-die-beerdigung-eines-zahns-1.415866 (accessed 5 December 2013).
- 4 C. Schulze, 'Lea Rosh brüskiert Jüdische Gemeinde', *Spiegel Online*, 11 May 2005. URL: www.spiegel.de/kultur/gesellschaft/holocaust-mahnmal-lea-rosh-brueskiert-juedische-gemeinde-a-355600.html (accessed 5 December 2013). In line with the Halakha, the entire body of the deceased is considered a unity created in the image of God. Consequently, any removed part of the body should be subject to burial; only in this way can the bodily resurrection of the person in her entity be secured. The place of burial of body parts is, therefore, also treated as sacred. See, for instance, M. Lamm, *The Jewish Way in Death and Mourning* (New York: Jonathan David Publishers, 2000).
- 5 ZB, 'Der Lea Rosh-Skandal', *Berliner Kurier*, 13 May 2005. URL: www.berliner-kurier.de/archiv/es-war-eine--grausamkeit--den-backenzahn-mitzunehmen--die-vize-direktorin-der-gedenkstaette-in-auschwitz-ist-ueber--den-vorfall-schockiert-der-lea-rosh-skandal,8259702,4098206.html (accessed 5 December 2013).
- 6 Quoted in Deutsche Presse-Agentur, 'Lea Rosh gibt Backenzahn an Belzec zurück', *Spiegel Online*, 13 May 2005. URL: www.spiegel.de/politik/deutschland/mahnmal-streit-lea-rosh-gibt-backenzahn-an-belzec-zurueck-a-356057.html (accessed 5 December 2013).
- 7 Quoted in P. Reszka and S. Szewc, 'Liczy się szacunek', *Gazeta Wyborcza Lublin*, 16 May 2005, p. 2.
- 8 See, for instance, A. Elsner, 'Memorializing those murdered at Belzec', 1995. URL: <http://remember.org/educate/belzec.html> (accessed 6 December 2013).
- 9 K. Verdery, *The Political Life of Dead Bodies: Reburial and Postsocialist Change* (New York: Columbia University Press, 1999), p. 27.
- 10 I refer to the concept described by Elizabeth Hallam. See E. Hallam, 'Articulating bones: an epilogue', *Journal of Material Culture*, 15 (2010), 465–92.
- 11 By taking the tooth from the site of the former camp, Lea Rosh to some extent violated the legally binding and commonly accepted rule according to which 'no "property interest" exists in a dead body'. Essentially, a body is irreducible to and should not become a private possession of another individual.
- 12 D. Posel and P. Gupta, 'The life of the corpse: framing reflections and questions', *African Studies*, 68 (2009), 299.
- 13 See H. Williams, 'Death warmed up: the agency of bodies and bones in early Anglo Saxon cremation rites', *Journal of Material Culture*, 9 (2004), 263–91.
- 14 Here, I build upon the ideas regarding bones as 'uneasy objects/subjects' developed by the representatives of the 'Bone Collective'. See, for instance, C. Krmpotich, J. Fontein and J. Harries, 'The substance of bones: the emotive materiality and affective presence of human remains', *Journal of Material Culture*, 15 (2010), 371–84; J. Fontein and J. Harries, 'The vitality and efficacy of human substances', *Critical African Studies*, 5 (2013), 115–26.

- 15 Quoted in K. Connolly, 'Jews angry over memorial plan for death camp tooth', *The Telegraph*, 13 May 2005. URL: www.telegraph.co.uk/news/worldnews/europe/germany/1489942/Jews-angry-over-memorial-plan-for-death-camp-tooth.html (accessed 5 December 2013).
- 16 R. Kuwałek, *Obóz zagłady w Bełżcu* (Lublin: Państwowe Muzeum na Majdanku, 2010), pp. 170–2.
- 17 Protokół z oględzin obozu śmierci w Bełżcu, 10 October 1945, in D. Libionka (ed.), *Obóz zagłady w Bełżcu w relacjach ocalonych i zeznaniach polskich świadków* (Lublin: Państwowe Muzeum na Majdanku, 2013), p. 123.
- 18 Question number 8 (of 9) was: 'When did the local population start digging up the terrain of the camp looking for gold and precious stones left by the murdered Jews?' *Akta w sprawie zbrodni niemieckich w obozie śmierci w Bełżcu, 1945–1949*, AIPN, OB. 2, 127–8.
- 19 S. Berger, *Experten der Vernichtung: Das T4-Reinhardt-Netzwerk in den Lagern Belzec, Sobibor und Treblinka* (Hamburg: Hamburger Edition, 2013), p. 193.
- 20 In the article 'On the clearing of the post-camp world', sociologist Marta Zawodna conceptualised the practice of 'digging in the human remains' at the site of the former Auschwitz-Birkenau camp in terms of a 'peculiar social order' created by the local populace. See M. Zawodna, 'O porządkowaniu poobozowego świata: Sposoby postępowania ze szczątkami ludzkimi na terenach byłego KL Auschwitz-Birkenau od momentu ostatecznej likwidacji obozu do powstania muzeum', *Zagłada Żydów: Studia i materiały*, 8 (2012), 173.
- 21 This is the statement by Alojzy Berezowski on 5 November 1945 in Libionka, *Obóz zagłady w Bełżcu*, p. 194.
- 22 Two of my respondents, whom I interviewed in Bełżec in September 2014, described the mass character of the looting, but nevertheless delegated the responsibility to the inhabitants of towns and villages other than Bełżec. Interview conducted with Mieczysław, 25 September 2014; Interview conducted with Franciszka, 25 September 2014.
- 23 Relation 27, anonymised, MMPB.
- 24 Relation 15, anonymised, MMPB.
- 25 Relation 19, anonymised, MMPB.
- 26 Statement by Mieczysław Niedźżak, 17 October 1945, in Libionka, *Obóz zagłady w Bełżcu*, p. 185.
- 27 The representatives of the local populace were well aware that the possessions of those brought to the camp were collected by the Nazis and that the bodies of those gassed were examined in search of gold teeth and valuables hidden in bodily orifices. Nevertheless, the searches for 'Jewish gold' were undertaken and, in many cases, proved successful. Relation 15, anonymised, MMPB.
- 28 Relation 15, anonymised, MMPB.
- 29 Relation 16, anonymised, MMPB.
- 30 The profanation of human remains and burial sites was a crime penalised under pre-war criminal law (Art. 168). On 13 June 1946, a 'Decree on crimes particularly dangerous during the reconstruction of the State'

was passed, which increased the maximum penalty for the profanation of graves from two to five years' imprisonment or, in cases of crimes committed in particularly aggravating circumstances, to ten years' imprisonment (Art. 26, 27). Dziennik Ustaw z dnia 12.07.1946. Nr 30, poz. 192.

- 31 Statement by Mieczysław Niedłuzak, 17 October 1945, in Libionka, *Obóz zagłady w Bełżcu*, p. 185.
- 32 Interview with Jan, conducted 23 September 2014.
- 33 The police investigations were also conducted in the early 1960s under the operational cryptonym 'Undertakers'. Report by the Commander of Regional Police Department in Lublin, 12 February 1962, ROPWiM, syg. 52/5, 7–10.
- 34 A. Muralczyk, 'Bełżec: kopalnia złota – raport z pustego pola', *Świat*, 17 (1956), reprinted in D. Lis (ed.), *Wokół 'Złotych żniw': Debata o książce Jana Tomasz Grossa i Ireny Grudzińskiej-Gross* (Kraków: Znak, 2011), p. 53.
- 35 C. Levi-Strauss, *Tristes Tropiques* (London: Penguin Classics, 2012), p. 232.
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 - 52 In *Precarious Life*, Judith Butler observes that the dead whose death is not acknowledged as death are, in principle, 'the unburied, if not unburialable'. See J. Butler, *Precarious Life: The Powers of Mourning and Violence* (New York and London: Verso, 2006), p. 34.
 - 53 It is worth noting that the Jewish identity of the majority of the victims was not mentioned at that time. Later that year, on the initiative of the association of Polish former political prisoners, a cross bearing the inscription 'In the memory of our tortured brothers' was erected near the grave. See Zawodna, 'O porządkowaniu', 162.
 - 54 In her study on the post-war debates surrounding former Nazi camps in Poland, Zofia Wóycicka posits that one of the reasons why, unlike the former concentration camps at Majdanek, Gross-Rosen, Auschwitz-Birkenau and Stutthof, the camps of Chełmno, Bełżec, Treblinka and Sobibór were not commemorated was the fact that 'extermination camps were places exclusively associated with Jewish martyrdom'. See Z. Wóycicka, *Arrested Mourning: Memory of the Nazi Camps in Poland, 1944–1950* (Frankfurt am Main: Peter Lang, 2013), p. 189.
 - 55 F. Stepputat, 'Introduction', in F. Stepputat (ed.), *Governing the Dead: Sovereignty and the Politics of Dead Bodies* (Manchester: Manchester University Press, 2014), p. 7.
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 - 57 In the following years, the Central Committee of Polish Jews and its successor, the Socio-Cultural Association of Jews in Poland, also strongly lobbied for the commemoration of the former extermination camps. In the case of Treblinka, those efforts proved partially successful. In 1947 the first competition for a memorial was announced; nevertheless the winning project was never realised. In the 1950s the association effectuated

the laying of the foundation stone for the Treblinka memorial, which was finally erected in 1964. See Rusiniak, *Obóz zagłady Treblinka II w pamięci społecznej*, 37nn.

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- 60 Protokół z posiedzenia ROPWiM, 18.05.1962, ROPWiM 1/2.
- 61 J. Fontein, 'Remaking the dead, uncertainty and the torque of human materials in northern Zimbabwe', in F. Stepputat (ed.), *Governing the Dead: Sovereignty and the Politics of Dead Bodies* (Manchester: Manchester University Press, 2014), p. 127.
- 62 Here, again, the parallels between the fates of all four extermination camps become visible: the first memorials were erected at Treblinka and Chełmno in 1964 and at Sobibór in 1965.
- 63 This is a thesis advanced by Robert Kuwałek. See Kuwałek, 'Obozy koncentracyjne'.
- 64 Posel and Gupta, 'The life of the corpse', 307.
- 65 *Bełżec: Nazi Death Camp* (Vienna: Grasl, 2006), p. 25.
- 66 A. Kola, *Bełżec: The Nazi Camp for Jews in the Light of Archaeological Sources* (Warsaw and Washington, DC: ROPWiM, 2000), p. 13.
- 67 According to the Jewish religious law, the body of the dead and the grave in which it rests should not be subject to any kind of disturbance, including exhumation or archeological research employing invasive methods. This was obviously the case in Bełżec where archeologists drilled into mass graves in order to determine their exact location. See, for instance, C. Sturdy Colls, *Holocaust Archaeologies: Approaches and Future Directions* (New York: Springer, 2015), pp. 66–9.
- 68 Bełżec 1997–98. Badania archeologiczne, MMP IV-41/1/2, 177.
- 69 A. Weiss, 'Let the victims of Bełżec rest in peace', *Jerusalem Post*, 14 August 2002, 4.
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- 71 M. Schudrich, 'Let Bełżec victims finally rest in peace', 25 July 2003. URL: <http://forward.com/opinion/7765/let-belzec-victims-finally-rest-in-peace> (accessed 3 October 2015).
- 72 Thus, at the opening ceremony on 3 June 2003, Polish president, Aleksander Kwaśniewski, whose speech emphasised the double identity of the dead as 'sons and daughters of Israel, but also in an equal measure as children of Poland', nevertheless framed Bełżec as 'foremost a Jewish place of eternal rest', and not a site commemorating a common Polish–Jewish tragedy – or a tragedy that would necessitate a radical rethinking of the identity divisions that brought it into being. See A. Kwaśniewski, in *Bełżec: Nazi Death Camp*, 11–12.
- 73 The only exception is a commemorative plaque, most probably stemming from the 1980s and providing false information about the number

and provenance of the victims (including 1,500 Poles), displayed in one of the rooms in the museum building.

- 74 It is, obviously, not to deny the involvement of the representatives of Jewish organisations – the US Holocaust Memorial Museum, American Jewish Committee or the Rabbinical Commission in Poland – in the process of redesigning the memorial site at Bełżec at all its stages. Rather, taking as a vantage point the experience of the visitor who enters the memorial landscape (without much knowledge about the complex decision-making processes and actors involved in its inception), one is struck by the persistence with which the memorial reproduces the somewhat essentialistically framed ‘otherness’ of the victims of the camp.
- 75 Krmpotich *et al.*, ‘The substance of bones.’
- 76 T. Ingold, ‘Materials against materiality’, *Archaeological Dialogues*, 14:1 (2007), 11.
- 77 Fontein and Harries, ‘The vitality and efficacy’, 120.
- 78 S. Sheikh, ‘Forensic theater: Grupa Spomenik’s Pythagorean lecture: mathems of re-association’, in *Forensic Architecture* (ed.), *Forensis: The Architecture of the Public Truth* (Berlin: Sternberg Press, 2014), p. 179.
- 79 Taking place after the mass graves at the site were permanently sealed off, the inhumation of the Bełżec tooth established, therefore, a fascinating precedent: buried outside, or on the margins, of the direct area of the initially protected graves, into which it could not be incorporated, the material presence of the tooth again exposed the fragility and impermanence of the boundaries set to separate the living from the dead.
- 80 Fontein, ‘Remaking the dead.’
- 81 Information provided by Ewa Koper, Museum-Memorial Site at Bełżec. Interviews conducted by the author on 16 October 2013 and 24 September 2014.
- 82 Relation 34, anonymised, MMPB.
- 83 His letter given to the museum employees (now, together with the ring, stored in the magazine of the State Museum at Majdanek) is quoted in Gross and Grudzińska Gross, *Golden Harvest*, pp. 123–4.
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Chained corpses: warfare, politics and religion after the Habsburg Empire in the Julian March, 1930s–1970s

Gaetano Dato

In Trieste and the border region north of the Adriatic Sea, corpses played a very significant role in the construction of the public discourse about acts of violence in the era of the world wars. Human remains have been a concern for public memory, and for the collective entities connected to the local places of remembrance as well.¹

Italians, Slovenians, Croatians, Habsburg officials, Communists, Nazis, Fascists and the Jewish communities all left their mark in the history of this region; in addition, such categories often overlapped, making any distinction even more complicated. The corpses belonging to these groups were therefore at the centre of the civil and political religions that emerged in this territory during the twentieth century.

Bodies in an advanced state of decomposition were used in war propaganda, and their pictures continued to be exploited from the 1960s onwards. After 1945, corpses became a subject of contention among the groups fighting for control of the territory and later on were involved in the trials of Nazi war criminals.

The Julian March: wars and borders

The northern Adriatic region is named in numerous ways by its different residents. In Italian, it is known as Venezia Giulia (Julian Venice), to underline its ancient Roman heritage. In English, however, this name is usually translated as Julian March, which references

its role as a border. Slovenians and Croatians call it Primorska or Primorje (Littoral), a partial translation of what was termed *Österreichisches Küstenland* (Austrian Littoral) during the Austrian dominion; but the term *Julijska Krajina* (Julian Region) is also used.

During late modern history the region's borders have been modified numerous times.² For centuries, until the Napoleonic era, the border between Habsburg lands and the Republic of Venice had remained basically unchanged. French expansionism, however, upset this age-old balance and initiated a long era of instability. With the Vienna Congress, the territories dominated by the Austrian Empire expanded west into a large portion of northern Italy, but during the nineteenth century the Italian *Risorgimento* and the process of national unity progressively forced the border back east. With the First World War and the end of the Austro-Hungarian Empire, the Kingdom of Italy also conquered Trieste and infiltrated the Balkans, while the Kingdom of Serbs, Croats and Slovenes emerged. Fascism's strong nationalist policy violently repressed the Slavic minorities in the region. Between 1943 and 1945, the Second World War caused the territory to be annexed to the Reich and named *Adriatisches Küstenland* (Adriatic Littoral), with Trieste as its capital. A turbulent post-war period ensued. Until 1947 it was known as the Allied Military Government of Venezia Giulia, divided into Zone A, under British-American control, and Zone B under the Yugoslavian army. Subsequently, for seven years, the two fiduciary forces controlled the smaller Free Territory of Trieste (FTT); this was the failed project of a buffer state directly controlled by the United Nations, in view of a Roosevelt-inspired Federation of the World that never took off.³ With the London Memorandum in 1954, the Italian republic and Tito's Yugoslavia found a temporary agreement on the border, and absorbed the former FTT Zones A and B. The situation was ratified in 1976 with the Osimo Accord, a local application of the Helsinki Declaration of 1975 on the stabilisation of European borders. Finally, the fall of the Berlin Wall and the dissolution of Yugoslavia created a new border in the region between the two independent republics of Slovenia and Croatia.

The Redipuglia Sacrario: how corpses played out fascist myths

Based on these complex historical events, we can argue that the Adriatic borderland is a place where the Latin, Germanic and

Slavic worlds meet and clash. It was a battlefield in both the First and Second World Wars, producing in the second half of the twentieth century a multifaceted culture of memory and complex civil religions. These were informed by the cultural forms elaborated in the nineteenth century up to the *belle époque*, during the processes of nationalisation of the masses:⁴ symbols, anniversaries, rituals, places of remembrance, heroes and victims to be remembered varied depending on the political-cultural entities in the public sphere.⁵

The first of the endless series of funeral rites in the borderland during the twentieth century was the public display of the embalmed corpses of Archduke Franz Ferdinand of Austria and his spouse, on the brink of the Great War in July 1914. The long procession started in Sarajevo. The bodies reached the Dalmatian coast, and from there they were brought to Trieste by sea. In the Julian capital, the celebration was repeated, and then again in Ljubljana, Vienna and at the Habsburg aristocrat's castle in Artstetten. A dedicated train was assigned to carry the corpses inland, and everywhere in the empire its transit was greeted with public displays of mourning by the local administrations and populations.⁶

Nevertheless, it was the power display of a declining state, still too close to the *Ancien Régime*, and very similar to the ceremonies for the funeral of Maximilian I of Mexico, forty-four years earlier. Conversely, the culture of commemoration in the northern Adriatic region, after the Great War, reflected the change in social and political relationships in European society: the new role of the masses, a greater acknowledgement of the individual dimension of life, the new concepts of citizenship and universal suffrage and other socio-cultural features typical of the new century.

The public ceremonies for the victims of the First World War became symbols of these epochal changes, and rooted the representation of the cult of the fallen soldier in pre-existing religious traditions.⁷

The link between the old world, its power displays and the new contemporary society marked by world war blood were the Unknown Soldier ceremonies. The power of this civil rite was such that these were held by all First World War victors in the years following the conflict. In Italy it was held in 1921.⁸

Similar to the celebrations for Franz Ferdinand, a special train crossed the country, carrying a corpse and triggering a process of collective mourning, and arrived in the capital to be honoured. But now, in the place of an aristocrat, the attention was centred on a

common soldier, who embodied all common citizens who had given their lives for their homeland.

In the region, the Italian state erected its most important memorial to the Great War, the Redipuglia Shrine. This is one of the largest First World War memorials in Europe, comparable only to the Douaumont Ossuary near Verdun, or to the Thiépval Memorial to the Missing of the Somme.

The mausoleum is located near the Carso Front, on a hill that was highly contested during the conflict, and was erected in 1938 by the Fascist regime. An entire side of the hill was excavated to receive the corpses of 100,187 soldiers in twenty-two terraced steps. Only 39,857 of these soldiers are known. At the bottom of the steps are the tombs of the generals. The largest tomb contains the body of the Duke of Aosta, cousin of the king of Italy and commander of the Third Army, the main Italian military formation that fought in the region. Along the edging of each terrace is the inscription *Presente* ('present', said in answer to a roll-call): as if the soldiers were forever answering the generals' and the nation's call.

The Redipuglia Shrine was built on a former site erected in 1923, which hosted about 30,000 infantrymen but which Mussolini thought inadequate – it was not sufficiently grand to symbolise Italy's model of public memory, as the country was attempting to restore the splendour of the Roman Empire.⁹

Actually, Redipuglia is simply a final destination for the remains it contains, as they reached it only after one or more exhumations. In Italy,¹⁰ as well as in the rest of Europe, as argued by Winter,¹¹ the treatment of the fallen soldiers of the Great War went through three successive stages. Until 1918, shrines and graves were systematically built along the front. During the 1920s the temporary graves near the battlefields were dismantled, and corpses started to be placed in dedicated spaces: churches, public places and cemeteries across the country. Finally, between the late 1920s and before the Second World War, the large war cemeteries were built. The bodies at Redipuglia had first been laid in impromptu graves during the conflict, then placed in several minor shrines erected in the 1920s (such as the former 1923 mausoleum), and in 1938 they reached their final destination.

The contention here, however, is that the Redipuglia Sacrario had not been conceived as a simple war cemetery. It was designed by its two architects, Greppi and Castiglioni,¹² as a stage for some of the myths of the Fascist political religion. Fussell showed how



Figure 3.1 Northern Adriatic region, 1939. Italy accessed the Balkan region after the First World War, occupying vast Slovenian areas during the Second World War, before losing most of its territories in the post-war settlement. Istria is the peninsula at the south east of Trieste, west of Fiume (Rijeka in Croatian) (from Cecotti, 2011, reproduced by permission of Franco Cecotti)

the world wars revived the interest in myths in more developed societies.¹³ As a totalitarian regime, Fascism employed public myths and rites on a grand scale, producing its own symbolic apparatus with the aim of creating an increasingly broad and firm consensus. Among the myths represented at Redipuglia is the army of the dead, which emerges clearly from its very layout, with the soldiers' graves in front of the generals' tombs. It is a myth with extremely ancient roots, which had clearly emerged in the press and in the literature of the countries at war during the conflict.¹⁴ In the Fascist context, this myth was associated with the 'Harmonious Collective'.¹⁵ Fascist society had to move as one, each person with their specific role; through obedience and trust in the leader and in the regime, new goals and new victories would be reached. In turn, these would lead to achieving further Fascist myths, which were represented in the

memorial. One was the new Fascist man, embodied by the warrior who sacrificed everything for the nation (in turn embodied by the myth of the Unknown Soldier; in fact, the high number of nameless soldiers that rest within Redipuglia's white hill is one of the site's most distinctive features). Fascism's new men, who would become 'Modern Romans', united in the Harmonious Collective, would lead the nation to new and more daring heights; first and foremost, to one of the other great myths of the regime, 'the Italian Empire'.

With the opening of the memorial, Redipuglia's corpses were thus invested with strong symbolic power. It was not a coincidence that this happened the day before the official announcement of racial laws in Italy, which the dictator explained as a necessary step to fully achieve the empire.¹⁶ However, after the Sacrario was opened with a ceremony presided over by Mussolini, it was no longer used by the regime. The agreement with Nazi Germany deterred it from any public ceremony that could potentially be seen as anti-German. The place acquired some significance later, after 1945 and until the 1960s. The conflict with Yugoslavia for the border and the presence of many veterans from the Great War made it necessary to remember the sacrifice of the Italian soldiers who died in 1915–18 for the conquest of the eastern territories. The nearly 100,000 bodies at Redipuglia (a sixth of the total number of Italian First World War victims) increased the significance of the Great War anniversaries celebrated there in the national public discourse and in Italy's relationship with the neighbouring Balkan nation.¹⁷

Exploiting victims: political propaganda after the foibe of 1943

During the world wars, in the border region north of the Adriatic sea, the cult of heroes had focused on a few figures with whom various collective identities could somewhat identify. In some cases, the body of the hero had a special role in the construction of public memory, because its search and sacralisation had been politically very significant. These were the cases of Italian irredentist Oberdan (executed by Habsburg authorities in 1882 and celebrated after 1918), the four 'Heroes of Bazovica' (members of the anti-fascist and Slovenian secret organisation, '*Borba*'¹⁸), and the Slovenian communists whom the regime sentenced to death in 1941, whose most representative figure was Pinko Tomažič.

Two case studies are examined here: the war propaganda concerning the *foibe* (Italian plural, the singular is *foiba*) killings of 1943, and the fate that befell the remains of the victims of the Risiera di San Sabba concentration camp after the war.

Foibe are natural sinkholes caused by water erosion, which can reach depths of hundreds of metres and a diameter of around ten. They are very common in karst areas, such as the region inland of the north-eastern Adriatic coast – geographically known as Carso, *Kras* in Slovenian.

On 8 September 1943, Italy announced the armistice with the Allies. Italian authorities lost all control over the borderland, and especially in Istria, the peninsula on the eastern part of the region. For almost a month, most of the region was under the administration of the Yugoslavian National Liberation Front, until German and collaborationist forces managed to drive the partisans, led by Tito, back into more alpine and inaccessible areas. During this transition stage, the partisans killed no fewer than five hundred Italians, throwing their bodies in the *foibe*. Many were thrown in alive. Then, in May 1945, immediately after the cessation of hostilities with the Axis forces, the Yugoslavian army (which until 12 June would occupy the western part of the Julian March) killed another few hundred Italian soldiers and civilians in similar ways, and sent a few thousand to prison camps in Slovenia. The exact numbers of victims are still a matter of debate, but latest estimates suggest that the total number of victims between *foibe* and concentration camps was 5,000, while the number of people imprisoned was around 20,000. After both rounds of *infoibamenti* (the throwing of bodies into the *foibe*), groups of Italians explored the karst caves and extracted the bodies of the victims;¹⁹ in 1943–44 the retrievals were sometimes supported by German forces, and after the end of the conflict by British–American forces.

In the political debate of the Cold War in Italy, especially under pressure from the Right, the *foibe* events were interpreted as one of the main causes of the exile of about 250,000 people from the new territories acquired by socialist Yugoslavia between 1943 and the 1960s. In practice, they were mostly residents of Italian background, who became a minority in the eastern area of the Adriatic borderland. This perspective acquired its own forms of commemoration in the public memory; it started with the covering, in 1959, of the *foiba* of Basovizza (located near Trieste, still in Italian territory), and the construction of a shrine on the site. From the 1990s the place received more public attention in the country, becoming

one of the most important sites in the definition of Italian national identity. This identity had suffered from a deep crisis, exacerbated by the socioeconomic difficulties of the previous ten years. The (especially institutional) recognition of the *foiba* of Basovizza made this place of remembrance the main site for the representation of national martyrdom in the Julian March, replacing the Redipuglia Sacrario (which inarguably held that role until the 1980s) in the public memory.²⁰

In short, from the point of view of the historiographic interpretation of the *foibe* events, research has shown that the violence that led to these massacres was the result of a partially planned intervention by Yugoslavian authorities, and of the intersecting of ideological and national tensions. On the one hand, it can be interpreted as revenge against Italian fascism, which had denied national rights to Slovenians and Croatians (including the use of their mother tongue and the forced translation of names and surnames into Italian-sounding substitutes) and had been occupying Yugoslavia along with the Nazis since 1941; on the other hand, the National Liberation Front, taken over by communists, was essentially trying to eliminate all opponents of the construction of the new socialist regime, as it was doing in the rest of the country. In the northern Adriatic area this entailed a revolt mainly against Italians, but also against all those who did not accept Tito's leadership, regardless of their nationality. Here, we are particularly interested in the way that anti-partisan war propaganda employed images of *foibe* victims.

After the killings of September–October 1943, and after the Axis powers regained control of the borderlands in October, collaborationist authorities (and particularly a group of firefighters led by Italian marshal Harzarich) actively worked to exhume the bodies of *foibe* victims in Istria, where in the previous month most of the massacres had occurred. During those operations, a total of 217 bodies were extracted from 31 different caves; of those, 116 civilians and 18 soldiers were identified, including some German soldiers.²¹ The exhumations were followed by the local and Salò Republic press, which in the following months would regularly report on the explorations in the Istrian *foibe*. The general tone of the articles emphasised the monstrous brutality of Slavic communist partisans; the only defence against them were Italian–German forces, and people should cooperate as much as possible with them.²² In some cases, these articles featured pictures of the excavations and the corpses themselves, but the quality of the print did not allow for sufficient definition.²³



Figure 3.2 Cover of *Le macabre foibe istriane*, a Nazi–Fascist booklet printed in 1944

Between the end of January and March 1944, two publications were circulated among the locals by German and Salò authorities, one shortly after the other: *Le macabre foibe istriane* ('The Macabre Istrian Foibe') and *Ecco il conto* ('Here's the Bill'). These publications showed some of the corpses extracted from the Julian caves clearly and in detail. The authors of the two sixteen-page booklets cannot be identified, nor is it possible to ascertain their place of publication or their circulation. Considering similar publications of the same era, in the same area, the circulation could have been a few thousand copies. In any case, by analysing the content of the two booklets, we can formulate some hypotheses and we can argue that at least the first one was also addressed to the residents of the Italian Social Republic, as Istria was referred to as 'the other side' of the Adriatic Sea; in other words, it seems that the writer was not from the borderland, but from within the Italian peninsula, in relation to which Istria and the surrounding areas appear as the other side of the Adriatic Sea.²⁴

In *Le macabre foibe istriane*, the authors are explicit about the content of the booklet. On the front and back cover a collage of putrefied faces and decomposing bodies strewn on the ground clearly point towards the content. On the back cover, the following words are printed in large characters: 'A tragic record of the Communist-Slavic

barbarity, dedicated to the memory of all Istrian and Italian people, a warning for today and for the future.²⁵ Five pages of text follow, alternating with five pages of pictures of the victims' bodies; the last four pages are completely dedicated to them. The captions leave no doubt as to the propaganda purposes of this operation, aimed at creating an easy consensus in the population. The captions included: 'A horde of Slavic communists – an enormous, soulless beast – slaughtered these brothers of ours';²⁶ 'That the terrible fate of these graves and these corpses may stay with you, Istrian people, and inspire you to rightfully avenge your brothers, victims of the merciless savagery of Slavic communists';²⁷ and again: 'A monstrous crime that echoes the brutal wickedness of Senussi²⁸ barbaric hordes: this brother of ours, killed because he loved Italy, with the usual shot to the back of the head, then in his tender parts horribly mutilated'.²⁹ Conversely, the text of the pamphlet begins with two extracts from two publications of the collaborationist regime established by the Nazis in northern Italy. In the first (a speech by Alessandro Pavolini, secretary of the Republican Fascist Party), the tragedy of the *foibe* is presented as a direct consequence of the 'betrayal' of 8 September and the armistice that the king and his forces signed with the Allies. Subsequently, Pavolini, with a rhetoric that blends nationalism and anti-Semitism, denounces the brutality of Russian and communist culture, represented in the Julian March by Slavic people. Excerpts such as the following exemplify this point of view, heavily influenced by physiognomic and racial-genetic biology and anthropology that were popular in Italy at the time:

Bolshevism is war's corpse, Merexzowski³⁰ [*sic*] wrote in his journal, as he suffered hunger and cold in a small room in Petrograd. The corpse is putrefied, and fills Russia with its deadly stench. It oozes necrotic secretions on life, onto religion, onto anything that is human and sacred. It is a horrid idea invented by Jews, tolerated by the blond and languid Slavs, executed by the square-jawed Tartars. Like an atrocious six-pointed star, the hellish idea burns bright in the mind of Lenin, a Tartar with the face of a satyr.³¹

The leader's speech is followed by the 5 January 1944 column, 'Corrispondenze Repubblicane', from the *Regime Fascista* newspaper, edited by Roberto Farinacci, which reports the news of an order sheet with which Yugoslavian partisans had ordered the extermination of Italian people in the borderland, presumably found in the pockets of 'a killed Slovenian Communist messenger'. The news item is followed by an anonymous reflection piece that compares

the sacrifice of the fallen soldiers pictured in the booklet's pages to martyrdom; this would encourage readers to continue the fight and maintain unwavering ideals. Then, a geographical and geological description of the *foibe* is provided, as well as a brief history of the Julian March. The tone of this latter part, which seems especially addressed to those who did not live in the area, confirms that the booklet may have also been circulated in the rest of Italy, occupied by German authorities. In conclusion, the concept of martyrdom is revisited, and Italian people are incited to make any sacrifices necessary to defend the nation – including their lives, as the *foibe* victims have done. The nation has to be as one, acting in the spirit of the Harmonious Collective: 'we must be one mind, one will, in the service of the Nation: *mens una, unum pectus*'.³² This is another example of Fascism's obsession with the cult of its own myths.

The second booklet dedicates significantly less space to ideological elaboration, and has no anti-Slavic content. It focuses solely on blaming communism. An even greater number of images fills its pages. On the cover, a collage of newspaper headlines echoes the many news reports that the press had circulated in the preceding months about the *foibe* exhumations. Among them, the one that catches the eye is the headline, 'Istria like Katyn: the Bolshevik ways in Istria: tragic discovery in a foiba'.³³ The back cover is dominated by the picture of a fist smashing a red star, above the word *Basta!* ('Stop!'). The first paragraph reminds readers that 'in 23 days, the communist hordes' have spread to Istria, causing massacres among the residents, people who just want 'to live and work in peace'. Two pages link some of the most well-known massacres to the names of presumed Communist leaders, concluding with a criticism of international communism as the ultimate cause of the *foibe* killings. The remainder of the booklet includes further pictures of the decomposed bodies of the *foibe* victims, accompanied by captions similar to those in *Le macabre foibe*. Finally, the last page is entirely dedicated to the support of German troops, openly inviting readers to do their 'duty' and give them 'unconditional collaboration and a sincere attitude'; German forces, a 'guarantee of victory', would be the only ones to ensure peace and order.

The two booklets differ in their attitude towards the Slavic component of the region. In this sense, *Le macabre foibe istriane* may be closer to the Fascist rhetoric than *Ecco il conto*: in fact, in their administration of the Adriatisches Küstenland, German authorities enacted a policy that restored the national rights of Slovenian and Croatian people, allowing them to open schools and to use their

languages and their names. In this way, they sought to gain consensus, establish themselves as the continuators of Habsburg policy and counteract the attempts at assimilation perpetrated by Mussolini's regime.³⁴ To further separate and distance the territory from the puppet state administration of northern Italy, German authorities encouraged a sense of national identity in the residents of Friuli (the region immediately west of the Julian March, bordering Veneto), through the application of classic methods of mass nationalisation: publications in the Friulan language, support for the establishment of folkloric groups and choirs, and public initiatives centred on identity and the people.³⁵

The absolute enemy was thus communism, uniquely targeted by *Ecco il conto*. The common trait between the two booklets and the focus of this chapter is the pictures, which seem to be the work of the same author. Their general aesthetic is similar, and is pervaded by a morbid attention to the most gruesome details. The bodies were used as puppets in the staging of a demonic, evil world that echoes, not so subtly, the hellish visions of the Flemish tradition and of the paintings of Hieronymus Bosch and Bruegel the Elder. The very cover of *Le macabre foibe istriane* recalls the faces in Bosch's painting *Christ Carrying the Cross*. The corpses are strategically placed so as to evoke a particular scenic effect; the expressions on their faces are intended to show the inhuman, bestial nature of the enemy, and not of the victim, despite the latter being the one depicted. One of these pictures in *Ecco il conto* shows naked, bruised and battered bodies, male and female, laid out in rows, with the caption 'The death parade: women also among the victims of Stalin's beastly hordes'.³⁶ The images were thus employed with no qualms and no respect for the private suffering of the families, a pornography of horror that appears as a further abuse of the victims.

The photos in the two booklets are similar to those in a Spanish publication from only a short time earlier (December 1943), a report on the results of the so-called 'Causa General'.³⁷ The 264-page book collects the first results of an inquiry conducted by Franco's Ministry of Justice, which started in 1940 with the aim of documenting the 'Red' violence perpetrated during the Civil War. The book contains numerous photos of victims' bodies, in various states of decomposition.³⁸ This text – both in the parallel drawn between judicial inquiry and highly emotional images, and in the state of the corpses and their presentation – evokes an item of Nazi propaganda published in various languages after the invasion of Poland, in the first months of 1940, titled 'Polish Acts of Atrocity against the German Minority

in Poland: Compilation Founded on Documentary Evidence and Published for the German Foreign Office³⁹ In this publication, Nazi forces attempt to justify the invasion of Poland by showing dozens of cases in which the German minority had been the target of heinous acts of violence from the local Polish population.

Comparing the Nazi representation of Germans killed by Polish people, and those that emerge not only from the two booklets (with a nearly identical aesthetic), but also in all Nazi–Fascist propaganda about the victims of the *foibe* in 1943, some strong similarities emerge. In both cases, the Slavic enemy is dehumanised, demonised, painted as a barbaric, cowardly killer. In both cases, accounts and images present the corpses of the victims being tied together and thrown in the pits alive. In both cases, there are accounts of black dogs being killed and buried with the victims, because it was said that the killers believed that the sacrifice of the animal would atone for all their sins in the eyes of God. This appears as a sort of pagan ritual shared by different Slavic populations, represented as indisputably barbarians.⁴⁰

Based on a general analysis of these two booklets from the winter of 1944, it can be argued that their language is markedly informed by Nazi propaganda. Nazi officials probably took the photos and subsequently decided to use them in the anti-partisan war, with the assistance of Italian collaborationists. In the *Adriatisches Küstenland*, in fact, the ‘SS-*Standarte Kurt Eggers – Kommando Adria*’ was in operation, the local branch of the *SS-Kriegsberichter-Kompanie* (SS War Reporter Company), which from December 1943 took the name of the *Schwarze Korps* reporter who had been killed in battle near Kharkov in August 1943. The *Kommando Adria*, led by Austrian Franz Hradetzky, managed Nazi policy propaganda activities in the region. It was based in Trieste and had no fewer than thirty war reporters. They followed all military operations and edited a German newspaper (the *Deutsche Adria Zeitung*) in addition to the *Adria Illustrierte*, which was also published in Italian, Serbo-Croat and Slovenian. Hradetzky’s men were also in charge of a multilingual radio station. The support for Friulan independentism was also an initiative of the *Kommando Adria*.⁴¹

It can be argued that the publication of the two booklets might also have been an initiative of the *SS-Standarte Kurt Eggers*, like the general framing of the propaganda about the *foibe* in 1943. Furthermore, in the last few months of 1943 the German headquarters had circulated a manifesto denouncing partisan violence and inviting people to support German troops; this manifesto depicted

four different images of dead children, lying face down on the ground, supposedly victims of Communist violence.⁴² The general structure of the manifesto is very similar to the two *foibe* booklets.

The display of criminals' bodies (especially those sentenced to death) has ancient roots, but the display of the victims' bodies for political propaganda reasons seems qualitatively different, strongly determined by Nazi ideology and potentially able to influence both Spanish and Italian Fascism in the context of total war.

After 1945, in the long aftermath of the war and when the fate of the region was still uncertain, the images produced (in all likelihood) by *Kurt Eggers* reporters were at first forgotten in the acute political conflict between Italians and Yugoslavians. They re-emerged in the 1960s in the press associated with Istrian exiles. Among their first publications was the special issue of the magazine *Difesa Adriatica*, which in 1965 republished some of the gruesome images.⁴³ They were mostly revisited by Father Flaminio Rocchi in his work on the Dalmatian-Julian exodus (published in 1970), which represents a summary of the so-called Italian 'militant theses' on the Adriatic issue.⁴⁴ Such images have regularly reappeared from time to time in the political press of the National Right and of the Istrian associations in Italy, generally without mentioning their origins.

The reasons behind the reappearance of those images may be linked to Italian state institutions' public recognition of the Risiera of San Sabba, the only Nazi concentration camp in Italy equipped with a crematorium. Italian nationals in the region contrasted the memory of the *foibe* and the exodus with that of Nazi victims. This occurred in the context of attempting to make the two events equal, fuelled by political forces that used these themes to seek consensus, and in the broader context of anti-communism and the Cold War.

Corpses forcing political clashes: the Risiera of San Sabba and its public memory

The harsh anti-partisan war in the *Adriatisches Küstenland*, and the presence in the region of some Nazi individuals who had participated in the *Aktion Reinhardt* (the plan to exterminate the Jews in the General Government district of occupied Poland) and *Aktion T4* (a programme of forced euthanasia at various extermination centres located in psychiatric hospitals in Germany and Austria), led German authorities to establish a *Polizeihaftlager* (police internment camp), which they equipped

with a crematorium by adapting some rice-drying stations. The structure was set up in the former rice-husking facility in the San Sabba neighbourhood outside Trieste, near the docks. Around 5,000 people died there, either gassed by truck exhaust fumes or individually killed in various ways. An even greater number of people were sent to the work camps in central-eastern Europe. Most of the victims belonged to Slovenian and Croatian minorities. The vast majority of Jewish people who were temporarily interned at San Sabba, and who belonged to the various communities in the northern Adriatic region, died at Auschwitz.⁴⁵

On 3 December 1945, four factory workers, on behalf of Trieste Council, removed the rubble of the crematorium, which had been blown up by Nazis immediately before the end of the conflict on 29 April. Under the debris, a large amount of human remains, ashes and bones, was found.⁴⁶ Immediately, communists sent men to patrol the area, because the victims' relatives would come in the hope of finding some remains, and would take some of the ashes to honour them privately.⁴⁷ On 6 December 1945, the Allies' police forces conducted a more in-depth inspection and confirmed that the remains had been collected in six paper sacks generally used for concrete mix, and that they were mingled with some personal effects likely to have belonged to the victims.⁴⁸

After the findings, on the initiative of communist sympathisers with Yugoslavia, a Committee for Honouring the Dead was created, which included Trieste's Liberation Council, the Jewish community, the Slovenian Red Cross, *Sindacati Unici* (United Trade Unions), the Julian Partisans' Association and other communist-inspired organisations. However, members of the National Liberation Committee (the coordinator of pro-Italian parties) were conspicuously missing, because, after the signature collection that the communist forces started in September in favour of a Yugoslavian Julian March, the dialogue between the two national fronts had been to all intents and purposes interrupted. Therefore, between 6 and 8 December the ashes were collected in an urn and temporarily hosted at the Slovenian Red Cross premises at 4, Via Carducci. The building also hosted the Trieste branch of OZNA, the Yugoslavian secret services.⁴⁹ It is not clear whether all the human remains recovered were placed in that urn, since three concrete mix sacks certainly contain more material than a common urn for human ashes.

In the meantime, the citizens would visit the Risiera and the urn to bring flowers and honour the victims. The Committee, consistent

with its mission, organised a ceremony that would include a funeral procession leaving from Piazza Unità, Trieste's main square; this would be followed by both a Catholic and a Jewish religious ceremony. Subsequently, the procession would continue towards the San Giusto Cathedral, where the ashes would be temporarily placed in a nearby museum.⁵⁰

However, the Allied Military Government withdrew its permission for the ceremony, as Italian parties had not been involved; while they claimed their anti-Fascist identity, they had not been able to reach a consensus on how to conduct the ceremony. The ban did not, however, change the minds of the organisers. Committee and organisation members showed up at the square with the urn containing the ashes. The violation of the Allies' ban caused the police to intervene. They tried to confiscate the remains and disband the ceremony, but the protesters succeeded in their intent: 'the urn was taken by a few brave comrades, who carried it in their arms to the hospital's chapel.'⁵¹

To date, there is no information on the fate of the ashes in the following days. It is known, however, that on 21 December 1945 the council and the Italian parties organised another ceremony, while the communists invited their sympathisers to boycott the event. This ceremony occurred entirely at San Giusto: the Catholic liturgy being officiated by the bishop inside the cathedral, while the rite conducted by the Jewish rabbi took place on the concourse. Polemically, Trieste's communist newspaper reported that the ceremony was attended by many collaborationists, including some who had perpetrated acts of violence at San Sabba. The ashes, according to the press, were placed in four coffins that were sent by truck to Sant'Anna,⁵² to be buried in the city's cemetery.⁵³

In 1975, on the occasion of the re-opening of the concentration camp as a museum, which coincided with the thirty-year anniversary of the end of the war and the ten-year anniversary of the declaration of the concentration camp as a national monument by the president of the Italian Republic, Giuseppe Saragat, the ashes were placed in a vault near the site where they had been originally found.⁵⁴ They were no longer a subject of political contention in the anti-Fascist movement; however, other remains became a cause of conflict between the Movimento Sociale Italiano (the new Fascist party) and the anti-communist organisations close to it, and the anti-Fascist circles (which, after resolving the issue of Trieste with the 1954 London Memorandum and the final agreement on the border, had long moved on from the post-war debates).

In February 1974, during some renovation works on the sewage system, around 150 metres from the Risiera's entrance, a mass grave was found with eight corpses, with no personal items. The forensic assessment placed their death around the Second World War, but a mystery remains about the reasons for the deaths of those people. Two opposing views took hold. Some assumed that the deaths had occurred at the beginning, or in the last few days, of activity of the concentration camp, at a time when the crematorium had not yet been set up or had already been destroyed. Others believed that the burial of victims outside the concentration camp made no sense, and that the bodies were victims of the Yugoslavian forces that had been in the city in May 1945.⁵⁵ The debate, however, was not protracted and the event was soon forgotten by public opinion.

The memory of the Risiera crimes re-emerged as strongly as ever between 1975 and 1976, thanks to the numerous testimonies given by the victims during the war crimes trial against concentration camp leaders. However, no one was ever imprisoned. Furthermore, the issue of collaborationism was not addressed, and only one of the legally indictable subjects (Josef Oberhauser) was still alive at the time of the trial. The former German officer, who had already spent a few years in prison in Germany in the 1960s, was sentenced to life *in absentia*, but Italy's requests to West Germany for extradition went unheeded. Oberhauser died a free man at the end of 1979 in Munich.⁵⁶

However, the trial led to the discovery of other human remains,⁵⁷ which definitively confirmed the existence of the crematorium, refuting the arguments of revisionists.⁵⁸ These continue to deny the memory of the concentration camp and dismiss the Risiera murders as normal warfare, considering the crematorium as an invention of anti-Fascist propaganda, all the while trying to present the *foibe* killings as much more dire instances of violence in public opinion.

The Allies Police report about the discovery of the ashes in December 1945 already contained some testimonies about how the remains of the victims burned in the crematorium had been thrown into the sea from the docks.⁵⁹ These considerations were confirmed by witness accounts during the trial.⁶⁰

The dive unit of the Carabinieri, Italy's military police, conducted a series of surveys in February 1976, which yielded a few dozen kilograms of partially carbonised human bones. Video-recordings of these surveys were then shown to Italian audiences in a documentary aired on national television.⁶¹

Conclusions

In this brief excursus I have attempted to show the central role played by bodies in the definition of public memory associated with some of the main world war-era events in the northern Adriatic region, at the border between Latin, German and Slavic cultures. The Great War undoubtedly marked a separation in collective identities and power hierarchies in Europe. By comparing the tributes to the corpse of a Habsburg official to the Unknown Soldier and to the remains of tens of thousands of soldiers at Redipuglia, these transformations – and the massive influence of the totalitarian Fascist state – can emerge.

No private dimension was possible for the bodies of those who died during momentous historical events. Institutions and political movements, in these examples, intervened heavily in the treatment of the corpses and ascribed various symbolic meanings to them. However, the *foibe* victims of 1943 could not escape collaborationist propaganda, in a climate where not only the enemy, but also the victims were generally dehumanised.

The remains of the victims of the Risiera di San Sabba concentration camp were caught in the national conflict between Italians and Slovenians over the fate of the region. As the crossroads of diverse political, religious and ethnic identities, this area saw the intersections of different public rites: in the commemoration of 9 December 1945, communist, Catholic and Jewish rites overlapped, whereas the 21 December celebrations excluded the communist element by being centrally located in Trieste's great Saint Giusto Cathedral.

The bodies of Second World War victims continued to reappear at various times, in the context of a judicial inquiry that partially succeeded in integrating the historical truth; however, this remains misunderstood by public opinion, which in turn was heavily influenced by developments during the Cold War. Therefore, in some cases, corpses in the Adriatic borderland took on a life of their own, unwillingly becoming actors on the political stage. The real dimension and meaning of death was thus forgotten and replaced with a constant revision of the sacred aspect of politics, to the advantage of those who would benefit from it and the subsequent power games.

Notes

- 1 Translated from the author's Italian by Cadenza Academic Translations.
- 2 Some recent international works have highlighted the main historical issues for Trieste and the Adriatic Borderland: P. Ballinger, *History in*

- Exile: Memory and Identity at the Borders of the Balkans* (Princeton, NJ: Princeton University Press, 2002); M. Hametz, *Making Trieste Italian, 1918–1954* (Woodbridge: Boydell Press, 2005); N. Kent, *Trieste: Adriatic Emporium and Gateway to the Heart of Europe: A Twentieth Century Tragedy* (London: C. Hurst & Co., 2011); G. Sluga, *The Problem of Trieste and the Italo-Yugoslav Border: Difference, Identity, and Sovereignty in Twentieth-Century Europe* (Albany, NY: State University of New York Press, 2001); R. Wörsdörfer, *Krisenherd Adria 1915–1955: Konstruktion und Artikulation des Nationalen im italienisch-jugoslawischen Grenzraum* (Paderborn: Schöningh, 2004).
- 3 A. C. Bowman, *Zones of Strain: A Memory of the Early Cold War* (Stanford, CA: Hoover Institution Press, 1982), pp. 111, 155; P. Kennedy, *The Parliament of Man: The United Nations and the Quest for World Government* (London: Penguin Books, 2006), pp. ix–xv.
 - 4 G. L. Mosse, *The Nationalization of the Masses: Political Symbolism and Mass Movements in Germany from the Napoleonic Wars through the Third Reich* (New York: H. Fertig, 1975).
 - 5 These themes were extensively examined in my doctoral thesis, from which part of the reflections presented here derive: G. Dato, 'L'uso delle memorie: il caso di Trieste, confine culturale e ideologico nel cuore dell'Europa 1945–1965', PhD thesis, University of Trieste, 2013.
 - 6 F. Todero, *Una Violenta Bufera: Trieste 1914* (Trieste: IRSML-FVG, 2014), pp. 32–4; B. Klabjan, 'Od Trsta do Sarajeva in nazaj: dinastična lojalnost in nacionalna pripadnost v habsburškem Trstu na predvečer prve svetovne vojne', *Acta Histriae*, 21:4 (2013), 749–68.
 - 7 J. Winter, *Sites of Memory, Sites of Mourning: The Great War in European Cultural History* (Cambridge and New York: Cambridge University Press, 1995), pp. 119–27.
 - 8 G. L. Mosse, *Fallen Soldiers: Reshaping the Memory of the World Wars* (New York: Oxford University Press, 1990), pp. 94–8; B. C. Mossman and M. W. Stark, *The Last Salute: Civil and Military Funerals, 1921–1969* (Washington, DC: Department of the Army, 1991), p. 3.
 - 9 L. Fabi, *Redipuglia: Storia, memoria, arte e mito di un monumento che parla di pace* (Trieste: LINT, 1996), pp. 14–16, 22. F. Todero, *Le metamorfosi della memoria: La grande guerra tra modernità e tradizione* (Udine: Del Bianco, 2002), p. 67.
 - 10 M. Isnenghi, *Le guerre degli italiani, 1848–1945* (Milan: A. Mondadori, 1989), pp. 346–8; Fabi, *Redipuglia*, pp. 9–22.
 - 11 Winter, *Sites of Memory*, pp. 57, 88.
 - 12 Todero, *Le metamorfosi della memoria*, pp. 67–8.
 - 13 P. Fussell, *The Great War and Modern Memory* (New York: Oxford University Press, 1975), pp. 115–31.
 - 14 Winter, *Sites of Memory*, pp. 15–18; Todero, *Le metamorfosi della memoria*, pp. 29, 43, 101–2.
 - 15 E. Gentile, *Il culto del Littorio* (Bari: Laterza, 1994), pp. 54–9.
 - 16 For the full text of the Duce's speech, see http://isites.harvard.edu/fs/docs/icb.topic1008030.files/DifesaDellaRazza_Trieste.pdf (accessed 15 October 2014).

- 17 On the founding of the Sacrario di Redipuglia and its role in Italy's republican national identity, see G. Dato, 'Il Sacrario di Redipuglia: un tempio per la nazione', *Acta Histriae*, 1–2 (2014); G. Dato, 'La memoria della Grande guerra e i discorsi ufficiali presso il Sacrario di Redipuglia. Dalla ricostruzione al boom economico', *Qualestoria*, 2 (2014); G. Dato, *Redipuglia: il Sacrario e la memoria della Grande guerra 1938–1993* (Trieste: IRSML, 2015).
- 18 This was a national movement, members of which were shot by the Fascist Special Tribunal in 1930.
- 19 The most significant studies about the *foibe* are: R. Pupo and R. Spazzali, *Foibe* (Milan: B. Mondadori, 2003); J. Pirjevec, *Foibe: Una storia d'Italia* (Turin: Einaudi, 2009).
- 20 Ballinger, *History in Exile*; G. Dato, 'Foiba of Basovizza: the pit, the monument, the memory, and the Unknown Victim, 1945–1965', *West Croatian History Journal*, 8 (2014), 35–62.
- 21 Pupo and Spazzali, *Foibe*, p. 26.
- 22 R. Spazzali, *Foibe: un dibattito ancora aperto* (Trieste: Lega Nazionale, 1990), pp. 120–52.
- 23 'I massacratori di Vines hanno superato quelli di Katyn', *Il Piccolo*, 23 October 1943; 'Tutte le salme recuperate', *Il Piccolo*, 28 October 1943; 'Nel fondo della cava di Villa Bassotti', *Il Piccolo*, 11 November 1943.
- 24 Spazzali, *Foibe: un dibattito ancora aperto*, pp. 154–7.
- 25 This is the original text: 'Tragica documentazione della barbarie comunista-slava dedicata alla meditazione degli istriani e degli italiani tutti, monito per oggi e per domani'.
- 26 This is the original text: 'Un'orda di comunisti slavi – bestia immane senz'anima – ha fatto scempio di questi nostri fratelli'.
- 27 This is the original text: 'La sorte atroce di queste bare e di queste salme vi accompagni e vi inciti, istriani, alla giusta vendetta dei vostri fratelli, vittime della spietata ferocia dei comunisti slavi'.
- 28 The Senussi were Libyan tribes that fought Italian colonial troops during the various campaigns for the conquest of the African country.
- 29 This is the original text: 'Mostruosa criminalità che ricorda la brutale malvagità delle orde barbare senussite: ucciso – questo nostro fratello – reo di amare l'Italia, col solito colpo alla nuca e poi orrendamente mutilato della sua parte molle'.
- 30 The authors were probably referring to Dmitrij Sergeevič Merežkovskij.
- 31 This is the original text: 'Il bolscevismo è il cadavere della guerra, scriveva nel suo diario intimo Merexzowski [*sic*], che in una piccola camera di Pietrogrado soffriva la fame e il gelo. Il cadavere era putrefatto e riempiva del suo fetore ammorbante la Russia. Esso lasciava gocciolare il suo liquido necrotico sulla vita, sulla religione, su ogni cosa sacra dell'umanità. Era un'orrenda idea inventata dagli ebrei, tollerata dai biondi e languidi slavi, messa in esecuzione dai tartari dal volto quadro. Come un'atroce stella a sei punte, l'infornale idea ardeva nel cervello di Lenin, dal volto di satiro, di origine tartara.'
- 32 This is the original text: 'dobbiamo essere un'anima sola, una volontà sola, al servizio della Patria: *Mens una, unum pectus*'.

- 33 This is the original text: 'Come a Katyn, I sistemi bolscevichi in Istria. Tragica scoperta in una foiba'.
- 34 K. Stuhlpfarrer, *Le zone d'operazione: Prealpi e Litorale Adriatico, 1943–1945* (Gorizia: Adamo, 1979), pp. 150–2.
- 35 P. A. Carnier, *Lo sterminio mancato: La dominazione nazista nel Veneto orientale 1943–1945* (Milan: Mursia, 1988), pp. 87–9.
- 36 This is the original text: 'Parata della morte. Anche donne si trovano fra le vittime delle bestiali orde di Stalin'.
- 37 I am grateful to Luis Rios, forensic anthropologist at the Universidad Autónoma of Madrid, for suggesting this comparison when I presented this chapter at the conference, from which these proceedings arose.
- 38 Ministerio de Justicia, *La dominacion roja en España: Avance de la informacion instruida por el Ministerio publico*, Causa general (Madrid: Ministerio de Justicia, 1940). A digital copy of the text can be found at www.causageneral.org (accessed 15 October 2014).
- 39 The original German title and bibliographic references are: *Dokumente polnischer Grausamkeit: Im Auftrag des Auswartigen Amtes auf Grundurkundlichen Beweismaterials zusammengestellt* (Berlin: Bearbeitet und herausgegeben von der Deutschen Informationstelle, 1940). The Italian version of the text is cited by Apih in his posthumous work: E. Apih, R. Spazzali, M. Cattaruzza and O. Moscarda Oblak (eds), *Le foibe giuliane: Note e documenti* (Gorizia: LEG, 2010), p. 20. I am grateful to Roberto Spazzali for his interesting remarks on the subject of this chapter.
- 40 Apih *et al.*, *Le foibe giuliane*, pp. 18–21.
- 41 Carnier, *Lo sterminio mancato*, pp. 85–6.
- 42 Archivio fotografico IRSML-FVG Trieste.
- 43 'Era il suo sangue', 'Norma Cossetto', *Difesa Adriatica*, 21–28 May 1965.
- 44 F. Rocchi, *Lesodo dei giuliani, fiumani e dalmati* (Rome: Difesa Adriatica, 1970), pp. 66–95.
- 45 To date, there is no systematic research on the Risiera di San Sabba. The main historiographic analyses are: A. Scalpelli (ed.), *San Sabba: istruttoria e processo per il Lager della Risiera* (Trieste: LINT, 1995); S. Bon, *Gli ebrei a Trieste, 1930–1945: identità, persecuzione, risposte* (Gorizia: LEG, 2000); M. Cattaruzza, *L'Italia e il confine orientale, 1866–2006* (Bologna: Il Mulino, 2007); Wörsdörfer, *Krisenherd Adria 1915–1955*.
- 46 'Nuove prove della ferocia nazifascista alla pilatura diriso di san Sabba', *Il Lavoratore*, 4 December 1945.
- 47 R. Pajer, *Ich war I 69186 in Mauthausen: Wieichals Jugendlicher ins KZ-Netzwerkgeriet und darausbefreitwurde* (Klagenfurt-Wien: Kitab, 2010).
- 48 Civilian Police Report, 6 December 1945, Risiera di San Sabba permanent exhibition.
- 49 British counter-intelligence reports, winter 1945–46, National Archives, London, WO 204/12783.
- 50 *Il Lavoratore*, *Primorski Dnevnik*, 8 December 1945.
- 51 *Il Lavoratore*, *Primorski Dnevnik*, 10 December 1945.
- 52 *Il Lavoratore*, *Primorski Dnevnik*, *Giornale Alleato*, *La Voce Libera*, 22 December 1945.

- 53 Sant'Anna Council Cemetery burial records, December 1945.
- 54 Acts of the Risiera di San Sabba Civic Museum, ashes vault.
- 55 'Scoperta nei pressi della Risiera una fossa comune con resti umani', *Il Piccolo*, 14 February 1974; 'Emozione a Trieste per il ritrovamento di sette scheletri presso la Risiera di San Sabba', *L'Unità*, 15 February 1974; 'Si tenta di ricostruire gli scheletri delle vittime', *Il Piccolo*, 15 February 1974.
- 56 D. Nanut and F. Cecotti, *Testimoni giudici spettatori: Il processo della Risiera di San Sabba, Trieste 1976* (Trieste: Aned, 2013).
- 57 Scalpelli, *San Sabba*, pp. 173–9.
- 58 This trend has recently been epitomised by Ugo Fabbri, who tried to participate in the 2006 Teheran revisionist conference with a paper that can be found at www.vho.org/aaargh/fran/livres/7/TEHERAN/Fabbriit.pdf. It is unclear whether Iranian authorities formally approved his participation at the conference.
- 59 Civilian Police Report, 6 December 1945, Risiera di San Sabba permanent exhibition.
- 60 Scalpelli, *San Sabba*.
- 61 'AZ Un fatto, come e perché: Processo per I crimini alla Risiera di San Sabba' [television programme], by Emilio Ravel. Broadcast by RAI on 13 March 1976.

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Exhumations in post-war rabbinical responsas

David Deutsch

The purpose of this chapter is to offer an insight into post-war Jewish responsa (decisions and rulings made by scholars of Jewish religious law) addressing the issue of exhumation and reburial of human remains stemming from the Holocaust, following research into thirty responsas submitted by ordained and practising Orthodox rabbis.¹ The first part of the chapter will provide a brief and general presentation of the jargon found in responsa literature, methodology and reasoning, as well as the shifts in social context regarding viewpoints and current views. In addition, the scant traditional, pre-Holocaust rulings concerning exhumations will be presented for juxtaposition with post-war responsas. The second part of the chapter pursues the analytic outlook, highlighting the ‘forced’ innovativeness of rabbinic verdicts. Due to the lack of a valid literary lineage addressing these issues, there was a great deal of legislative flexibility – hence, prompting a wide diversity in rulings.

Rabbinical responsa writing during and after the Holocaust received scant academic attention following the war. It was not until the mid-1970s that several scholars began to publish research dealing with this literature. As stated by Norman Lamn in the introduction to Rosenbaum’s book on this topic, ‘Rabbi Rosenbaum’s work now hopefully begins to fill the lacuna in the history of Jewish heroism [responsa writing] during WW2’, heroic because it displays the commitment to tradition under harsh persecution.² Similarly,

Zimmels' book, *The Echo of Nazi Holocaust in Rabbinic Thought*, contrasts the Holocaust with rabbinical literature in a wider context of rabbinical thought. Zimmels' book also provided translated responsas accompanied by brief analytic observations.³ Both aforementioned books were published by Ktav publication and both authors are well-known rabbinic figures. Despite their important contribution, the orientation of both writers was to glorify their body of research, rather than objectively evaluate the literature of this period. The same tendency to glorify and dramatise overrides a careful reading of the texts, as seen in Avineri's article published in the journal *Sinai*.⁴ Research published in the journal *Dapim* offered specific case studies, highlighting the problems and limitations of rabbinic authorities in the historical context during the Holocaust. Joseph Nedava presents an overview of the possible problems,⁵ whereas Meir Ayali focuses on one specific case: 'The Exchange of One's Life for Another's in the Responsa Literature'.⁶ Both articles spotlight descriptive aspects of Holocaust rabbinical responsa and tend to avoid a normative assessment. In 1985, Dr Kirschner published his book, *Rabbinic Responsa of the Holocaust Era*, which finally contributed a comprehensive and historically contextual analytic outlook. However, the issue of exhumation hardly received any attention and academic research has not addressed the topic of responsas dealing with exhumations.⁷ Even in her recent work, Ester Farbstein prefers to highlight religious situations during, rather than after, the Holocaust.⁸ Some researchers tend to provide a general outlook; others focus on diverse Holocaust-related issues such as keeping kosher in the Ghetto, praying at the cost of risking one's life and religious conversion in order to save one's life, and so on.⁹ All of these detailed researches fell short of dealing with the issue of exhumation.

In light of the limited research, this chapter will engage itself with two challenges: (1) to provide a general and novel overview of the numerous rulings, and (2) to offer empirically based analytical observations to clarify the rulings. In the absence of religious literature dealing directly with mass reburial, rabbinic authorities faced the challenge of providing traditional legislation without 'traditional' sources. This void influenced decision making and had an impact on content, style and historical development, as evident in the diverse verdicts of the authorities. The answers delivered were primarily the outcome of two factors. First, there were no clear available traditional rulings and, second, rabbis were influenced by historical, social and ideological factors.

Traditional responsa literature and the issue of exhumation

In Hebrew, reponsa writing is appropriately entitled 'Questions and Answers'. Reponsa originated as early as the third century AD in the form of letters of correspondence between Jewish scholars in Persia and Palestine, and the letters contained questions and dilemmas concerning Jewish law, rituals and traditions. Such correspondence later expanded to countries in every part of the Diaspora and over time the literature grew by leaps and bounds. The format, content and style of responsas changed throughout the years, influenced by the diverse localities and by the contexts of the rulings. The most significant shift, which is relevant to modern responsa, occurred after the publication of Rabbi Joseph Caro's *Shulhan Aruch* in the sixteenth century, which over time became the accepted codex of Jewish law.¹⁰ From this point on, responsa writing became less diverse, since the vast majority of rabbinical authorities were committed to the *Shulhan Aruch's* rulings. Isaac Klein provides a summary of the guidelines for some contemporary responsa:

1. Rulings should be based primarily on early rabbinic literature rather than in offering new interpretations.
2. Responsas should follow thematic framing of the *Shulhan Aruch* and be presented as a form of commentary on this legal codex.
3. Discussed topics should be narrowed down to legal and ritual rulings, excluding nearly all questions on faith and philosophy.
4. Responsas should be organised in a systematic manner with a complex methodology and reasoning.
5. Answers should be comprehensive with sources and previous rulings oftentimes re-examined.¹¹

The issue of collective exhumation does appear in early Talmudic literature with regard to victims of the Betar massacres during the Bar Kokhba uprising against the Romans,¹² since in this specific case of mass reburial the Talmud avoided providing a halakhic ruling. Later responsas disregarded the Betar story as a legal precedent.

Talmudic entries that are the basis for later rulings deal with individual, rather than collective, forms of reburial. The *Shulhan Aruch* introduced two verdicts concerning this issue that subsequently appear in most exhumation responsas. There are

variations in interpreting the verdicts and disagreements on the degree of their relevance. Nevertheless, scholars base their argumentation on the same sources found in the *Shulhan Aruch*. The first ruling stipulates that an individual deceased in an open field may not be moved. In the case of an unattended body, the corpse 'buys' his place of burial, thus categorically redefining his place of death as a 'proper grave'.¹³ The context of this ruling has financial implications: the owner of the property is forbidden to remove the corpse in order to use the soil. The second ruling specifies that a corpse should not be reburied, even if the new grave is more dignified. However, there are three exceptions in which reburial is permitted: (1) when the deceased is reburied closer to their forefathers; (2) when the bones are reburied in the land of Israel; (3) when the current burial place might be desecrated by gentiles.¹⁴

The first ruling deals with definitions of accepted burial and the second with conditions for reburial. Again the issue of exhumation and reburial, as it appears in early rabbinic writing, does not address mass reburial but, rather, specific cases of individual reburial. Even in the famous cases of multiple massacres that occurred in the Ukraine during the mid seventeenth century, the question of collective reburial was hardly addressed. Adam Teller's work shows that rabbinic authorities of the time focused their attention on other issues, such as permitting *Agunot* (women whose husbands had gone missing during the killings and so were uncertain of their marital status) to remarry.¹⁵

As noted, traditional halakhic literature did not deal directly with questions of mass reburial, so that in post-war responsas a great deal of interpretive freedom was displayed. Advocates of reburial based their argument on the second ruling and explained how conditions of the original burial justified exhumation. Rabbis that forbade reburial emphasised the first ruling and claimed that the place of murder is considered an adequate site for burial. The interpretive gap, along with the absence of a firm legal precedent, allowed the social and ideological context to influence the style and rulings of rabbinic literature.¹⁶

Further, advocates in favour of reburial presented unique features that were uncommon in traditional writings. For example, they tended to dramatise their narration, to include emotional characteristics in formal verdicts and to establish the Holocaust and exhumation rulings as a field of inquiry in their own right; thereby deviating from customary literary structures.¹⁷

Responsa sources and statistics

Various libraries and archives were exploited to collect sources for this chapter. Many responsas were found in the archives at the Yad Vashem Holocaust Museum in Jerusalem. Rare books were obtained from the National Library of Israel, the Institute of Hebrew Law on Mount Scopus and the Gush Etzion Library in Efrat. A relatively unknown archive, Ginzach Hashoa in Bnei Brak, provided me with rare materials that were available exclusively at that site. Naturally, the most accessible sources were the Holocaust responsa collection, which provided the bulk of materials for this research.

It is hard to obtain an exact number of exhumation responsas in the post-war responsa literature. However, the thirty responsas collected for this research provided a general outlook that is representative of the literature. The Bar Ilan Responsa Project, and more specifically its Holocaust collection, was used to access some of the less known responsas. I also conducted interviews with leading rabbinical authorities with experience in this field who directed me to references that were not found in common search engines. Since responsas tend to base their arguments on earlier rulings and include opposing arguments, I was also able to find references within the responsas themselves.¹⁸ Various written reviews that provide a comprehensive outlook on this issue are also primarily based on the aforementioned materials.¹⁹

After the war, the most prevalent question in responsa literature dealt with the exhumation of human remains from mass execution sites. Out of the thirty questions posed at the time, there are at least eleven entries directly related to mass exhumation.²⁰ Besides corpses, the literature dealt with other types of human remains. For example, in nine cases the status of human ashes was discussed. This is highly relevant in the context of the Holocaust, since, after mass murder, crematoriums were often used to burn the corpses. In six entries, other types of human remains were discussed (bones, hair, fat, bloody soil, soap,²¹ teeth etc.), in terms of reburial and the potential to defile a Cohen (priestly caste). Four responsas discussed the issue of separation of bones before reburial (between individual Jews or gentiles and Jews). Another four responsas addressed the religious status of bones.²² Within this literature, the general tendency was towards burial of all forms of human remains. In regard to exhumations, opinions were split. Since the verdicts usually derive from basic rulings concerning reburial of a corpse, the exhumation policy of the responsas towards these types of human remains is just as ambiguous as with the reburial of corpses.

A survey of the replies by rabbinical authorities reveals a diversity of opinions. These include a religious duty to rebury (4 verdicts); that it is forbidden to rebury (2 verdicts); an indecisive stance (2 verdicts); and a stance that cites dependence on the context of the specific case (3 verdicts).²³ Nevertheless, most were in favour of the burial of ashes (not necessarily exhumations) and agreed that the status of ashes differs from that of an actual corpse. The actual question regarding the exhumation of ashes received only two opposing definitive answers – one for and one against.

Questions concerning remains were divided between a general format and those with a specific local context. For example, nine questions concerned the shooting pits used for victims in areas bordering the Baltic states and the death paths of the *Einsatzgruppen* units (for example, Tarnopol, Bochnia, Saramas, Konau and Kupishok), another five were related to concentration and death camp exhumations (Bergen-Belsen, Auschwitz), two were on exhumation from a Jewish cemetery and one was on exhumation, for survival purposes, in a Jewish Ghetto.²⁴

The time frame on which this research is based concerns the post-war period up to the mid-1960s. Afterwards the topic of exhumation received limited attention, because of the rabbinical acknowledgement of the improbability of such an endeavour. Many of the writers (75 per cent) engaged in providing rulings on exhumations were Holocaust survivors themselves. Also, some prominent authorities, who dedicated books to Holocaust responsas,²⁵ were inclined to deviate from traditional formalism, leaning towards a dramatic form of question presentation.

In a few cases, the author mentions the date when the answer was delivered or cites the individual who posed the question; nevertheless, generally there is little information concerning the precise date and origin of the questions in the formal version of the rulings. The length of the responsa questions varies between one sentence and one page, whereas the answers tend to be lengthy and entail a detailed argumentation process. Routinely, answers are between five and fifteen pages. As a general rule, responsas are written in Hebrew and combine some Talmudic Aramaic in the text.

No precedent for collective exhumation

Two opposing rabbinic attitudes regarding post-war exhumation were either to emphasise or to downplay mass reburial. Rabbis who

emphasised mass burial not only permitted it but also highlighted its importance, whereas rabbis downplaying exhumations tended to rule against or even avoid dealing with this topic. Rabbis Efrati²⁶ and Oshri²⁷ advocated mass reburial; they dedicated their writings to this vision. Despite the lack of firm traditional legislation, Efrati's two published books focused on the rationale and duty of mass reburial. Oshri's comprehensive body of writings covered the obligation to rebury the victims. Furthermore, both authors shared the tendency to dramatise their text, a tendency that is rarely seen in traditional responsa literature. Efrati took advantage of the unprecedented nature of post-war mass graves and his Zionist ideology to link reburial with national identity. Four aspects, which deviate from traditional responsa writing, characterise Efrati's writings: designation of exhumation as a viable legislative issue, orientation of rulings towards Zionist ideology, dramatic presentation, and introduction of exhumation initiatives. These literary features exemplify the influence of the unprecedented reality encountered.

On the other hand, Sorotzkin²⁸ and Greenwald,²⁹ two Ultra-Orthodox (non-Zionist) rabbis, tried to avoid direct rulings on this issue; they generally ruled against intervention and explicitly criticised exhumation initiatives. Both were well aware that the traditional *Shulhan Aruch* rulings permitted reburial under certain conditions; nonetheless they argued that collective reburial dishonours the deceased. Their rulings are aligned within the greater context of original responsa writing, thereby avoiding the branding of their halakhic rulings as being specific to the Holocaust era. In addition to their disapproval of reburial, they share the tendency to evade, minimise or decontextualise exhumation as an issue in its own right. The basic polarities between rabbinic scholars in style and in their final rulings are the result of the absence of a firm precedent. The specific nature and orientation of the disagreement can be understood in light of religious, social and ideological dispositions.

Efrati's early responsa literature

The first responsa collection after the Holocaust that focused on the issue of exhumation was published in book form in Israel in 1948 by Rabbi Shimon Efrati, a Zionist Orthodox rabbi.³⁰ Rabbi Efrati was able to flee from Nazi rule and lived in Russia during the entire war. Nevertheless he suffered from the consequences of the Holocaust; he lost many family, friends and fellow community members from

Bessarabia, Romania. In an attempt at rebuilding the community, Efrati returned to Eastern Europe immediately after the war only to encounter the post-war anti-Semitic pogroms. His first post-war impressions were that indeed Nazi rule had been defeated; however, violent European anti-Semitism still thrived. His attraction for Zionist ideology is related to his outlook on Diaspora Jewry; Efrati failed to see any hope in rebuilding Jewish life in Europe.

Efrati's first post-war compilation was called *From the Valley of Tears* (*Be'emek Habacha*) and dealt directly with the critical questions of exhumations and reburial of Jewish victims of the Holocaust. His writing deviates slightly from the generic and figurative form, as seen in the introductory preface, where he states: 'The book *From the Valley of Tears*, a halakhic inquiry of questions that derived from our people's great disaster and a horrific description of our martyrs' lives and deaths, may God avenge their deaths.'³¹ He continues by depicting a specific subject of inquiry, of 'bringing the ashes and bones of our holy ones to the land of Israel.'³²

A traditional classification of responsa writing usually follows one of the following models: (1) covers a broad issue such as Shabbat Laws, Dietary Laws etc., or (2) expands on a decision found in the *Shulhan Aruch* and presents it as commentary. Efrati's responsas, on the other hand, are somewhat atypical since the topic is very specific and deals solely with Holocaust and exhumation issues.

Efrati was not, however, the only rabbinical figure that provided extensive rulings on Holocaust issues. In 1959 Rabbi Ephraim Oshri began publishing his wide-ranging book of responsas dedicated solely to halakhic questions concerning the Holocaust. It was poignantly titled *Mema'amakim*, which is translated as 'From the Depths'.³³ His comprehensive five-volume collection covers religiously related Holocaust issues, including exhumations.³⁴

Rabbi Oshri was an important rabbinic figure and represented the continuity of post-war Diaspora Orthodox Jewry. Initially, Oshri lived in the Ghetto Kaunas under Nazi rule, where he served as a formal rabbinic authority and provided religious rulings. After the war Oshri remained in Kaunas as the only serving rabbinical figure. During his early years as a rabbinic authority Oshri migrated several times to various locations within Eastern Europe. Thereafter, he migrated to the United States where he served in multiple rabbinic positions and published many responsas and books on halakhic issues.

While Oshri turns the Holocaust into an issue adequate for responsa classification, Efrati goes into further detail and

highlights Holocaust victims' exhumation as 'book-worthy' material in its own right. He published two books, one in 1948 and a second in 1961.

A great part of Efrati's first book and more than half of his second publication (seven out of thirteen responsas) is dedicated to exhumation, burial and mass graves themes. Consistent with traditional literature, Efrati begins by presenting the context and content of the halakhic question at stake via the following narrative:

When I arrived at one of the towns in Eastern Galicia I met a dear Jewish scholar (religious scholar) from the Tarnopol community ... he led me to the death field wherein 10,000 Jews were buried ... in front of our eyes we encountered the magnitude of this horrific massacre; it is as if the sand is unwilling to cover this valley of death and shakes out human skeletons, skulls and other body parts ... a mother and child un-separated even in death ... I close my eyes to control the stream of tears ... and then I was asked the following question. 'Do we have a religious duty to exhume and rebury the bones in a Jewish cemetery?'³⁵

One of the trademarks of rabbinic responsas that focus on the Holocaust era is the dramatic form of introduction, which stands in noticeable contrast to the cold, formal and legal discussion that follows. Similarly, later responsas by Rabbi Oshri manifest the same tendency of dramatic rhetoric in the introductory presentation, followed by the purely analytical legal discussions.³⁶

Efrati uses the traditional rhetoric of rabbinic reasoning, basing his arguments on the *Shulhan Aruch*, Babylonian Talmud, various post-Talmudic writings and recent rabbinic works. The answer is finally delivered after a long and convoluted discussion, wherein the status of the temporary burial site is defined. In the main part of the legal discussion, there is no hint of any uniqueness to post-Holocaust exhumation nor any dramatic literary assertion. Despite minor variations, most responsas share the tendency of formal and traditional rhetoric and multiple approaches of argumentation. Rarely is an argument for a special ruling due to some extraordinary circumstance found. However, Efrati, when reaching his conclusion in favour of exhumation, reverts to his former warm-hearted style of writing – articulating pathos and drama, intermingled with religious rulings and Zionist ideology. His concluding statements, as quoted below, contextualise post-Holocaust Jewish exhumation within a pro-Zionist outlook:

Our holy pure martyrs who have been killed ... or buried alive in exile soil, their bones are scattered in open fields as a feast for vultures and

wild animals ... it is permitted and furthermore a religious duty to bring them to proper Jewish burial may their souls rest there ... Of course there is no doubt that there is a religious duty to rebury them in the land of Israel, a land they longed for when brought to the gallows ... Here I address my tortured people, Dear brothers! At this hour and after 2000 years of exile we are privileged to have a Jewish state, we must not forget our martyrs that in their deaths enabled us to live ... I therefore call upon us to make a great effort in order to remove their bones from the lands saturated with their blood ... we shall take them over the great sea onto the shores of our holy land, there they will find peace.³⁷

Efrati does not try to hide his Zionist orientation and creates an explicit partition between '2000 years of exile' and the reality wherein 'we are privileged to have a Jewish state'. The exile-redemption narration is reinforced by employing apocalyptic biblical metaphors describing the return to Zion: 'we shall take them over the great sea'. Two opposing images are presented here in the context of exiles: 'scattered bones in open fields' and, when reburied in Israel, 'they will find peace'.³⁸ Efrati delivers far more than a mere 'yes' or 'no' answer regarding reburial of Holocaust victims. He instead inaugurates a political context and an ideological dynamic into responsa writing.

Unlike the Ultra-Orthodox movement – a designated minority group at the time distanced from the mainstream Zionist movement in Israel – other Zionist Orthodox movements were driven to participate in the newly formed secular state and to promote the adoption of religious ideals and practices. Most of the Zionist rabbinical leadership rejected the idea of a state entity as a utilitarian formality and embraced religious and messianic ideas of national redemption.³⁹ The issue of religion and state was a very practical one and resulted in formal constitutional acceptance, merging some religious ideals into the country's declaration of independence and incorporating religious regulations into state legislation.⁴⁰

A correlation of Holocaust memory construction in the late 1940s and early 1950s with the birth of a Jewish state led to an implicit understanding between Orthodox and secular Zionists. Both saw Israel as an antithesis of the desperate reality of Diaspora Jewry. Both groups adopted the post-war mythical and apocalyptic narration – 'from holocaust to revival' – in the form of heroic imagery of Jewish resistance.⁴¹ The wide-ranging legislation that ensured the perpetuation of the memory of Holocaust victims in the 1950s was constantly linked to the Jewish state. Linear linkage between the Holocaust and Zionism was rarely contravened in Israeli public dialogue up until the early 1970s. It is within this

context that several Zionist rabbis, including Efrati, published their legal responsas.

In his ruling, Efrati makes an unusual pronouncement: 'I hereby announce the establishment of a council that will devote its activities to bringing the bones of the deceased back to the land of Israel.'⁴² This declaration goes beyond the conservative halakhic approach of restricting rulings to a specific case. It also entails Zionist ideological values that are absent in other responsas and upgrades the religious value of reburial in Israel. Typically, responsas limit themselves to reaching an accurate ruling and avoid social and political statements. Efrati, on the other hand, encourages participation in what is considered a noble enterprise and provides his personal home address: 'Gaza Street 16, Jerusalem.'⁴³ Efrati not only advocates a mass reburial endeavour; he calls for action and offers his participation. For Efrati, exhumation carries a significant ideological value.

A lack of precedent was the grounds for Efrati's interpretive freedom to articulate a Zionist conceptualisation at the heart of the responsa literature.⁴⁴ He generalises a religious duty towards individual victims and reframes traditional rulings to a national sphere. Efrati also establishes a discourse of ideologically oriented 'uniqueness' manifested by a dramatic style and the branding of post-war exhumations.

Downplaying exhumation: Greenwald and Sorotzkin

As with numerous other issues debated in the responsa literature, Orthodox authorities routinely fail to reach a unanimous verdict. The differences among scholars can be better understood in the greater context of the existing social dynamics. In addition to disagreements in their final verdicts, there are variations in literary style and in the framing of questions, and responsas conveyed by Greenwald and Sorotzkin demonstrate an opposing position to Efrati's pro-exhumation judgments. Both rabbis associated with an Ultra-Orthodox inclination display verdicts wherein exhumation initiatives and dilemmas are downplayed, undermined (Greenwald) or even explicitly forbidden (Sorotzkin). The degree of polarity hereby illustrated in their verdicts regarding exhumations can be linked to a lack of legitimate halakhic precedent.

Rabbi Yehoshua Greenwald served as the Rabbi of Khust before and during the years of Nazi rule in Ukraine. A greater part of the Khust community, including his wife and daughter, were either killed

in shooting pits or deported to the death camps. After the war, Rabbi Greenwald was engrossed in the complex issue of permitting *Agunot*⁴⁵ to remarry. He stayed in Europe for several years after the war and then migrated to the United States.

Greenwald dedicates a great deal of his book to Holocaust-related issues. He focuses on practical rulings concerning survivors, such as the various rulings permitting agunot Jewish women to remarry. In the preface, he recognises his sacred role in rebuilding post-war Jewish life and dedicates the book to his wife and daughter, who were murdered in Auschwitz. His dramatic historical introduction is delivered as a separate entity and is absent when he discusses his rulings. Nevertheless, the issue of exhumation is rarely discussed and only presented in an indirect manner.

Greenwald's early responsa, written in 1951, sets out two questions: '(1) can the priestly classes (Cohanim) touch and carry the ashes and; (2) is there a specific religious duty (Mitzva) to bury the ashes?'⁴⁶

The logic of combining these two issues is simple. According to Jewish law, a priest must not contaminate himself by touching or by carrying Jewish remains. However, not all remains have the capacity for causing contamination. The real question therefore comes down to whether ashes are classified as a corpse that can then contaminate.

Greenwald provides a long, intricate answer, unapproachable for a layman. He employs strict responsa methodology, wherein the final answer and summary are somewhat ambiguous and indecisive. However, he does clarify the point concerning whether it is better that a priest avoid any contact with the ashes when the upper spinal bone is not fully disintegrated.⁴⁷ Regarding reburial, he offers a bold compromise: 'In my humble opinion, I think that it is sufficiently suitable if the ashes would be scattered around the gravesite; it is not imperative to fully rebury them.'⁴⁸

His topic deals with ashes, rather than actual corpses. Greenwald avoids direct confrontation with the issue of exhumation and thereby downplays the importance of reburial. Greenwald never contributes any halakhic decision dealing directly with corpses. Eventually, though, he modifies his answer on reburial of ashes and presents a new perspective: 'I therefore think that it is allowed to rebury the ashes along other gravesites.'⁴⁹ Greenwald was asked if there is a duty for this reburial, but he disregards the issue of religious duty and only addresses the question of 'if it is allowed.'⁵⁰ The reason for furnishing an ambiguous answer is the lack of previous rabbinic legislation – to provide a concrete ruling requires a basis in prior literature.

The original context of the responsa questions was related to ashes found in Auschwitz. Local authorities limited rulings to the specific case in which the question was presented. Unlike Efrati's declaration calling for mass reburial, Greenwald ends his responsa with a short prayer for the rebuilding of the temple (a tradition wherein a short and formal request for Jewish redemption is expressed). There is no trace of national Zionist discourse or dramatic rhetoric.⁵¹ This is consistent with post-war Ultra-Orthodox rabbinic thinking that tried to minimise the gravity of Holocaust-related issues. Although Greenwald must deal with such questions as part of his formal rabbinic position, when it is not imperative, however, he attempts to steer clear of Holocaust-oriented issues.

Greenwald's ambivalent and indecisive verdicts display a middle way in regard to exhumation, wherein Holocaust memory is not over-emphasised nor is it linked to Zionism. Michal Shaul's research is highly relevant to Greenwald's historical context as part of American Orthodox Jewry. She differentiates Ultra-Orthodox memory constructs of the Holocaust from other forms of socially oriented Holocaust memory. She pinpoints the particular reasons behind the downplaying of Holocaust memory in Ultra-Orthodox communities in the early post-war years. This period posed a multi-levelled challenge to Ultra-Orthodox Jewry: many devoted communities had vanished, thus arguments in favour of the Diaspora's format for Jewish identity were severely questioned. She illustrates how the later image of Holocaust destruction played a principal role in re-establishing Ultra-Orthodox identity. The Ultra-Orthodox memory of the Holocaust embedded the idea of the substantial Jewish destruction in order to advocate rebuilding of the Jewish way of life.⁵² This form of memory is narrated in a different manner than the Zionist-Orthodox version; it focuses on rebuilding Jewish life rather than building a Jewish state.

Exhumation as a disgrace

A novel ruling, in terms of content and context, was delivered in the case of the Bergen-Belsen reburial project by Rabbi Sorotzkin. From 1954 onwards, Sorotzkin served as the head of the Council of Torah Sages, the rabbinic authority of the Ultra-Orthodox in Israel, as well as the Ultra-Orthodox autonomous educational system. He was widely accepted among Israeli Ultra-Orthodox communities and his rulings were seen as obligatory. After the French government

decided to exhume 139 bodies, rabbinic authorities were forced to provide a legally binding halakhic opinion. Despite the different historical context, Sorotzkin shares Greenwald's tendency to downplay reburial and exhumations.⁵³ But the Bergen-Belsen dispute warranted extensive attention by Rabbi Sorotzkin and other authorities since the exhumation process was already in motion; rabbinical authorities were 'cornered' into providing immediate answers.⁵⁴

This case introduced the following problems: (1) Is it permitted? (2) What should be done with remains after exhumation? (3) When gentile and Jewish remains are intermingled, can Jews and non-Jews be buried together? Sorotzkin addressed these issues in detail.

He begins by disparaging the French exhumation and reburial project:

In regard to the question concerning the exhumation of our holy martyrs ... The rabbis of *Agudath Yisroel* [an Ultra-Orthodox party] in Europe have been asked whether we forbid it in later cases ... we are in one opinion that the bones of the deceased should not be dishonored by the meaningless chatter of these so called 'experts'. In general the deceased should not be disgraced due to the will of the French government.⁵⁵

Sorotzkin offers three reasons for condemning reburial:

- (1) It is forbidden to exhume and rebury the bones of one individual wherein the bones of another will be dishonoured. By exhuming the massive burial site in order to extract specific remains, the 'other' unattended bodies are considered dishonoured.
- (2) In the process of reburial; bones from different victims will be mixed together which is absolutely forbidden. If these bones are already mixed however, the responsible party for these actions is the original killers. The action of deliberately mixing up the bones of the deceased afterwards is absolutely forbidden. This decision is especially relevant in the case where there is a possibility of Jewish and gentile remains being buried together. This would be a great disgrace for them ...
- (3) ... an unattended corpse (*Met Mitzva*) buys (thus enacting its own category of religious burial) its place of burial. There is peace for the soul when the body stays at its original place of burial ... perhaps the burial place of the deceased at the killing site awakens God's judgment for vengeance.⁵⁶

As Menachem Rosensaft pointed out, American Ultra-Orthodox authorities were in tune with Sorotzkin's verdict

forbidding exhumations. Rabbi Moses Feinstein, president of the World Council of Torah Sages, and other leading American figures (Rabbi Abraham J. Heschel, Rabbi Wolfe Kelman and Rabbi Joseph H. Lookstein) were explicitly against the French exhumation initiative. In contrast, Rosensaft highlights the different tendencies of the Israeli rabbis. Chief Rabbis of Israel at the time displayed a more permissive approach towards reburial and the specific case of the Bergen-Belsen exhumation initiative.⁵⁷ Bergen-Belsen was possibly different since it originated as a secular initiative of the state. Nevertheless, arguments provided in these specific responsas, as well as issues previous responsas tended to avoid, can help provide a better understanding of the Ultra-Orthodox outlook regarding post-war exhumations.⁵⁸

Sorotzkin's ruling stands in direct contrast to those of Efrati, who suggests minimising the disgrace of those killed by reburying them in the Holy Land, whereas Sorotzkin perceives exhumation and reburial as an act of disgrace to the remains. Sorotzkin and Efrati are well aware of the Talmudic ruling concerning an unattended corpse (*Met Mitzva*): given that the deceased is an unattended corpse, the Talmud expropriates the place of burial from any previous owner and awards it to the deceased – an officially categorised place of burial therefore 'belongs' to the corpse. Thus, the corpse 'redefines' the place of burial as a proper grave. Although the legitimacy of the Talmudic source is unanimous, the responsa writers argue about the relevance of this ruling to post-war mass burial. Sorotzkin bases his ruling on this Talmudic precedent, whereas Efrati stresses the traditional ruling cannot be applied in this case: 'when they said that the unattended deceased [*Met Mitzva*] buys his place of burial they have meant that he owns the land nevertheless reburial is permitted'.⁵⁹ In other words, Efrati limits the *Met Mitzva* ruling to a financial aspect of ownership rather than to burial laws. For Sorotzkin, the inescapable reality of the victims' disgrace is rhetorically utilised to stimulate God's retribution. He affirmed how the problematic reality of mass burial can play a functional role in religious argumentation and presented a logical discourse for advocating against an intervening action, since 'the killing site awakens God's judgment for vengeance'.

How can the same action be classified by such a diametrically opposite normative status? The elastic quality of how the exhumations were evaluated is the result of the different interpretive possibilities. The lack of a firm, assertive and tangible tradition on collective reburial opened the door for diverse explanations. Social

and ideological orientations of authors also played a role in influencing the rulings.

Unlike Efrati, Sorotzkin and Greenwald were non-Zionist and Ultra-Orthodox. During the early post-war years, the Ultra-Orthodox movement tried to avoid or limit any direct confrontation with Holocaust issues. It was only later that movements such as *Agudath Yisroel* and others created perspectives on the role and significance of the Holocaust in religious and ideological rhetoric.⁶⁰ Efrati, who was a Zionist and worked as an official state-enrolled rabbi, published his responsas with the Rav Kook publishing house, a Zionist-leaning organisation. His book is in tune with his ideological connection between the Holocaust and the land of Israel and this link appears on the very first page.

Another famous Jewish scholar, Rabbi Waldenberg, was oriented against reburial. His responsa, *Tzitz Eliezer*, began around 1945. The first volume, which included questions on exhumation, was published in 1959, two years before Efrati's second book came to light. Waldenberg does not deal directly with exhumation of a corpse, but focuses on secondary remains, ashes and soap.⁶¹ He follows Greenwald's line in avoiding the direct question of reburial. Nevertheless, implicit conclusions concerning reburial of actual corpses can be drawn.

He begins with two questions: '1. Is it permitted to rebury a coffin that holds soap and fat made from holy martyrs; 2. Is there a religious obligation to bury such soap and fat.'⁶² Although Waldenberg's argument is short, he concludes that '[t]here is an obligation to bury the soap ... since there is no doubt that partial bones can be in it ... Therefore I warn not to open the burial sites nor should they be exhumed.'⁶³ He stresses that ashes should also be buried but not exhumed and reburied. Like Sorotzkin, Waldenberg perceives exhumation and reburial of human bones or remains as a disgrace to the deceased.

Despite Sorotzkin's, Greenwald's and Waldenberg's explicit or implicit opposition, many Zionist authorities, immediately following the war, favoured the idea of reburial. Rabbi Frank, for example, who later became the Chief Rabbi of Israel, published a responsa that advocated reburial. His answer is contradictory. Alongside his categorical statement that exhumation is improper, he elaborates on the fundamental logic for reburial:

there is an obligation to bury for two reasons: honoring the living and honoring the deceased: First the dead should be honored and second

forgiven. A spiritual need of forgiveness after death is well recognized (one provided by the ritual of burial) even for a body that was burnt to ashes. There is a similar idea found in *Gittin* [Tractate in the Talmud]. There is much more to be written and I can prove this point further ... That these ashes must be properly buried, yet it is hard for me at this point to write about this topic in detail.⁶⁴

It is widely accepted that proper burial honours the deceased; the real question at stake is whether reburial would be more honourable. This question was entangled within a wider setting, wherein political and ideological powers influenced post-war rulings, argumentation, logic and even literary style.

Conclusion: the years after the precedent

Although rulings concerning exhumation displayed diversity and contradictions, all authors shared the same challenge: how to deliver verdicts without a viable precedent? I have tried to demonstrate how this deficiency influenced the verdicts of rabbinic authorities. Efrati and other Zionist rabbis took the interpretive liberty to emphasise an ideological orientation; whereas non-Zionist Orthodox rabbis endeavoured to minimise the distinctiveness of collective exhumation and to integrate reburial into a wider and more general legal context.

In the absence of precedent, the first rulings focused on basic and fundamental issues of post-war exhumation. Nevertheless, during the late 1950s and early 1960s the scope of exhumation responsa literature was expanded and in some cases revised. Only after establishing a precedent could rabbinic authorities attend to additional topics as well as modify their rulings. Two leading literary shifts can be noticed here: (1) expansion of the exhumation issues (detailed rulings), and (2) a shift towards more pragmatic rulings.

(1) The tendency to pay attention to wide-ranging questions and to other forms of human remains can be seen in Oshri's responsas. His writings, which began with corpses in early post-war responsa literature, were later expanded to secondary artefacts that potentially held human remains; questions were introduced on various forms of remains, such as ashes and bones. The responsa writing of the late 1950s and early 1960s became even more comprehensive and provided rulings concerning hair, bones mixed together with other materials, teeth, soap, human fat and even tombstones, as described in his writing: 'Is it permitted to walk in streets that are

made out of tomb stones that were taken from Jewish cemeteries ... I was asked: what is the status of these stones? Can one walk in these streets, step on these stones?⁶⁵

Oshri introduces additional and detailed secondary questions: Can a grave be re-dug in order to extract a jewel and return it to its owner in the Ghetto?⁶⁶ Should a deceased person who lived with gentiles during the war be given a Jewish burial?⁶⁷ During the Holocaust can a person request that his body be burned and his ashes buried in order to prevent himself from being buried among the gentiles?⁶⁸ What is the ruling on reburial of an assimilated Holocaust victim? Oshri's contribution was highly significant since he was the first to provide a wide-ranging outlook on the subject matter by the publication of a comprehensive three-volume work dedicated solely to responsas concerned with issues related to the Holocaust.

(2) An example of a literary change towards pragmatic rulings – from one general and impractical towards rulings that take temporal conditions and limitations into account before providing their halakhic ruling – can be seen in Efrati's later verdicts. In 1961 Efrati altered his ruling concerning exhumation, offering a more pragmatic and moderate solution by downplaying the obligation to rebury. Further, in his 1961 ruling, Efrati does not advocate reburial in Israel but tolerates local cemeteries in Europe. A decade after his enthusiastic call for bringing the bones to Israel, Efrati became aware of the limitations of his decisive ruling – it was not feasible for all victims to be reburied nor could they all be brought to Israel for reburial. Therefore, the 1961 entry does not call for a major reburial project and moderates the concept that it is a religious duty incumbent on every member of the faith. He tends to present the case as a right to rebury, rather than an obligation.

A new issue covered in the latter responsa deals with the sanctity of the original death pit. He argues as follows: 'those holy places wherein martyrs were buried should stay forever deserted ... after their reburial ... to build a fence around the site and leave it as is for an eternal memorial'.⁶⁹ Although Efrati repeatedly argues in favour of reburial in the Holy Land, he sanctifies the locations where mass burial took place all over Europe, thus opening the door to an alternative. If these pits are as holy as a Jewish cemetery, the necessity to exhume the remains is diminished.

Efrati's earlier ruling was a reaction to what he defined as an unprecedented reality, and his 1948 book was consistent with this outlook. After failing to implement a large-scale exhumation initiative, Efrati concentrated on more practical rulings, although the

1948 verdict advocating mass reburial fell short of yielding results. Rabbinical authorities are well aware that any rulings not within a reasonable capacity to be carried out by the Jewish people should be avoided. Awareness of this concept forces Efrati to reorient his own previous judgments.

Due to the lack of traditional responsa literature regarding collective exhumations, rabbinic authorities were cautious about articulating any basic or far-reaching opinions. The first wave of responsa verdicts tended to deal with immediate and general questions of exhumations. Rabbis who were in favour were more occupied with grounding their fundamental arguments to initiate reburial rather than offering a comprehensive outlook on the topic. However, in the late 1950s and early 1960s two changes became evident. More types of cases of exhumation are taken into account and rulings are more detailed. Furthermore, rabbinical authorities pay more attention to the actual conduct (rather than their general pro or con verdicts) of these reburial initiatives.

Notes

- 1 Although there is conservative and reform responsa literature, I have not yet found any reference to writing on this topic from any of their sources, thus this research is limited to Orthodox responsa. The analysed source material and the responsa historical background of exhumations are therefore oriented towards the Orthodox outlook.
- 2 I. Rosenbaum, *The Holocaust and the Halakha* (New York: Ktav Publishing House, 1975). See editor's foreword.
- 3 H. J. Zimmels, *The Echo of Nazi Holocaust in Rabbinic Thought* (New York: Ktav Publishing House, 1977).
- 4 I. Avineri, 'The Halakhic literature during the Holocaust', *Sinai*, 92:3–4 (1982), 172–88.
- 5 J. Nedava, 'Problems of Halakha in the ghettos', *Dapim*, 1 (1978), 44–57.
- 6 M. Ayali, 'The exchange of one's life for another's in the responsa literature', *Dapim*, 3 (1984), 43–51.
- 7 R. Kirschner, *Rabbinic Responsa of the Holocaust Era* (New York: Schocken Books, 1985).
- 8 E. Farbstein, *Bester Ra'am: Halakha, Jewish Thought and Rabbinic Leadership during the Holocaust* (Jerusalem: Rav Kook Institute, 2001).
- 9 For some topics, see the work of Farbstein in relation to Rabbi Aharonson's writing during the Holocaust; E. Farbstein, 'Religious ruling and halakha in the writing of rabbi Aharonson', *Sinai*, 108 (1996).
- 10 At first this codex encountered opposition, especially from East European rabbinical authorities. However, after its publication with the commentary of East European Rabbi Moses Isserles, Caro's book became widely accepted.

- 11 I. Klein, *Responsa and Halakhic Studies* (New York: Ktav Publishing House, 1975).
- 12 Babylonian Talmud, *Massechet Brachot*, 48, 2.
- 13 Rabbi Joseph Caro, *Shulhan Aruch*, Yoreh De'ah, 364, 3.
- 14 *Ibid.*, 363, 1–3.
- 15 See A. Teller, 'Literary responses to the events of 1648–1649 and the creation of a Polish-Jewish consciousness', in B. Nathans and G. Safran (eds), *Culture Front: Representing Jews in Eastern Europe* (Philadelphia: University of Pennsylvania Press, 2008), pp. 17–45.
- 16 For example, Zionist vs non-Zionist or Israeli Jewry vs American Jewry.
- 17 However, responsa writing methods stayed well within the boundaries of traditional writing set centuries ago. This holds true not only for the post-war issue of exhumations but also for rulings relating to life and death, and questions arising during the Holocaust itself. Interestingly, the agreement on the methodological form of argumentation did not mean that the rulings were identical.
- 18 The research and the collection of this material was financed by the generous funding of the research programme 'Corpses of Mass Violence and Genocide', funded by the European Research Council.
- 19 Y. Chazani, 'Bringing bones from the diaspora', in Zomet Institute (ed.), *Tchumin*, vol. 13 (Gush Etzion: The Zomet Institute).
- 20 In fact, sixteen entries introduce the issue of reburial in general. However, the following cases have been limited to where actual corpses or bones were explicitly discussed.
- 21 Although scholars have disproved the myth that soap was made from Jewish human remains, the image of soap made out of victims was widely and commonly accepted. This also holds true for rabbinic figures who believed that soap made out of martyrs should be buried. Therefore some responsas give verdicts regarding post-war myths and not only post-war realities.
- 22 Some responsas address more than one issue in the same answer, meaning the numbers overlap.
- 23 The statistics hold for responsa entries even when delivered by the same author.
- 24 The question was published after the war but the issue at stake took place during the Holocaust.
- 25 For example, Rabbi Shimon Efrati and Rabbi Ephraim Oshri, later discussed in detail.
- 26 S. Efrati, *Be'emek Habacha* (Jerusalem: Rabbi Kook Institute, 1948); S. Efrati, *Megei Hahari'ga* (Jerusalem: Yehuda Publications, 1961).
- 27 E. Oshri, *Mema'amakim* (New York: Modern Linotype, 1959).
- 28 Z. Sorotzkin, *Moznaim Lamishpat* (Jerusalem: Mesora Publications, 1956).
- 29 Y. Greenwald, *Chesed Leyehoshua* (New York: Shulsinger Brothers, 1951).
- 30 Efrati, *Be'emek Habacha*.
- 31 *Ibid.*, introduction.
- 32 *Ibid.*
- 33 The name of his book corresponds with a famous verse from Psalm 130.

- 34 Oshri, *Mema'amakim*.
- 35 Efrati, *Be'emek Habacha*, part 5.
- 36 Oshri, *Mema'amakim*, pp. 2, 20.
- 37 Efrati, *Be'emek Habacha*, part 5.
- 38 Efrati's wording possibly refers to biblical expressions that can be seen in Jeremiah, 8, 2; furthermore, the image of the rebirth of bones was a very famous religious metaphor used by Zionist rabbis and appears in Ezekiel 37.
- 39 For a comprehensive and analytic review, see A. Ravitsky, *Messianism, Zionism and Jewish Religious Radicalism* (Chicago: University of Chicago Press, 1998), ch. 2.
- 40 Dobrin illustrates some social outcomes of the religious legislation hybrid. See N. Dobrin, 'Israelis married abroad with special reference to the immigrants from the former Soviet Union', *Megamot*, 44:3 (2006), 477–506.
- 41 See B. Cohen, 'Holocaust heroics: ghetto fighters and partisans in Israeli society and historiography', *Journal of Politics and Military Sociology*, 31:2 (2003), 197–213.
- 42 Efrati, *Be'emek Habacha*, part 5.
- 43 Ibid.
- 44 The reason I focus upon the lack of literary precedent is due to the fact that mass burial and the question of reburial did indeed come up (the deceased in Beitar city). However, mass burial was never addressed in responsa literature before the Holocaust.
- 45 These are women who have not received a religious divorce since their husbands were missing and presumably dead.
- 46 Greenwald, *Chesed Leyehoshua*, pp. 1, 4.
- 47 Greenwald bases his argument upon Talmudic (Babylonian Talmud, *Masechet Nida*, 70, 1) discussions and earlier (pre-Holocaust) responsas.
- 48 Greenwald, *Chesed Leyehoshua*.
- 49 Ibid.
- 50 Ibid.
- 51 Nonetheless advocacy for rebuilding post-war Jewish life on the basis of the Holocaust can be found in his introduction.
- 52 M. Shaul, 'The regeneration of Ultra-Orthodox (*Haredi*) society after the Holocaust: starting with the old', *Iyunim Bitkumat Israel*, 20 (2010), 360–95. She further explains their perception that it was meant to re-establish Torah centres and contribute to the growth of Ultra-Orthodox communities.
- 53 Rabbi Sorotzkin served as the Rabbi of Dzyatlava (Belarus). He was able to flee to Minsk just before the First World War. In 1939 Rabbi Sorotzkin again fled conflict, this time landing in Palestine. Sorotzkin assumed a leading position in the Orthodox rabbinic elite in Israel and in 1954 he was appointed as chairman of the Ultra-Orthodox council. A great deal of his efforts were focused on differentiating the Ultra-Orthodox minority from the rest of Israeli society, namely by establishing a separate educational system. Although Sorotzkin indeed served as a rabbi in Israel, he was a non-Zionist; he believed that the state of Israel is another form

- of living in exile. He therefore refused to see the idea of a Jewish state related in any way to the religious prophecy and ideal of redemption.
- 54 Z. Sorotzkin, *Moznaim Lamishpat* (Jerusalem: Mesora Publications, 1956), pp. 2, 15.
- 55 *Ibid.*, pp. 2, 15.
- 56 *Ibid.*
- 57 M. Z. Rosensaft, 'The mass-graves of Bergen-Belsen: focus for confrontation', *Jewish Social Studies*, 41:2 (1979), 155–86.
- 58 For a detailed and contemporary account of the Bergen-Belsen exhumation dispute, see J.-M. Dreyfus, *Ami si tu tombes: Les déportés résistants des camps au souvenir 1945–2005* (Paris: Perrin, 2005).
- 59 Efrati, *Be'emek Habacha*, part 5.
- 60 Shaul, 'Regeneration of Ultra-Orthodox (*Haredi*) society', 383–4.
- 61 As already mentioned, the soap myth can be seen in several responsas addressing the issue.
- 62 See E. Y. Waldenberg, *Tzitz Eliezer* (Jerusalem: Solomon Publications, 1959), pp. 8, 35. Responsas addressing the legend of soap created from human bones are common. In fact, this same question appears in the responsa *Piskei Uziel* in B. Z. M. C. Uziel, *Piskei Uziel* (Jerusalem: Rabbi Kook Institute, 1977), part 37.
- 63 *Ibid.*
- 64 Frank, *Yoreh De'ah*, part 275.
- 65 Oshri, *Mema'amakim*, pp. 2, 20.
- 66 *Ibid.*, pp. 2, 12; the question was asked under Nazi rule in the Ghetto and was published later in Oshri's collection.
- 67 *Ibid.*, pp. 1, 25.
- 68 *Ibid.*, p. 3.
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(Re)cognising the corpse: individuality, identification and multidirectional memorialisation in post-genocide Rwanda

Ayala Maurer-Prager

Leontius ... saw some dead bodies lying near the executioner, and he felt a desire to look at them, and at the same time felt disgust at the thought, and tried to turn aside. For some time he fought with himself and put his hand over his eyes, but in the end the desire got the better of him, and opening his eyes wide with his fingers he ran forward to the bodies, saying, 'There you are, curse you, have your fill of the lovely spectacle.'

Plato, *The Republic*

Introduction

The moment of interaction between the corpse and the living subject has been profound since some of the earliest moments in literary history, possessing a unique intensity borne of the complex processes of identification at work in the instance of their meeting. In the words of Diana Fuss, self-identification is 'the psychical mechanism that produces self-recognition ... the play of difference and similitude in self-other relations ... the detour through the other that defines a self'.¹ Self-perception, in Fuss's model – facilitated by one's recognition of intersubjective similarity and alterity – is a constant, evolving and dynamic interaction with an acting other. When the place of the other is occupied by a corpse, however, processes of identification enter a new dimension. Dispossessed of self-agency and no longer possessing the life force on which the

active difference/similitude component of identification relies, the corpse is both alien and simultaneously utterly, corporeally *known* to its viewer. The corpse's strange subjectivity renders its otherness radical and abject: it is, as Julia Kristeva writes, that which is 'not my correlative' – that which is 'opposed to I'.² The discomfiting sense of the uncanny induced by the corpse's visibility can be understood as partially motivating the many cultural dictums whose rituals of burial advocate the seemingly necessary invisibility of both death and the dead. When, however, the corpse remains visible, the living subject faces an eerily abject figure that forces processes of self-identification to shift, almost seismically, on the axes on which they traditionally turn. While the human form of the corpse elicits recognition from the living subject, its death-state is too radically other to be incorporated within any process of self–other identification. The corpse's rude, exposed lifelessness and lack of vitality '*show me*', as Kristeva states, 'what I permanently thrust aside in order to live'.³

Although ordinarily representing the pinnacle of alterity, the decidedly *extraordinary* occurrence that is genocide uniquely transforms the corpse's abject status by allowing it, in certain circumstances, either to retain its force as subject or stand as object. Enabled by a context of mass violence in which death ceases to singularly signify exceptional abjectness because of the ubiquity with which it is seen and experienced, identifications between the living subject and the corpse are enacted within new parameters.

Rwanda's corpses – viewed by many as the ultimate evidence of her genocidal history – have become a literal part of the country's landscape. At memorial sites such as Murambi, Nyamata and Nyarubuye, decomposing bodies and the bones of the dead commemorate the victims of the genocide and evoke the violence to which they fell prey; memory, in Rwanda, is largely corporeal. However, the corpse's very ability to memorialise – and, indeed, what it specifically signifies – depends on the identifications it is able to elicit between itself and its viewer. The following analysis sets out to explore the differing corpse–living subject relations and identifications at work at Rwanda's memorial sites through the literature describing the experiences of those that encounter them. In the chaotic aftermath of genocide-based trauma, literature retains the ability to individualise an experience that the annals of history often reduce to statistics. Indeed, recapturing language to memorialise the loss of people and places is to refuse complicity with the genocidal act of silencing a population.

Memory is created by the very act of writing the lives of those who remain to speak of the past; their testimonies are both eulogies to the dead and simultaneous imperatives to the living regarding the banality of violence. Philip Gourevitch's *We Wish to Inform You That Tomorrow We Will Be Killed with Our Families* (1998), Jean Hatzfeld's *Into the Quick of Life* (2005) and *A Time for Machetes* (2003) and Boubacar Boris Diop's *Murambi, The Book of Bones* (2006) are texts that transcribe the experience of survival – a post-genocide state so inextricably twinned with the shadow of death that identifications with the corpse for both the survivor and the perpetrator are unavoidable.

The authorial and textual origins of the three works under scrutiny in the following analysis are as disparate as they are compelling. Gourevitch, an American journalist and writer, reported extensively on Rwanda's genocide before publishing *We Wish to Inform You That Tomorrow We Will Be Killed with Our Families* to considerable international critical acclaim, despite the concerns of notable Africanist René Lemarchand.⁴ French journalist Jean Hatzfeld devoted himself to genocide research after being posted as *Libération's* war correspondent in Rwanda in 1994. While his curiosity regarding the traumatic aftermath of genocidal catastrophe manifested itself in the publication of *Into the Quick of Life*, which was well received in francophone literary circles,⁵ his fascination with the *génocidaires* themselves led to the writing of *A Time for Machetes*, which was similarly popular.⁶ Hatzfeld's determination to collect testimonies of both perpetrators *and* victims not only distinguishes his work from that of the other writers included in this chapter, but represents a conferral of judgement-related agency to the reader. For rather than providing a narrative of victimhood alone, Hatzfeld's collection of largely unedited perpetrator testimonies allows the reader to come to their own conclusions regarding the motivations, actions and reactions of these men turned murderers. *Murambi, The Book of Bones* is the work of Senegalese novelist and screenwriter Boubacar Boris Diop. The text was written as part of the 'Rwanda: écrire par devoir de mémoire' initiative, during which, in 1998, ten African writers were invited to Kigali reflect upon and write about Rwanda's genocide in an effort towards its commemoration. But despite Diop's resolution to employ fiction as a narrative vehicle separating him from both Gourevitch and Hatzfeld, each of these writers have in common a commitment to memorialising the genocide and those who perished. Despite these texts' differences in generic format and authorial origin each works towards a common goal – a

remembrance of, and warning against, the sickening barbarity of which humans are capable.

The differences in the texts' genres are abundantly clear. While Gourevitch's text is a work of non-fiction and Hatzfeld's offerings are characterised by the distinct tone of journalistic reportage, Diop's *Murambi* is a fictional account of an all-too-real genocidal catastrophe. The rationale behind their selection for conjunctive analysis in this chapter despite their generic disparity is elucidated in Elie Wiesel's now-famous pronouncement that 'our generation invented a new literature, that of testimony'.⁷ Writing about extreme catastrophe has always tested pre-existing modes of written representation; the aftermath of unfathomable violence has, historically, been met by new turns in literary form and genre since 'no genre or discipline "owns" trauma as a problem or can provide definitive boundaries for it'.⁸ As a blurring of the spoken and the unspeakable, testimonial accounts maintain the ability to resonate across genres. Indeed, the breakage of generic boundary is often itself testimony to the uncontainable incomprehensibility of the human brutality exposed by genocide. Thus, it is perhaps an inability to comfortably identify with a recognisable form that enables a truthful witnessing of the horror of Rwanda's history. Reflected in the literature that represents the genocide, it is sometimes – as this chapter will proceed to discuss – the impossibility of direct identification that produces the most fitting commemoration to unintelligible violence.

Hatzfeld's and Diop's texts – originally written in French – will be worked with in their English translation. This decision is influenced by the indirect identifications produced by Rwanda's corporeal memorialisation and the commitment of these international authors to a global commemoration of Rwanda's genocide. The perils of translation are widely recognised, and there is always the risk of losing culturally specific vocabularic connotations and idioms. Indeed, within the Rwandan context specifically, Kinyarwanda has already been largely subsumed by French as part of Belgium's colonial project, and more recently by English as the age of globalisation has dawned. However, the possibility also exists that the translator, to borrow from translation theorist Susan Bassnett, 'can at times enrich or clarify the SL [Source Language] text as a direct result of the translation process'.⁹ Testimonial writing is a genre that needs no enriching because its potency is generated by the horror it contains, and attempts to enrich it would signify a problematic interference with what is supposed to be a personal, subjective transmission of

experience. These translations, however, do not seek to reshape or repack the narrations they relate. Having read these texts both in their original French forms and in their translated manifestations, it is clear that a substantial effort has been made to minimise semantic disruption. What these translations achieve, however, is accessibility. The rendering of these experiences into English, reflecting the memorial compulsions driving the production behind these texts, allow Rwanda's genocide to be communicated and remembered far beyond its borders alone. Additionally, reading in translation is representative of a process of indirect intersubjective relation that is mirrored by the indirect identifications here demonstrated as being produced by Rwanda's corporeal memorials.

How, though, do these identifications facilitate or resist the memorial function required by displays of corporeal memory? This is the question that the following analysis sets out to answer. Rwanda's efforts to remember its genocidal history through the corporeal representation of violence is a multifaceted process, and the memorial effect of Rwanda's corporeally commemorative strategy *relies* upon the corpse-human identifications it elicits. These identifications, however, vary enormously. As the following textual interrogations will demonstrate, it is sometimes through the very refusal of any living subject-corpse identification that the corporeal memory embodied by the dead is at its most commemorative.

Anonymity and the impossibility of identification

Literary analysis of Rwanda's hundred days of devastation reveals that perceptions of the corpse have had a fascinating journey through Rwandan consciousness that have shifted with the start, duration and end of the violence. This phenomenon results from the shifting processes of identification that attend the shock of persecution, the instinctive impulses towards survival and the need for post-violence commemoration, respectively. Rwandan corpse-human intersubjective relations possess a history that precedes the corpse's literal embodiment of the historical moment to which it becomes testimony. Thus, considerations of the corpse's memorial quality must take into account the circumstances of its creation.

At its core, genocide's ideology necessitates the creation of its victims' faceless anonymity, a goal often achieved through the proliferation of prejudicial mythologies that themselves disrupt intersubjective identifications.¹⁰ To read Hatzfeld's compilation of

perpetrator testimonies, *A Time for Machetes*, is to encounter the unsettling echo of Nazi Germany's ideological and irrational hatreds, both in content and delivery. Testifying to the pedagogic entrenchment of anti-Tutsi sentiment, one perpetrator identified only as Adalbert comments that 'Hutu children grew up asking no questions, listening hard to all this nastiness about Tutsis ... a Tutsi might always be a deceiver ... He had to be a natural target of suspicion.'¹¹ Educationally induced prejudices were corroborated by state-backed radio stations that,¹² in the words of one Hutu named Pancrace, had been 'yammering at us since 1992 to kill all the Tutsis ... The Hutu always suspects that some plans are cooking deep in the Tutsi character, nourished in secret.'¹³ The parallels between these statements and the testimonies of Nazis during the Second World War are chillingly apparent. But unlike the physical caricature of the large-nosed hunchback that the Nazis utilised to propagate the notion of the Jew as subhuman, Hutu propaganda portrayed the Tutsis as suspiciously physically superior: 'the Tutsi women', claims a man identified as Jean-Baptise, 'seemed too slender ... their fingers were too delicate', while the Tutsi males possessed an unnaturally 'great height'.¹⁴

It is crucial to understand that these largely constructed corporeal stereotypes resist Hutu-Tutsi identification in the moment of their utterance. The creation of genocidal enmity is, necessarily, the refusal of the victims' humanity. It is a denial of any physical human resemblance between victim and persecutor that could otherwise elicit a mutually affirming confirmation of identity. If Fuss is correct in saying that self-identification relies on the other to produce an individual identity based upon one's recognition of the delicate balance of intersubjective similarity *and* alterity, the conceptual framework of genocide refuses this possibility by casting the victim as wholly unrecognisable and placing them within a crucially unrelatable sphere of existence.

There is, of course, the possibility that there *is* a sense of Hutu-Tutsi identification at work in Alphonse's statement that 'Tutsis take up too many plots of land ... these people are too in the way.'¹⁵ It could be convincingly argued that identification-as-enemy is a recognition cognisant of the manifest, threatening humanity of the opposed group.¹⁶ Escalations of animosity, however, prove ultimately transformative. Indeed, as the Rwandan context demonstrates, the Hutu campaign against the Tutsis eventually succeeded in painting them as a faceless and dangerous entity that required annihilation. Equally compelling is Alphonse's next statement that 'to kill

so many human beings we had to hate with no second thoughts'.¹⁷ Despite being capable of existing alone, it is the conflation of hatred and murder that produces genocide. What Alphonse testifies to here is the necessarily forced suspension of identification with his Tutsi neighbours in order to 'kill so many ... with no second thoughts'. The move from hatred to genocidal murder requires a categorical erasure of both agency and recognition despite pre-existing knowledge of the victim's humanity – a reality corroborated by the lexical and semantic shifts Rwanda's literature showcases. Although pre- and post-genocide testimonies record the Hutu referral to Tutsis as such, literary depictions of genocidal violence highlight a radically different form of both reference and address. 'The intimidators', testifies Pancrace, 'shouted, "Just look at these cockroaches – we told you so!" And we yelled, "Right, let's go hunting!"'¹⁸ This schematic and semantic referential move to the animalistic can be understood here both as the conscious effort towards, and the product of, non-identification. By literally defining the Tutsi as inhuman, an intersubjective relation irretrievably breaks down – representing a failure of human recognition that ultimately gave rise to one hundred of Rwanda's darkest days.

At a time of extreme social turbulence, however, it is not only perpetrator groups that experience a shift in intersubjective identifications. In fact, where the Hutu perpetrators suspended recognition in order to kill, there is much literary evidence to suggest that Tutsi victims employed a similarly self-estranging technique in order to survive.

To literally chart the breakdown of Tutsi communal identifications is to understand both the process, and necessity, of cognitive estrangement as a response to persecution. This phenomenon is overtly apparent in survivors' descriptions of their encounters with the corpses created by Rwanda's violence; these descriptions bear witness to the changing processes of identification attending the impulse to survive extermination. At the start of the violence when inter-communal identifications remained intact – even, it may be argued, *strengthened* by fears surrounding the potential breakdown of group identity – Tutsi reactions to Tutsi corpses are visceral, painful and personal. Diop's Rwandan protagonist Cornelius writes of being 'mad with rage seeing all those heaps of dead bodies'¹⁹ and feeling a personal anguish at the sight of a man approaching a pile of corpses, exclaiming, 'It's my Damien, I recognize his shoe!'²⁰ Similarly, in Hatzfeld's *Into the Quick of Life*, Cassius Niyonsaba states that 'in the beginning, I felt a tendency to cry on seeing these

skulls without names.²¹ Identifications, both individual and communal, remain evocative by virtue of their retention. Both Diop's mention of the name 'Damien' and Niyonsaba's specific emotive reaction to skulls *without* names imply that the root of tragedy here is the Hutu refusal to endow their Tutsi victims with human identities. The pain experienced by these survivors is a reaction to the witness's enduring identification with the corpses meeting the realisation of the fatal *non*-identification that produced them.

As these texts portray an escalating violence that forces an inevitable confrontation between the dead and the living, however, there is a distinct referential shift in the way that surviving Tutsi victims encounter both the bones and corpses of their slain brethren. Indeed, describing his experience of continued persecution, Niyonsaba states that while before he cried at the lack of humanity attributed by the Hutus to his Tutsi family and the facelessness that made their deaths possible, he now forces himself 'not to think of particular faces when I look at the skulls ... if I were to venture to think of someone I knew, fear catches up with me'.²² In addition to highlighting a remarkable shift within intersubjective recognition, Niyonsaba's words make clear that the refusal of identification in this context works in tandem with the instinct to live. The fear that Niyonsaba avoids is a potentially lethal one; a scream, a wail or a cry would fatally expose his hidden position in the marshlands – survival, for him, depends upon a silence necessarily produced by a forced suspension of intersubjective recognition. To sustain his own identity, he must now refuse to identify others.

The dead bodies that scatter Rwanda's landscape in the immediate aftermath of the killing also become literal concealers of the living. Recounting the story of his unlikely escape from death, fourteen-year-old Janvier Munyaneza tells Hatzfeld that to avoid detection, 'I dropped onto the bodies ... I made dead man's eyes ... I was completely covered in dead people'.²³ Viewed by the living as articles of concealment, the corpse is excluded from any intersubjective process of identification; instead of retaining its status as subject, the corpse is rendered object. Moreover, the lack of identity now attributed to the dead is shown to extend to the living. Diop's narrator-survivor Jessica recounts the moment 'a woman they've wounded but are waiting to finish off later comes toward me, the right part of her jaw and chest covered in blood ... I move away from her very quickly ... I tell her dryly to leave me alone'.²⁴ Although it may be argued that this woman occupies a liminal and ambiguous state that is neither life nor death the pervasiveness of the

anti-identification impulse and its necessary relationship to survival is clear. What is most striking here is the refusal of compassion, an emotion that relies upon the eliciting of intersubjective identification. Thus, it is precisely the absence of compassion that signals the death-knell of human relation in the context of extreme violence.

The Tutsi refusal to identify with others for the purposes of physical self-preservation can also be understood as functioning on a psychological level. In his testimony, Munyaneza states that the corpses 'offended our spirits ... we did not dare speak of them. They all too bluntly showed us how our life would end.'²⁵ This utterance implies the literal excommunication of the dead, of the corpses who now embody – in their very death state – the threat of extinction that demands their non-identification by those closest to them. I would also like to suggest at this juncture that the scale of Rwanda's genocide itself resists intersubjective identification – a claim corroborated by the numerous survivor testimonies that attempt to describe the sheer number of Tutsi victims. 'I step over corpses', remembers Christine Nyiransabimana, 'but still they keep turning up before me, I keep stepping over more corpses, and it never stops.'²⁶ The blanket anonymity the Hutus attributed to their Tutsi victims comes to be reflected by the Tutsis themselves as a result of the scale of death to which they have been exposed. As a consequence, the deficit of identification renders the corpse an objective element of Rwanda's landscape. Alexandre, a survivor of the genocide who, in conversation with Gourevitch, explains his decision to walk over a mass of corpses to reach safety, affirms the corpses' materiality. 'It was very unreal and very insane', he says, 'this decision to walk on dead people. I don't know. I don't know what was right or wrong, or if I feel guilty, but I feel bad. It was necessary. It was the only way to get through.'²⁷ Testifying to the inversion of normality inherent in genocidal contexts, Alexandre's words neatly summarise the corpses' shift from recognisable subject to objects lacking certain subjectivities that make non-recognition desirable. This is a psychological and perceptual shift that demonstrates the painful forced suspension of identification as the price of survival.

Corporeal commemoration

In light of the preceding analysis, it becomes clear that to discuss the role of the corpse in Rwanda's memorial sites without due consideration of their physical and psychological contexts is to do a disservice

to the complexity of these circumstances. For Rwandans, the relationship between the living and the corpse is defined and challenged long before the corpse takes its place within the formalised memorial context. Before Murambi, Nyamata and Nyarubuye were established, the corpse had already had its transformative encounter with both its Hutu murderer and its Tutsi kin. Choosing to display both corpses and bones with little mediation and through only minimally curated exhibits, the whole, lime-covered, partly clothed bodies and stacks of bones at Murambi, the still-bloody and clothes-filled pews at the church of Nyamata, as well as the rows of skulls and bones at Nyarubuye, give commemoration a corporeal character. Reasons for the decision to display violence's consequences in all their rawness are both literarily and critically disparate; while Hatzfeld himself claims that the memorial at Nyamata is an attempt 'to restore some dignity ... to the forgotten victims',²⁸ anthropologist Susan E. Cook writes that 'the three dimensionality of a physical location, the sight of hastily dug pits and mass graves, and the smell and look of human remains make locations where genocide has taken place haunting reminders that genocide is an artefact of human society'.²⁹ These diverging theoretical preponderances are representative of the enduringly oscillating perceptions of Rwanda's commemorative sites. But do they memorialise the country's specific genocidal killing – remembering the individuals whose identities were eradicated by both the conceptual framework and physical manifestation of Hutu violence – or commemorate what Sara Guyer terms 'death-in-general'?³⁰

The argument for the restoration of a sense of individualism through the construction of a site of corporeal memory is, in this chapter's opinion, essentially flawed when applied to the Rwandan context. Indeed, the mass display of human remains that constitute these sites seem, conceptually at least, to be at odds with Eileen Julien's comment that in the aftermath of the mass depersonalisation that makes genocide possible, 'the most human response is to seek the uniqueness of individual experience ... to tell the individual's story'.³¹ Displayed en masse with no identifying markers, the bodies at these memorial sites continue to signify the anonymous non-identification that was the condition for their killing and, for many others, the price of survival. Through their mass corporeal nature, Rwanda's memorial sites themselves become testimonies to the disastrous and painful forced suspension of intersubjective identification that facilitated the country's violence – a theory compounded by the seemingly puzzling and complete detachment the

survivor-guides display towards the bodies that represent their past. When Diop's Cornelius visits Murambi, his survivor-guide appears almost entirely emotionally removed from the events Murambi memorialises. Telling Cornelius that 'between forty-five and fifty thousand' people were murdered at Murambi and that 'there are sixty-four doors'³² in the memorial building, the guide is armed only with statistical facts about the scale of what is being commemorated and the physical practicalities of the site itself. The most striking statement, however, appears a page later: noticing that Cornelius is struggling to stomach the stench of death that attends the memorial, his guide asks if he would like to leave, remarking dismissively that 'You'll see the same bodies everywhere.'³³

Cook notes a similar phenomenon. Visiting Murambi, her survivor-guide Emmanuel 'told us that there were many classrooms to see, so we shouldn't spend too much time in any one of them'.³⁴ Emmanuel, she writes, 'seemed determined to impress upon us both the monotony of room after room filled with the bodies of now faceless, nameless victims, as well as the enormity of the simultaneous death of so many'.³⁵ Although contesting the claim that the namelessness and facelessness of these corpses is simply the result of a mass corporeal display, due to the anonymity being clearly meant to reflect the non-identifications engendered at the very start of the conflict, both Diop and Cook attest to the fact that for the Rwandan, corporeal commemoration must be the memorialisation of the depersonalisation through which the country's violence occurred. To individualise the bodies would be to betray the horror of mass anonymity that, in the Rwandan context, was so specific to the genocide's operation. Guyer, too, acknowledges this. She writes that the Rwandan corpse 'is exemplary, not individual, no one rather than someone, a synecdoche of all the dead. This is someone whose identity must remain unknown ... so that this body can stand in for all of the others'.³⁶

In addition to being literal embodiments of testimony, the Tutsi guides' detachment from the corpses and bones can also be read as highlighting the irreversible extinction of a forced psychological suspension of identification and recognition. Representing a past that remains hauntingly present to the Tutsi survivor, the sight of these corpses is potentially transportive and thus damaging. As the horrors of genocidal violence are so easily visible in the corpse, to see them is to be brought back to a time when survival depended on the absence of intersubjective relation. Thus, even in the post-genocide present, the survival instinct prompted by the sight of the

thousands of dead induces a suspension of personal relation and recognition that itself becomes testimony both to the experience of violence and its enduring consequences. For the Rwandan survivor, the restoration of identity to the dead is both psychologically impossible and conceptually incongruous with the memorial's effort to emphasise the dehumanising nature of the violence these sites represent. Corporeal memory, therefore, is not about the re-endowment of the individual identities of those it remembers. Rather, by placing an emphasis on scale and mass, these sites commemorate the indiscriminate, non-distinguishing enormity of Hutu violence. Reading these sites as a direct address to the Hutus who carried out the killings is supported by much critical writing that works towards theorising these memorial's dynamics. In fact, writes Cook, 'because not all Hutus were perpetrators, the majority of Rwandans have a large stake in establishing the facts of what happened so that responsibility can be assigned to individuals, not groups'.³⁷ In a stunning reversal, therefore, of the memorial site's common function – to restore individuality to its *victims* – corporeal memory in Rwanda, through the very anonymity of the mass from which it is constituted, damningly exposes the barbarity of the *perpetrators* of its violence. In so doing, these sites simultaneously apportion culpability, support commemoration and demand justice.

Non-Rwandan = non-identification?

'A divide', says Innocent Rwililiza, 'is growing between those who lived through the genocide and other people. An outsider ... cannot quite understand ... he cannot share the same vision as us'.³⁸ Despite the impossibility of any first-hand memory of Rwanda's violence for the non-witness, corporeal memory is necessarily encountered by the non-witness as one of the few avenues to engage with the country's history. The analysis above has dealt with *Rwandan* processes of non/identification that both produce the corpses of genocide and radically affect their perception and placement in the memorial context. The following readings, however, move to explore how identification functions across boundaries of the *impersonal*, forming an enquiry into the identifications between, and ethical implications of, corpse/non-witness interaction and the impact of this meeting on the commemorative value of corporeal memory. This chapter's focused texts do somewhat imply that the unnerving and unsettling strategy of corporeal memory is employed, in some

sense, for the benefit of outsiders. On his visit to Nyamata, Hatzfeld is struck by how 'some corpses are already on display for the benefit of emotional visitors',³⁹ while Diop describes an anthropological technician 'arranging human remains', and that 'She picked up a tibia and placed it next to others of the same length ... Important people would sometimes come in delegations from far off countries to visit the Murambi Polytechnic. She did her best to receive them properly.'⁴⁰ Arranged to evoke a sense of tragic gravity for the overseas visitor and non-witness, the rude exposure of memory in its corporeal form can be understood as an assault on the senses specifically designed to emotionally provoke. This provocation can be multiply understood. In addition to potentially satisfying the post-violence impulse to 'make the world understand the scope of the tragedy',⁴¹ the need to shock can also be rationalised as a response to Rwandan frustration. This is expressed by Diop's Cornelius in response to the mass dead in the press: 'what do foreigners say when they're shown such things? ... Nothing.'⁴² The confrontation with the dead is thus rendered as a shocking encounter with a violent reality that, at the time of the genocide, was glossed over by many world leaders as a faraway tragedy. Furthermore, the visceral corporeality of Murambi, Nyamata and Nyarubuye can be read as a purposeful retaliation against the global apathy of 1994 that many Rwandans continue to view as an unforgivable act of desertion by the international community.⁴³

What can this shock tactic hope to achieve in terms of eliciting the identifications that would make corporeal commemoration an effective memorial strategy? Ironically, answers to this question imply that where many Rwandan survivor-witnesses sought to perpetuate the image of *mass* slaughter through these corporeal constructions of memory, many foreign non-witnesses relate to Rwanda's violence primarily through their impressions of *individual* corpses. These responses are provided in Gourevitch, Hatzfeld and Diop's texts, and it is a phenomenon that can be attributed to Western conceptions of the primacy of the autonomous individual. Commenting that many corpses 'looked a lot like people, which they were once',⁴⁴ Gourevitch attributes a humanity to the corpses that runs counter to Tutsi survivor Claudine Kayitesi's humanity-denying statement that the corpses 'were no longer themselves, nor were they ... us'.⁴⁵ Similarly, Cook describes how 'as visitors, as foreigners ... we felt compelled to be silent, to allow our gaze to fall on each individual body'.⁴⁶ While many Rwandan survivors therefore perceive the genocide as a crime of *mass* violence that produced

necessarily anonymous victims, some Western non-witnesses such as Cook identify here with a broader sense of human tragedy, rather than with the specific pain of the depersonalising catastrophe of the Rwandan genocide. They identify with a lost individuality that neither the Hutu perpetrator nor the surviving Tutsi victim attribute to the corpses that constitute these memorials.

As Cook goes on to note, the non-witness seeks an engagement with a general sense of tragedy at these sites. Because their non-presence at the violence would render any expression of direct empathy false, identifications formed between the corpses and the non-witness are necessarily indirect and resonate entirely differently from that experienced by the survivor. Further, Cook writes of her desire for Rwanda's memorial sites to 'teach me some history, shock me morally, and deepen my understanding of the human experience of genocide'.⁴⁷ For Cook, learning of Rwanda's specific history is secondary to an acquisition of a more general moral disturbance.

In the aftermath of genocidal violence, visiting these memorial sites can be understood as an attempt to understand, by virtue of encountering the corporeal products of a world almost without compassion and morality, the nature and consequences of human evil. Crucially, memorials to catastrophic brutality are visited not only to pay respects to the dead but to identify oneself as morally and ethically opposed to such violence. Identification, as played out here between the corpse and the non-witness, is as much a process of Cook's own self-identification as it is a recognition and remembrance of the dead. This self-identification can be understood as problematic in the sense that in this process the corpse remains an objective emblem of violence rather being acknowledged as subject. In cementing his or her own self-identification, the non-identification of the corpse-as-subject – the very condition that produced the corpse as such – is reproduced and perpetuated by the non-witness. However, the determination to face the reality and consequences of violence through a voluntary encounter with the corpse can be understood as a form of memorialisation that does not do the dead dishonour. For if, by acquiring the moral shock she seeks, Cook leaves the memorial with a strengthened resistance to prejudicial violence and a recalibrated ethical register, then these corpses – despite their strange and, in some cases, continually denied subjectivity – have been instrumental in a process of self-identification that not only commemorates the tragedy they represent but is an acknowledgement and rejection of the process by which the tragedy unfolded.

Taking into account the hypothesis that visiting a memorial is an attempt to reassert an ethics unhinged by the reality of genocide, is the failure of self-identification at the site of catastrophe the simultaneous failure of ethical re-engagement? Despite attempting to reclaim his Rwandan heritage through his visit to Murambi, Cornelius 'took fright ... he started pacing ... as if looking for a place to flee. Saliva was collecting in his throat and he swallowed it to conceal his disgust ... He was ... silent, horrified.'⁴⁸ Instead of engaging with the corpse to affirm or reject his identifications with the form and the violence represented, Cornelius is 'literally propelled outside by the stench that came from within.'⁴⁹ Now symbolising the pinnacle of abjectness, the corpse inspires neither reflection nor identification in any direction. Despite appearing to negate his visit, this incident becomes representative of another reaction to corporeal memory – that of the creation and internalisation of an *experience* of memory that becomes psychologically equivalent to the memory that the bodies themselves are intended to represent. Although his recognition of the corpse's abject state renders Cornelius unable to identify with or relate to the corpse in any way, the revulsion to death is the reinforcement of a pre-existing aversion to violence. Furthermore, Cornelius's inability to psychologically engage with the macabre is, quite literally, to render the violence these corpses represent as unthinkable. He reflects on the unintelligibility of mass slaughter and the necessity, as testified to by many Hutu perpetrators, of being unthinking while acting as a conduit of the baseless ideology from which incitements to genocide spring. Furthermore, his blankness can be read as parallel to the violence before him. Once again, non-identification acts as a form of non-direct commemoration that nevertheless pays tribute to the complex reality of Rwanda's genocide.

Fascinatingly, the literature analysed here also indicates that the opposite can happen; instead of coming to represent the revoltingly abject, the corpse can alternatively denote aesthetic beauty. This was the experience of Gourevitch, who, on arrival at Nyarubuye, comments that 'the skeleton is a beautiful thing. The randomness of the fallen forms, the strange tranquillity of their rude exposure ... I couldn't settle on any meaningful response: revulsion, alarm, sorrow, grief, shame, incomprehension, sure, but nothing truly meaningful.'⁵⁰ While Cook's rendering of the corpse-as-object was crucial to her ability to self-identify at the site of catastrophe, Gourevitch's objectification here seems purposeless. Despite the litany of emotions he describes himself as experiencing, he is yet to find meaning in the corpses' form or number. In her influential essay 'Rwanda's

Bones, Guyer writes that 'any body can make bones ... only testimony ... turns the bones from trans historical icons of death into markers of a historical event'.⁵¹ These words, in conjunction with her statement of Rwanda's 'intensely non-anthropomorphizing style of commemoration',⁵² suggest that without accompanying written or verbal testimony to the specifics of the violence being commemorated, these memorial sites represent only what she terms 'death-in-general'.⁵³ For Guyer, piles of bones do not make a person. If we are to accept this hypothesis, Gourevitch's reaction to the dead before him is understandable. He sees their beauty because they do not represent the specific violence that produced them in their unexplained exposure. However, this theoretical offering crucially ignores Rwanda's sites of catastrophe as a context in which these remains exist. After all, narratives of suffering and violence can be spoken through place as well as through word. Nyarubuye, Nyamata and Murambi are not randomly selected sites of exhibition; the blood-stained troughs at Nyarubuye, the forcefully twisted metal gates at the entrance to Nyamata and the mass grave at Murambi themselves testify to the catastrophe that befell them. These sites speak, loudly, both for and by themselves.

The more pressing issue of the corpse's failure to signify concerns the fact that Gourevitch did not *need* to see the dead, as he 'already knew, and believed what had happened in Rwanda ... it was still strangely unimaginable'.⁵⁴ These corpses alone do not conjure images of violence, scenes of brutality or flashes of horror; despite visiting Nyarubuye to acquire 'the experience of looking at them [the corpses]',⁵⁵ Gourevitch comes away unsatisfied by the extent to which he is not moved and by the identifications he cannot make. The reason for this – another consequence of non/identification – can perhaps be located in a statement Gourevitch makes later on in his text. 'Does the spectacle', Gourevitch asks, 'really serve our understanding of the wrong? ... I wondered whether people aren't wired to resist assimilating too much horror. Even as we look at atrocity, we find ways to regard it as unreal. And the more we look, the more we become inured to – not informed by – what we are seeing'.⁵⁶ The ultimate in morbid spectacle, corporeal memory's effectiveness relies upon the horror it is able to inspire. In a world that is inundated, daily, with images of pain both in print and online, the very real possibility emerges that we are a generation with an ever-increasing habituation to images of death, violence and brutality. Indeed, the more we process, the less we are able to empathetically identify with the subjects in those images. Like the complex

identificatory exchanges that exist between the corpse and its Hutu murderer or fellow Tutsi before it enters the memorial context, the non-witness may also arrive at the Rwandan memorial site with a pre-existing empathetic limit to images of death and violence. Corporeal memory, then, may fail to shock when no identifications are created or experienced. In this scenario, the corpse does not become testimony to the violence that produced it, but comes to represent an object of aesthetic beauty or personification of abject horror that refuses meaningful interpretation.

The multidirectionality of corporeal memory: the case of Andrew Blum

While identifications may fail to materialise for those accustomed to images and representations of death, there is another fascinating reaction to Rwanda's corporeal memory that triggers an alternative form of self-identification. One may understand and recognise one's own history, facilitated by these sites of corporeal testimony to Rwanda's violence. This was the experience of Andrew Blum who, writing for the *New York Times*, stated that his trip to the site of the Wannsee Conference in Germany where the Final Solution was decided 'made no sense',³⁷ resisting his attempt to understand the context and reality of the suffering experienced by his Holocaust refugee grandparents. 'For us,' he writes, 'born three decades after 1945, the stories of loss and the bitter memories exists at a remove. We feel compelled to try and grasp their meaning, but the horrors are abstracted and refracted by film, literature and time.' Blum testifies to the limbo in which his self-identification exists. Although he is aware of the history of his family, his inability to form meaningful identifications with that past renders it a partial, non-emotive memory with little personal salience. Corroborating Gourevitch's implication of the pervasiveness of the death image, Blum's statement indicates that artistic and literary representations of the horrors of the Holocaust have emerged with such frequency that they have both disabled the potency of these visual manifestations of history and rendered the Holocaust a collective history of the Jews from which Blum, as an individual third-generation child, feels frustratingly disconnected. However, Blum writes, 'in Rwanda ... genocide is still fresh'. Describing himself as a 'genocide tourist ... seeking answers to the unanswerable', Blum attempts to overcome the unintelligibility of his own history by absorbing what he perceives as the

more relatable violence of recent genocidal tragedy. What is curious about this statement is his acknowledgement of the fact that genocide defeats understanding. Yet, yoked to these words is a determination to nevertheless seek what he himself designates as impossible answers. This suggests that what Blum seeks is not necessarily an understanding of any specific violence. Rather, Blum's desire is to capture an *experience of memory* that he can integrate within his own consciousness as a prosthetic memory that can adequately function as a representation of his own family's suffering. Blum's self-identification must take a detour through the experience of another's violence for its own realisation.

And indeed, it is an experience of memory that Blum encounters. Entering the crypt at Nyamata, he writes: 'my stomach turned. Strangely, I felt relief. The odor exempted us from the need for imagination. It relieved us of the need for understanding.' Releasing him from the bonds of abstraction that previously obscured his connection to his personal history, Nyamata's raw, defiant, concrete exposure of mutilation, death and purposeful annihilation is freedom from the burden of this imagination. Situated at the nexus of imagination and understanding, Nyamata allows Blum to recognise the violence of genocide. This is not through the specifics of its Rwandan occurrence, but rather through an experience of its consequences that, paradoxically, soothes through the very terror Blum can sense in this moment. Although the memorial is unflinching in the horror it houses, the sensory experience it represents for Blum triggers a psychological process that provides an absolatory relief from both the struggle to understand his own history and the guilt resulting from his failure to imagine it. It is, in fact, through the overwhelming sensory assault of the stench and the sight of the corpse that Blum is able to grasp, albeit indirectly, the essence of his own history. *Experiencing* genocide's unimaginable and unintelligible consequences allows for the comprehension of its true nature, and, in turn, it strengthens an understanding of his own family's suffering.

Despite being coined in 2009, four years after Blum's essay was published, Michael Rothberg's term 'multidirectional memory' represents an exciting turn in memory studies that retroactively defines the process by which Blum utilises his experience of memory to engage with his family history. Multidirectional memory is a form of memory that is 'subject to ongoing negotiation, cross-referencing, and borrowing'.⁵⁸ It is a dynamic form of transhistorical remembrance that allows for the memory of one event to illuminate another. In this model, memories become assimilable to associative

and cross-referential chains of meaning. Crucially, as Rothberg writes, 'pursuing memory's multidirectionality encourages us to think of the public sphere as a malleable discursive space in which groups ... come into being through their dialogical interactions with others'.⁵⁹ Indeed, Blum's interaction with the corpse and the sensory assault it produces (a corporeal form of communication, it could be argued) is the means by which his process of self-identification is finally successful.

What, however, are the ethics of utilising one tragedy to come to terms with another, of finding peace with one's own history by absorbing the pain of another place and another time? Rothberg himself offers a compelling argument in favour of the comparative and juxtapositive form of memory that he champions. In addition to claiming that the intersection of histories 'has the potential to create new forms of solidarity and new visions of justice',⁶⁰ Rothberg insists that removing the competitive element of cultural memories that jostle for commemoration in the global consciousness dismantles the 'hierarchy of suffering'⁶¹ that is created when events such as the Holocaust are designated as the paradigm of human agony. Propagating multidirectional memory as a form of remembrance that 'cuts across and binds together diverse spatial, temporal, and cultural sites',⁶² Rothberg's hypothesis would see Blum *honouring* the memory of Rwanda's genocide through the very self-identification he is able to experience at the sites that testify to it. Rather than acting as a 'secondary' genocide through which Blum attains an understanding of the 'principal' genocide of the Holocaust, Blum's successful self-identification at this Rwandan site of catastrophe implies an equivalence of importance and gravity between them that levels the playing field of competitive suffering.⁶³ Multidirectional memory therefore has special significance for legacies of genocide that extend beyond physical monuments to their occurrence. While it is important to emphasise the uniqueness of distinct historical moments and not encourage conflation of tragedies that possess singular features and aftermaths, creating an intersective and interactive dialogue around genocide and mass violence enables the creation of associative conversations that ensure the remembrance of genocidal violence in *all* its forms and occurrences. If to speak of one genocide is to open up the possibility of remembering another, millions of deaths have the opportunity to be pulled back from the brink of obscurity and remembered. Corporeal memory in the Rwandan context can be understood to extend beyond itself, contributing to the creation of identifications and a discourse that establishes genocide as a real

consequence of conflict. These sites therefore become places that the world, and not just Rwanda and its tourists, can effectively mourn.

Conclusion: remembering Rwanda

The processes and manifestations of identification that Rwanda's corporeal displays of memory elicit are as multiple as they are complex. However, in light of this chapter's arguments, are they commemoratively effective? As stated, Guyer is sceptical of the value of corporeal memory in this context. Rwanda's piles of corpses and rows of bones, she writes, are 'unable ... to distinguish between genocide and death in general ... even when bones remain, the demand for an absent testimony also remains'.⁶⁴ Cook, insisting that 'physical remains themselves do not "tell the story"',⁶⁵ echoes Guyer's dubiousness towards the success of the memorialisation these sites aim to stage. That Rwanda's corporeal memorials do not necessarily point to specific violence is attested to by Blum's ability to view these memorials as emblematic of genocidal brutality and incorporate and constitute the corpses within an act of multidirectional memory. Both Cook and Guyer use these criticisms to imply that Rwanda's sites of corporeal memory are its failure to adequately commemorate those who perished.

However, these writers do not acknowledge – as demonstrated in the opening pages of this chapter – that the Rwandan intent behind displays of corporeal memory is *not* to commemorate people as individuals; the story of the genocide cannot be narrated through individual lives. Instead, to reflect the logic-defying reality of genocidal violence and the scale of devastation the killings wrought, these memorials are intended to convey a sense of mass destruction, unintelligibility and an unimaginable amount of horror. Furthermore, it is precisely this conveyance of mass that defies Guyer's claim that Rwanda's memorials only represent 'death in general'. While death is indeed a routine and mundane element of existence, the enormity of its volume in the context of mass violence indicates an event that is the antithesis of the 'general' – it is, in fact, an exceptional event that connects Rwanda's history with the history of nations that have shared the pain of genocidal persecution. As a mass crime against a mass of people, Rwanda's sites of corporeal memory are successful in commemorating the violence precisely because of the failure of non-individual corporeal identifications that its sites of corporeal memory produce. Although this may seem puzzling to Western anthropological notions of individualism – where that individualism

is a prime concern – in Africa, as Jessica Murray comments, ‘a person depends on other people to be a person.’⁶⁶ This does not mean that African individuals fail to retain a sense of autonomy and this chapter fiercely resists Milena Bubenechik’s suggestion that members of ‘indigenous societies ... cannot stand for themselves as solid independent individuals.’⁶⁷ Rather, Murray’s statement makes clear that a sense of communality is culturally inscribed as an essential and immovable component *into* an African sense of self that perceives itself as part of a wider social network. In death as in life, then, Rwanda’s memorials to the dead are communal – a reflection of Rwandan society that renders these sites fitting tributes to the dead, their lives previous to their persecution and to the violent history that produced them.

Despite their lack of agency, Rwanda’s corpses provoke numerous, elaborate and ultimately personal processes of identification – or, indeed, of non-relation – that galvanise approaches to memory and conflict commemoration. The Rwandans’ connection to the corpses is not one initiated by their induction into a formalised memorial site. The identifications that take place – or, indeed, that do not materialise – are reverberations of the violence that is commemorated at these locations; the non-identifications perpetuated in the Rwandans’ encounter with the dead are themselves testimony to the devastating cost of a survival dependent on the suspension of recognition and the horror of a conferred anonymity that facilitated the merciless slaughter of close to one million Tutsis. Reflecting the very depersonalisation that marks the violence being commemorated as genocide, the shocking visibility of industrial-scale extermination at Murambi, Nyamata and Nyarubuye emphasises, as a cautionary tale, the consequences of a total failure of intersubjective relation. The corpses are startlingly present reminders of a time almost without ethics. To those who experienced that violence, ethical re-engagement through the corpse as its manifestation is a challenge that is still being undertaken twenty years on.

For the non-Rwandan or non-witness, visiting these sites of catastrophe is often an attempt to understand what seems incomprehensible, to reassert a sense of ethics by commemorating tragedy as the evil it represents. However, the inability to form identifications with the dead is not necessarily an ethical or commemorative failure: if the highest form of ethical engagement with tragedy is a by-product of true empathy, then the experience of its discomforting intelligibility indicates the site of corporeal memory fulfilling its function. Rather than representing the breakdown of memorial potency, the

corpse's non-overt signification enables a remembrance of Rwanda's catastrophe that extends beyond these sites' physical parameters. Enabling the self-identification of the non-witness and facilitating the juxtapositive consideration of Rwanda's history within the theoretical model of multidirectional memory, the anonymity retained by Rwanda's corporeal memorial sites becomes the simultaneous condition of its prolonged legacy. Corporeal memory creates an experience that is, ultimately, highly individualised with respect to both perception and reception. Whether we are Leontius, Cornelius, Gourevitch, Guyer, Cook or Blum, the corpse as memorial spectacle provokes an experience of identification that, in whatever form it takes, cannot fail to promote some engagement with the 1994 tragedy that left an indelible, still-echoing imprint on Rwanda's history.

Notes

- 1 D. Fuss, *Identification Papers: Readings on Psychoanalysis, Sexuality and Culture* (Abingdon: Routledge, 2013), p. 2.
- 2 J. Kristeva, *Powers of Horror: An Essay on Abjection* (New York: Columbia University Press, 1984), p. 1.
- 3 *Ibid.*, p. 3.
- 4 See P. Gourevitch, *We Wish to Inform You That Tomorrow We Will Be Killed with Our Families* (London: Picador, 2000). This book enjoyed a warm critical reception. Gourevitch was awarded the National Book Critics Circle Award, the George Polk Book Award, the Los Angeles Times Book Award, the Guardian First Book Award and the PEN/Martha Albrand Award for First Nonfiction, among many others. The concern that some Africanists had about the content of Gourevitch's text is summed up by René Lemarchand's criticism that Gourevitch ignores the political tensions that motivated the killings and employs a Eurocentric, Holocaust-based frame of reference for his narrative. A full explanation of his grievances can be found in R. Lemarchand, *The Dynamics of Violence in Central Africa* (Philadelphia: University of Pennsylvania Press, 2009), p. 87.
- 5 Notably, *Into the Quick of Life* received the Prix Culture 2000 and the Prix Pierre Mille.
- 6 *A Time for Machetes* was awarded the Prix Femina in 2003 and the Prix Jossif Kessel in 2004.
- 7 E. Wiesel, 'The Holocaust as a Literary Inspiration', in E. Wiesel, D. Rabinowitz and R. M. Brown (eds), *Dimensions of the Holocaust* (Evanston, IL: Northwestern University Press, 1977), p. 9.
- 8 D. LaCapra, *Writing History, Writing Trauma* (Baltimore, MD: Johns Hopkins University Press, 2001), p. 96.
- 9 S. Bassnett, *Translation Studies* (London: Routledge, 2002), p. 36.

- 10 Although it is not within the remit of this chapter to discuss the methodologies and psychological processes by which genocide comes into being, the theoretical literature on the topic is fascinating and essential reading in the pursuit to understand perpetrator behaviours. James Waller's *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing* (New York: Oxford University Press, 2002) is particularly instructive. Howard Adelman's chapter entitled 'Theories of genocide: the case of Rwanda', in V. M. Esses and R. A. Vernon (eds), *Explaining the Breakdown of Ethnic Relations: Why Neighbours Kill* (Oxford: Blackwell Publishing, 2008), tackles what he perceives as deficiencies in Waller's theoretical offering when applied to the Rwandan context.
- 11 J. Hatzfeld, *A Time for Machetes: The Rwandan Genocide – The Killers Speak* (trans. L. Coverdale) (London: Serpent's Tail, 2008), p. 204.
- 12 A fascinating paper on the role of propaganda in the escalation of Rwandan anti-Tutsi violence is D. Yanagizawa-Drott, 'Propaganda and conflict: evidence from the Rwandan genocide', *Quarterly Journal of Economics*, 21 August 2014. DOI: 10.1093/qje/qju020 (accessed 19 October 2014).
- 13 Hatzfeld, *A Time for Machetes*, p. 207.
- 14 *Ibid.*, p. 204. The body has always been a crucial locus around which Rwandan violence has revolved. For an excellent discussion of Tutsi bodies and their implication in conflict, see R. Korman, 'The Tutsi body in the 1994 genocide: ideology, physical destruction and memory', in É. Anstett and J.-M. Dreyfus (eds), *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence* (Manchester: Manchester University Press, 2014), pp. 226–42.
- 15 Hatzfeld, *A Time for Machetes*, p. 206.
- 16 For an interesting perspective on the concept of 'defensive genocide', see S. Straus, "'Destroy them to save us": theories of genocide and the logics of political violence, terrorism and political violence', *Terrorism and Political Violence*, 24:4 (2012), 544–60.
- 17 Hatzfeld, *A Time for Machetes*, p. 208.
- 18 *Ibid.*, p. 207.
- 19 B. B. Diop, *Murambi: The Book of Bones* (trans. F. McLaughlin) (Bloomington: Indiana University Press, 2006), p. 65.
- 20 *Ibid.*, p. 101.
- 21 J. Hatzfeld, *Into the Quick of Life: The Rwandan Genocide – The Survivors Speak* (trans. G. Feehily) (London: Serpent's Tail, 2008), p. 8.
- 22 *Ibid.*, p. 8.
- 23 *Ibid.*, pp. 32–3.
- 24 Diop, *Murambi*, p. 32.
- 25 Hatzfeld, *Into the Quick of Life*, p. 34.
- 26 *Ibid.*, p. 104.
- 27 Gourevitch, *We Wish to Inform You*, pp. 197–8.
- 28 Hatzfeld, *Into the Quick of Life*, p. 115.
- 29 S. E. Cook, 'The politics of preservation in Rwanda', in S. E. Cook (ed.), *Genocide in Cambodia and Rwanda* (New Brunswick, NJ: Transaction Publishers, 2007), pp. 281–311, 293.
- 30 S. Guyer, 'Rwanda's bones', *Boundary 2*, 36:2 (2009), 155–75, 163.

- 31 Diop, *Murambi*, p. xvii.
- 32 *Ibid.*, p. 145.
- 33 *Ibid.*, p. 146.
- 34 Cook, 'The politics of preservation', p. 299.
- 35 *Ibid.*, p. 300.
- 36 Guyer, 'Rwanda's bones', 164.
- 37 Cook, 'The politics of preservation', p. 305.
- 38 Hatzfeld, *Into the Quick of Life*, pp. 81–2.
- 39 *Ibid.*, p. 116.
- 40 Diop, *Murambi*, p. 143.
- 41 Cook, 'The politics of preservation', p. 293.
- 42 Diop, *Murambi*, p. 71.
- 43 In addition to Rwandan anger at the perceived inaction of the international community, there is a scholarly consensus that Rwanda's genocide could well have been prevented with the help of bodies such as the United Nations. For a particularly convincing report, see H. Adelman, 'Blaming the United Nations', *Journal of International Political Theory*, 4:9 (2008), 9–33; additionally see N. Hitchcott, 'Commemorating genocide in Boubacar Boris Diop's *Murambi*', *Research of African Literatures*, 40:3 (2009), 48–61, 54–5, which demonstrates how Diop singles out France for specific blame with regard to their non-involvement.
- 44 Gourevitch, *We Wish to Inform You*, p. 15.
- 45 Hatzfeld, *Into the Quick of Life*, p. 148.
- 46 Cook, 'The politics of preservation', p. 300.
- 47 *Ibid.*, p. 303.
- 48 Diop, *Murambi*, pp. 144–6.
- 49 *Ibid.*, p. 74.
- 50 Gourevitch, *We Wish to Inform You*, p. 19.
- 51 Guyer, 'Rwanda's bones', 159.
- 52 *Ibid.*, 163.
- 53 *Ibid.*, 163.
- 54 Gourevitch, *We Wish to Inform You*, p. 16.
- 55 *Ibid.*, p. 16.
- 56 *Ibid.*, p. 196.
- 57 A. Blum, 'Searching for answers and discovering that there are none', *New York Times*, 1 May 2005. All other quotations from the article are from this source.
- 58 M. Rothberg, *Multidirectional Memory* (Stanford, CA: Stanford University Press, 2009), p. 3.
- 59 *Ibid.*, p. 5.
- 60 *Ibid.*, p. 5.
- 61 *Ibid.*, p. 9.
- 62 *Ibid.*, p. 11.
- 63 See A. D. Moses, 'Toward a theory of critical genocide studies', in *Online Encyclopaedia of Mass Violence*, 18 April 2008. URL: www.massviolence.org/Toward-a-Theory-of-Critical-Genocide-Studies (accessed 12 October 2015). Moses considers how enshrining the Holocaust as a paradigm of

human suffering has negatively affected the ability of Genocide Studies to predict genocides.

- 64 Guyer, 'Rwanda's bones', 175.
 65 Cook, 'The politics of preservation', p. 302.
 66 J. Murray, 'A post-colonial and feminist reading of selected testimonies to trauma in post-liberation South Africa and Zimbabwe', *Journal of African Cultural Studies*, 21:1 (2009), 1–2, 4.
 67 M. Bubenechik, *The Trauma of Colonial Condition: In Nervous Conditions and Kiss of the Fur Queen* (Hamburg: Anchor Academic Publishing, 2013), p. 2.

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Corpses of atonement: the discovery, commemoration and reinterment of eleven Alsatian victims of Nazi terror, 1947–52

Devlin M. Scofield

The retreating of Nazi armies in 1944 corresponded to a final wave of brutality against the occupied populations of Europe.¹ In France, the final maelstrom of destructive violence witnessed atrocities such as the indiscriminate slaughter of villagers in the French town of Oradour-sur-Glane alongside more focused incidents of arrests, deportations and executions.² Thousands of families were left in agonising uncertainty over the fate of targeted loved ones. A number of such cases found their tragic closure in April 1947 when, after an extended investigation that spanned the Franco-German border, the bodies of eleven Alsations were discovered outside the small community of Rammersweier, Baden. The victims had been murdered in the waning months of the Second World War by members of the Offenburg Gestapo.³ The corpses were exhumed and publicly reburied in the days following the discovery. A memorial at the execution site where the bodies were found and another roadside monument were constructed for the victims later that autumn. The connection between Rammersweier and the commemoration of the murdered Alsations would again become a matter of international importance in 1951 after one of the monuments was desecrated. Undeniably, the Alsations' deaths were a tragedy, particularly for their families and their home region of Thann. Yet a lingering question for historians is why these eleven men received such commemorative attention at a time when Europe as a whole was still coming to grips with its millions of dead, 40,000 of whom

were young Alsace-Lorrainers who had died as forced recruits in the *Wehrmacht* and SS.⁴

Alsace was a key geographic centrepiece in the Franco-German rivalry that spanned the late nineteenth and first half of the twentieth centuries. In 1871, 1914 and 1940–44 France and Germany turned the province into a battlefield in a literal military sense during times of war and an ideological battleground of competing national narratives during times of peace. The results of the three different conflicts saw Alsace change sovereignty four times between 1871 and 1945. Each transition was accompanied by an effort on the part of the victorious nation to (re)integrate the province and its population into the larger German or French nation. Official definitions of ‘true’ and ‘desirable’ Alsatians became increasingly exclusive with each transfer. The period of Nazi control of Alsace from 1940 to 1944 was especially traumatic. Although the province technically remained under French sovereignty after the June 1940 Armistice, in practice Nazi authorities assumed control and commenced the most thorough and brutal restructuring of the Alsatian populace to date. The campaign to cleanse Alsace of ‘undesirable’ racial and national elements was characterised by widespread expulsions and deportations. In addition, Gauleiter Robert Wagner introduced obligatory military service to the province in an effort to further speed the reconciliation and incorporation of Alsatians into the Third Reich in August 1942. Many young Alsatian men chose to flee rather than be conscripted into the *Wehrmacht* or SS. Regardless of the outcome of the individual’s endeavour, the consequences for a failed or successful evasion were severe. Captured conscription ‘shirkers’ were subject to capital punishment, while the punishment for young men who succeeded in evading Nazi authorities fell on their family members who remained in Alsace. In the latter case, anyone residing in the immediate household of a draft evader was liable to have their property confiscated, be deported to the east or interior of Germany, or imprisoned.⁵ It was just such a chain of events that culminated in the killing of the eleven Alsatians whose bodies were found outside Rammersweier in 1947.

This chapter argues that the meticulous attention to the remembrance activities surrounding the reburial and memorialisation of the Alsatians and the intensity of the vandalism investigation demonstrates that French and Badenese officials were convinced that the local responses contained a symbolic resonance beyond giving eleven more victims of Nazi terror a proper burial. In effect, contemporary Badenese authorities and their French counterparts came

to view the dead bodies as representative of the larger crimes of the Nazi regime, particularly those perpetrated against the population of Alsace. The popular participation of the local Badenese populace in the ceremonies honouring the murdered Alsatians was perceived to be an act of moral atonement for the crimes of the National Socialist period. Germans' involvement in the commemorative acts of atonement was meant to demonstrate to the French occupation forces and the wider international community their remorse for and rejection of the recent Nazi past. This difference was reinforced by the respectful handling, reburial and ultimate transfer of the cadavers back to their home village of Thann.

The bodies of the eleven Alsatians and the events surrounding their commemoration also stimulated discussions of larger issues such as patriotic constructions of memory, the achievability of a lasting peace in the historic rivalry between France and Germany and the possibility of European unity. The perpetrators' motives and the impetus behind the Alsatians' actions that had attracted the attention of the Gestapo were lingering questions throughout the commemorative ceremonies. Fundamentally, the tension centred on the incompatible images of the Alsatians as victims of retaliatory Nazi violence or as resisters to Nazi occupation. On the German side, the Alsatians' victimisation was emphasised. The men were described as 'family fathers' who had been executed for helping their sons evade German military conscription. French sources, on the other hand, described the Alsatians as members of the Maquis (Resistance fighters) and connected their sacrifice to the general French effort to expel the Nazis from France.⁶ This distinction had the potential to affect the German and French populations' reaction to the corpses. Despite their rejection of the murders, Germans after 1945 remained reluctant to honour 'guerrillas', while the status of 'victim' did not further the construction of a heroic post-war French patriotic memory. At a time that was witnessing an increased emphasis on European cooperation, the conflict between these two interpretations of the Alsatians' motivations had international ramifications. German non-participation in the ceremonies had the potential to alienate the French, who remained sceptical of German remorse, and so disrupt the process of Franco-German reconciliation.

The meaning of the German word, *Wiedergutmachung*, encompasses a wide range of acts that at their root express a desire to provide indemnification for loss. In the context of post-1945 West Germany, the term is associated with the government's reparations to the victims of National Socialism.⁷ Consequently, the starting point

of much of the existent historiography focusing on West Germans' post-war efforts to come to grips with the legacies of National Socialism is when Chancellor Konrad Adenauer first signalled his government's willingness to compensate Jewish victims.⁸ On 27 September 1951, Adenauer announced, 'In the name of the German people, however, unspeakable crimes were committed which require moral and material restitution [*Wiedergutmachung*].'⁹ This readiness to offer financial restitution to the Jewish survivors of the genocide was codified by the Luxembourg Agreement with Israel in 1952. In a gesture of goodwill and in an effort to reconcile themselves with their Western European neighbours, the West German government would also subsequently extend *Wiedergutmachung* legislation to non-Jewish targets of Nazi persecution that had been persecuted for their race, religion or opinion.¹⁰

Cumulatively, by focusing on the actions of local and state officials in Baden and their interactions with occupational authorities in the French zone and an instance of a pre-Adenauer non-material-based moral atonement for the Nazi past, this chapter contributes to the historiography that has primarily focused on the American and Soviet zones, the high national politics of Adenauer's *Vergangenheitspolitik*,¹¹ the economic and social reconstruction of West German society and the financial restitution to victims of Nazism.¹² It seeks to move beyond the bureaucracy of the denazification panels to examine how Badenese officials attempted to demonstrate the local German populace's collective remorse and disassociate them from the 'handful of perpetrators'. When referring to *Wiedergutmachung* in the context of the commemorative ceremonies surrounding the eleven murdered Alsations, local Badenese officials and newspapers were speaking not of financial or material reimbursement, but rather recompense or, as I have translated it, 'atonement' at a moral and spiritual level that entailed a clearly visible and – most importantly – a popularly acted out demonstration of remorse and rejection of the recent Nazi past.

Rammersweier was located in the French zone of occupation following the Second World War. French authorities' plan for their sector adhered to a threefold policy. This strategy consisted of obtaining guarantees for the future security of France, procuring German financial and material resources and, finally, 'denazifying' their sector through a process of cultural and political re-education.¹³ Measuring the progress of material restitution was straightforward in the sense that French officials could refer to quantifiable data. Tangible markers of the progress of re-education were more difficult to identify. It is

in this latter context that the ceremonies surrounding the discovery and memorialisation of the eleven Alsations became so significant. For French authorities, the discovery and display of the atrocity provided an educational opportunity to remind the local German populace of the brutality and inhumanity of the Nazi regime.

Badenese authorities similarly recognised the importance and potential symbolic value of the local populace's participation in the commemorative ceremonies. The discovery of the eleven bodies on 5 May 1947 coincided with a critical moment in the re-establishment of German self-government in the French Occupation zone.¹⁴ The first elections for a post-war state legislature in Baden were scheduled for 18 May. The reinterment ritual, therefore, represented a venue in which the local German populace could publicly separate themselves from the perpetrators and so prove to the French their readiness to assume greater governance responsibilities. In this sense, the potential political gain that local Germans could achieve by participating in these acts of moral atonement resembles the instrumental usage of the financial and material elements of *Wiedergutmachung*.¹⁵ We should not assume that German involvement in post-war indemnification efforts was solely driven by calculated self-interest and lacking in true regret. Popular participation in the reinterment and memorialisation ceremonies could also be interpreted as evidence of the advance of the 'collective learning process' in the post-war democratic re-education program.¹⁶ It is undeniable, however, that Badenese officials saw popular involvement in the reburial, memorialisation and later response to the monument's vandalism as an opportunity to gain favour and political capital in the eyes of French officials by exhibiting the progress and success of 'denazification'.

Discovery, exhumation and the commemorative reinterment of the bodies

On 6 May 1947, the local *Ortenauer Zeitung* carried one of the first articles reporting the discovery of the Alsations' bodies under the headline, 'Gestapo Act of Murder Near Rammersweier'. The piece did not spare any details in the descriptions of the Alsations' deaths. The author described how the victims were led barefoot with their hands tied behind their backs from the prison in Offenburg to idling trucks, concealed under a tarpaulin and driven to the place of execution. On a deserted, bombed-out section of the military drill ground outside Rammersweier, the men were further beaten

and finally executed with a shot to the neck. Their bodies were unceremoniously tossed into one of the many nearby bomb craters and covered with a thin layer of earth. The newspaper's highlighting of the chillingly calculated efficiency of the killings was emphasised by the observation that the murderers paused long enough just prior to the executions to strip naked the condemned men and afterwards donated their clothes to the local National Socialist People's Welfare organisation (NSV) clothing drive.¹⁷

A close study of the article reveals two themes with which this chapter is concerned. First, it underscored the brutality of the Alsatians' imprisonment and execution by describing them in painstaking detail.¹⁸ The gory and heart-rending details of the article and its emphasis that the executed Alsatians had never been given any semblance of due process were intended to unite the reading audience in a feeling of shared horror, a position that was by default 'outside' and 'different' from the Nazis who had committed the acts and more akin to those of the occupying Allied forces. The article affirmed readers' belonging to a community that was united in revulsion at and mourning of the brutal act, rather than complicit in it, by observing that 'an immeasurable sorrow and heartfelt sympathy fills us. An indescribable horror and unanimous rage has seized us. An abhorrence of these heinous murders grips us all. And we wish nothing more, than that the perpetrators and their equally despicable accomplices find their earned punishment.'¹⁹ A second element of the article that separated the contemporary local populace from the crimes of National Socialism was the ambiguity surrounding the culprits' identities. The perpetrators in the story were not identified as 'German' per se, but as the monolithic (and so primarily faceless and unidentifiable) 'Gestapo'. Two exceptions to this observation were the identification and accusations of responsibility directed at the one-time Gauleiter of Alsace, Robert Wagner, and Offenburg's Gestapo Chief, Erwin Schöner. Wagner was denounced for ordering the executions, while Schöner had overseen the killings. The singling out of these two men fit into the larger post-war German narrative that suggested that the crimes of the Second World War were ordered by a small faction of fanatical Nazis.²⁰ Yet even if it was a zealous minority that was responsible for the wartime crimes of the regime, it was the majority of Germans in the post-war period who would need to demonstrate their remorse for and rejection of the illegalities committed in their name. The article closed by calling upon the readership to participate in the upcoming commemorative events planned for the reinterment of the eleven Alsatians by

arguing, 'We want as an entire people to singularly honor the dead, join with the bereaved, and so publically show our unshakable desire for atonement.'²¹

The ceremonies surrounding the exhumation of the Alsatians' bodies and their reburial reflected elements of the changing contemporaneous political transition in Baden. On the surface there might appear to exist a significant difference in importance between Baden's first state elections and the call to articulate and enact remorse for the National Socialist atrocity against the eleven Alsatians. Yet at their root, both events reflected the common urge to move post-war Germans from the status of bystanders to that of participants, which marked a significant break with post-1945 precedents. Following the defeat in the Second World War, Germans had been reduced to passive observers of their fate rather than their accustomed role of active protagonists.²² This was most evident in the post-war division of Germany and loss of sovereignty that accompanied the Allies' occupation. However, another context in which this changed status was observable was in Germans' 'first' exposure to the mass crimes of National Socialism, whether as spectators forced to view the horrors of the newly liberated concentration camps or as reluctant assistants in the clean-up efforts.²³ In the case of the murdered Alsatians, this earlier policy was reflected in the order from the representative of the military government in Baden, District Deputy Marc Robert, that 'old Nazis' from Rammersweier and Zell-Weierbach stand watch over the grave until the process of exhumation and transport of the corpses was completed,²⁴ thereby once again confronting those most loyal to the former regime with its crimes. A local carpenter who did finishing work on caskets was ordered to attend the exhumation and place the bodies of the eleven Alsatians in individual coffins. The carpenter's son recalled that he had followed his father out of curiosity and watched as the bodies were exhumed from the bomb crater. He related that 'The bodies were jet black and reeked awfully. My father had to hold his nose. The attendant doctor smoked a thick cigar.'²⁵ A group of local children had gathered to watch the proceedings, only to be chased off by attendant French soldiers. It is also evident that at some point pictures were taken of the bodies and later shown to the men's families – perhaps in an attempt to identify them.²⁶

Two aspects of this scene are especially significant. First, French authorities' decision to place the cadavers in individual coffins unambiguously reversed the Gestapo killers' treatment of the bodies. The Alsatians' corpses had been made anonymous in death, their murderers stripping them of everything – down to the very clothes off

their backs. In contrast, the 1947 exhumation and subsequent commemorations highlighted that the men had died as a group for the singular cause of the liberation of France, but restored their humanity and recognised them as individuals by naming them and providing separate coffins. Second, the French soldiers chasing off curious local children suggests that although French authorities thought it essential that the Alsations' bodies be seen and acknowledged by the entirety of the local populace, it was important that the corpses be displayed in a particular way.

The 'appropriate' form of observing and commemorating the dead Alsations was established over the following days in Offenburg. Robert instructed local German District Administrator Dr Joachim that after being exhumed and coffined, the corpses were to be transferred to a school gymnasium that had been specially cleaned and decorated for the occasion and in which the remains would lie in state. Four local civilian 'honour guards' (*Ehrenwache*) were to hold a continual day and night vigil over the coffins. Joachim was instructed to ensure that the wake was accomplished with the greatest propriety, punctuality and with an 'appropriate attitude'. Robert ordered the District Administrator to impress upon the local people the importance of the ceremony, saying, 'You are to call upon the population to join this proof of public atonement.'²⁷ This charge to actively participate in the commemorations marked a significant shift from the passive roles that Germans had been assigned since 1945. Germans were no longer to be passive observers or the forced custodians of Nazi crimes. Both of these roles reflected an indictment of the entire German people's collective guilt. Instead, the active participation and volunteerism of Germans as mourners in the ceremonies honouring the murdered Alsations was to demonstrate their separation and difference from the perpetrators.

Establishing the distinction between the Nazi perpetrator of the past and the West German democratic mourner of the present was of critical importance in the overall goal of returning the powers of self-determination to the West German population. For that reason, the proactive role of the Badenese population in the commemoration of the victims of National Socialism and the *Landtag* elections were intimately connected. Critically, however, the disproportionate power relationship between French military authorities and the local Badenese community in Rammersweier/Offenburg continued to exist in 1947. Consequently, in both cases Germans' ability to effect significant political change or direct the remembrance activities could go only as far as French occupation officials would allow. Nonetheless,

despite these limitations, historians have identified the *Landtag* elections as marking an important step in the revival of democratic life in West Germany.²⁸ There is a parallel in the realm of commemoration between the activities surrounding the exhumation and reburial of the eleven Alsatians and the gradual re-emergence of West German self-governance. Just as the latter was a step in the direction of a return to German self-representation without French authorities immediately conceding overall political control, so too was the former a move towards allowing Germans the power over the way they remembered their Nazi past without surrendering full influence over remembrance activities in the present. In this sense, it is not surprising that French authorities would relate their expectations, as well as the 'proper' way to mourn the dead Alsatians and leave the details of mobilising the local population to Badenese officials.²⁹ Thus the popular participation in the commemorative activities for the dead Alsatians that preceded the elections was an important opportunity for the communities of Rammersweier and Offenburg to show French authorities their readiness for greater self-governance responsibilities.

Joachim closely followed Robert's instructions. The corpses of the eleven Alsatians lay in state in Offenburg for three days. On 8 May, an honour guard of French occupation soldiers stood to attention outside the gymnasium that had acted as a 'hall of honour' for the Alsatians. Inside, the coffins were shrouded in wreaths and flowers. A wide range of state, district and city authorities, church officials, union representatives, delegates from all four political parties and local schoolchildren attended the ceremony and took turns filing by the caskets. Once this honorary act was completed, a funeral procession slowly bore the coffins to the Trinity Church in Offenburg. The caskets were placed in front of an altar that had been erected outside the church's main entrance. After a bi-denominational ceremony, the coffins were taken up once more in the funeral procession and conveyed to the local cemetery. Later that autumn, the bodies would be exhumed once more and transported to their final resting place in Thann, Alsace.³⁰

Memorialising the atrocity and commemorating the dead

The dedication of two memorials for the Alsatians occurred on 10 November 1947. Local authorities' desire to draw as large a crowd as possible is evident in a draft copy of the official invitation to the

dedication ceremony. The note had originally been addressed solely to the 'Members of the District Assembly'. This circumscribed number of recipients was broadened with a stroke of red pencil and a single word when a subsequent reader crossed out the first addressees and wrote 'everyone' (*alle*) in its place.³¹ The commemorative rites were attended by a large delegation from Thann, while the German District Administrator and various members of the town council were also present. Mayor Zuessy of Thann spoke at the memorial dedication. A German memorandum described the speech as 'natural, intelligent, and reconciliatory'.³² Unfortunately, I have been unable to locate the full text of the dedication. An approximation is available in the form of an earlier 1946 oration that dedicated a monument to the memory of four Frenchwomen who had been murdered nearby by the Gestapo. The similarity of the speeches is also suggested by Robert's instruction to Joachim that the Alsatians' cenotaphs and their inscriptions must be comparable to the Frenchwomen's monument.³³ Today the implementation of this order is evident in the striking resemblance of the monuments' forms.

The service for the slain Frenchwomen was opened in 1946 by Colonel Huchon, the District Representative of the military government in Offenburg. Huchon stated that the memorial was to be a monument of respect and atonement.³⁴ He observed, 'Gentlemen, the lesson of our combined presence this evening should and cannot be a lesson of hate, rather a lesson of conscientious contrition, of pious atonement, and of honest good will for the future.'³⁵ The text of the dedication speech makes it clear that acknowledging the deaths of the Frenchwomen was only one of several purposes that lay behind the construction of the memorial. In a similar vein to that discussed earlier in the *Ortenauer Zeitung*, the monument represented an acknowledgement of Nazi crimes, while the very act of memorialising French citizens on German soil and holding a joint dedication ceremony united both French and German attendees in a community of mourning that served to distance them from the perpetrators. The decision to commemorate the murdered women and men in Germany marked a significant shift in pre-existing memorialisation practices in terms of subject and audience.³⁶ The monuments outside Rammersweier were built to commemorate individuals who had been executed by representatives of the current regime in Germany as enemies of the state. Thus the choice to subsequently honour them marks a dramatic change in the status of the victims and the attitudes of the governing Badenese authorities.³⁷ An additional consideration is that the targets for the symbolic content of memorials are usually

domestic audiences. The Alsations' monuments were intended to permanently remind the local Badenese population of the crime being commemorated. Equally important, however, the monuments were built for the benefit of an international audience and embodied the hope for Franco-German reconciliation in the present and future.

That two memorials were built to commemorate one atrocity reflected the multilayered symbolism and purpose of the Alsations' monuments for Badenese and French authorities. At a practical level, the roadside memorial acted as a marker of the path that led to the execution site monument. More importantly, the prominent location ensured that any passer-by would be reminded of the heinous Nazi deed every time they travelled the road between Offenburg and Durbach. The Gestapo had attempted to hide their crime by committing the murders in an isolated location. Thus a memorial only at the execution site would have been at a remove from regular foot traffic and invisible from the road – thereby inadvertently fulfilling the perpetrators' intention of keeping the evidence of their barbarism concealed. At the same time, the obvious prominence and greater visibility of the roadside monument suggests that it conveyed the message that French authorities most wanted the viewer to associate with the victims and the atrocity. The plaque read, 'Here, on December 6, 1944, eleven members of the Resistance from the region of Thann sealed with their blood the fidelity of Alsace to France'. The decision to choose this text for the monument that did not correspond to the actual execution site reveals its political nature. The Alsations were portrayed as martyrs who were murdered as anti-fascist resisters. The memorials served as a stand-in for the actual corpses of the Alsations, whose deaths were portrayed as confirming the depth of their home province's devotion to France. The inscription assimilated the murdered Alsations into the established French nationalist narrative that understood the residents of Alsace to be paradigms of Francophile patriotic virtue.³⁸ The men's names were not recorded on the roadside memorial, suggesting that the information about why and what they died for was more important than who they were. The naming of the eleven men would be left to the execution site monument.

The place of the dead in German and French national memories

Before moving on to a discussion of the subsequent political life of the memorials, it is important to identify a tension in the published

narratives regarding the series of events that found their terrible culmination in the execution of the eleven Alsatians in December 1944. In its earliest article, the *Ortenauer Zeitung* described the murdered men as 'family fathers'. According to the author, the prologue to the executions began when a number of young men from the community of Thann decided to flee to the neighbouring forests in order to avoid forced conscription into the *Wehrmacht* or SS. In response to the young men's failure to report, the Gestapo arrested and deported eleven men, who were finally murdered outside Rammersweier.³⁹ The motivation behind the *Ortenauer Zeitung's* decision to emphasise the arbitrariness and retaliatory nature of the violence and the familial role of the victims is important. The article was published on 6 May 1947, two days prior to the reinterment rites. A primary goal of the piece was to persuade the local populace to turn out in numbers to participate in the commemorative ceremonies. The memories of their own wartime losses of mobilised family members and conscription were still fresh in the minds of the Badenese. A narrative that attributed the Alsatians' violent demise to a paternal desire to protect their children from a soldier's death had greater chance of resonating and eliciting participatory empathy with the local population than if the victims had somehow done something to 'earn' their targeting by the Gestapo.

This initial German description of the eleven Alsatians stands in stark contrast to later Alsatian depictions of the events leading up to the men's arrests. On 11 November 1947, *L'Alsace*, a newspaper from Mulhouse, published what was purported to be the text of the Gestapo report that chronicled the events leading up to the arrest of the eleven Alsatians. The change in the status of the deceased was evident in the very title of the article, which described the Gestapo's discovery of the 'Thann Maquis Camp'. Identifying the Alsatians as members of the Resistance immediately changed their roles from those of passive and chance casualties of Nazi occupation to active protagonists. The Gestapo report described the discovery of a small bunker in the forest north of Thann. In the subsequent firefight one of the bunker's occupants was killed, while two others escaped and a fourth was taken prisoner. Interrogation of the captive uncovered a web of alleged co-conspirators who had assisted in acquiring the small stash of arms in the bunker or provided its occupants with sustenance.⁴⁰ A total of thirty-one men and women from Thann and the surrounding area were arrested in the course of the Gestapo's investigation and deported to Germany. Only eleven of the thirty-one individuals would survive to the war's end and return to Alsace.

Of the remaining twenty deportees, six died from exhaustion in concentration camps and three more were missing, presumed dead. The discovery of the eleven bodies outside Rammersweier had revealed the fate of the remaining members of the Resistance group.⁴¹ The date on which the articles were published, similarly to the earlier article in the *Ortenauer Zeitung*, is significant. The publication of the Gestapo report on 15 November 1947 coincided with the final transfer of the eleven Alsatians' bodies to Thann. The identification of the men as members of the Maquis who were arrested and killed for their Resistance activities against the Nazi occupiers made the returning corpses those of heroic patriotic martyrs rather than victims of arbitrary violence.

The status of tragic protagonist was reinforced with the ceremonies that surrounded the bodies' arrival in Thann. Similarly to the earlier Offenburg commemoration, the eleven coffins lay in state overnight in a local church. There, three other caskets were added to their number. Two contained the bodies of local male deportees who had died in concentration camps, while the third was the corpse of a local man who had been killed fighting with French Forces of the Interior (FFI) against the Germans.⁴² Thus in a material and symbolic sense, the remembrance ceremony linked the deaths and bodies of all fourteen men to the larger effort to liberate France from Nazi oppression. The fourteen coffins were arranged in a semicircle within the chapel and illuminated by three flames. An honour guard made up of representatives from the FFI and local patriotic associations stood to attention over the caskets while the local populace paid their last respects. The next day a church service and funeral procession occurred in the morning and a monument was dedicated in the afternoon. The memorial symbolically and materially articulated the narrative of French solidarity against the Nazi occupation by commemorating all thirty-one members of the Maquis, Resistance and the FFI from the surrounding region of Thann who had died during the Second World War.⁴³ Following the ceremonies the bodies of the Alsatians were returned to their hometowns where they were buried in local cemeteries.

The difference between the two images of the eleven men from Thann reflected the immediate audience and goals of the respective authors. Simultaneously, however, prevalent post-war national narratives also affected and were articulated in the portrayal of the deceased Alsatians. This is particularly true in regard to the image of the Alsatians as Resistance fighters. Liberated Western European states, such as France, invested their post-1945 patriotic memories in

the figure of the Resistance fighter, who provided a heroic narrative of forbearance and bravery that stood in opposition to an otherwise humiliating account of national collapse.⁴⁴ To paraphrase historian Pieter Lagrou, 'being liberated', similarly to being 'arbitrarily' taken hostage and executed, was too weak a basis for the construction of a heroic nationalist history and identity.⁴⁵ The narrative of the valiant Resistance martyr also resonated at a regional level with the post-war population of Alsace. The figure of an active Alsatian protagonist was juxtaposed against the victimised figure of the *malgré-nous* ('against our will'). This latter, self-titled group was composed of young Alsatian men who had been forcibly mobilised into the *Wehrmacht* or SS and fought primarily on the Eastern Front. The figure of the martyred Alsatian Resistance fighter was also attractive because of its apparent unambiguity. Alsations who had been killed on account of their anti-German actions could easily be assimilated into the national narrative that portrayed the population of Alsace as anti-fascist and intransigent French patriots, while the *malgré-nous* for all their insistence of coercion nonetheless remained ambiguous figures in post-war society.⁴⁶ Ultimately, the figure of the victim would displace that of the hero in the popular memory of Alsations' experience in the Second World War.

Vandalism of the memorial and its ramifications

The two monuments in Rammersweier made only sporadic re-entries into the historical record in the years following their dedication. This state of affairs changed overnight in December 1951. The local German populace's relationship with the Alsations' memorials once again came under international scrutiny after one of the monuments was desecrated. Interestingly, the increased focus on the dead men from the Thann region corresponded to another important political development in Baden, similarly to the earlier discovery of the Alsations' bodies around the time of the first *Landtag* elections. On 16 December 1951, the populations of Baden and Württemberg approved an initiative to merge and become the single state of Baden-Württemberg. Two years earlier in 1949, the stage had been set for a gradual increase in West German and local Badenese officials' freedom from outside oversight with the creation of a coordinated Allied High Commission for Germany and the passage of the Basic Law⁴⁷ that provided for the provisional founding of West Germany.⁴⁸ Thus in 1952, the vandalism provided an opportunity for Badenese

authorities to showcase their commitment to democracy. Despite their greater autonomy, local officials would utilise familiar methods to demonstrate both official and popular rejection of the deed.

In discussing the damage to the memorial, local Badenese officials described destroyed flowerbeds, uprooted plants and vases and wreaths thrown into the street and neighbouring fields. Yet the most blatant act of desecration that demonstrated the vandal's premeditation was the dumping of a pile of manure in front of the monument. Even more troubling was the fact that the vandalism occurred in December, on a date that approximated the seven-year anniversary of the Alsatians' executions. The deliberateness of the vandalism caused Badenese authorities to immediately condemn the act as an attempt to sabotage the still fragile Franco-German relationship. On 15 December, an 'atonement ceremony' was held at the restored memorial that was attended by both local and district officials.⁴⁹ German authorities also conducted their investigation with a thoroughness that might otherwise seem disproportionate for an ordinary case of vandalism. Police questioned residents in the surrounding area, checked with their informants, offered a reward of 1,000 DM and went so far as to take a sketch of crime scene footprints to local shoemakers in an effort to uncover any possible leads. In addition to the extensive investigative measures, the police summoned a number of local suspects to check their alibis. These individuals included people who had had confrontations with French occupation authorities or who had reputations of having been 'good National Socialists'.⁵⁰ Despite these efforts, the investigation failed to identify a suspect and was closed on 25 April 1952.

Badenese officials were right to fear the potential international repercussions of the profanation. On 15 December, the mayor of Thann protested to the Governor General in Offenbourg. The mayor's letter clearly articulated the Alsatian perspective that the vandalism had larger ramifications beyond the desecration of a monument. He wrote:

The many difficult and painful episodes from the German occupation are still fresh in our minds, Mr. Governor General. It is needless to say that this recent [defiling and degrading of the monument] has painfully surprised not only the families of the victims, but the entire population. At a time when we sometimes only grudgingly support efforts to realize European unity, such an occurrence is doubly painful.⁵¹

In this light, not only did the vandalism evoke raw memories of the occupation of Alsace, it made the residents of Thann sceptical of the

genuineness of West Germans' repentance for their Nazi past, which in turn caused them to question the possibility of Franco-German reconciliation and the project of European unity as a whole. The mayor closed his letter by demanding that the Bonn government restore the monument to its original condition and punish the guilty with the 'utmost severity'. The local media in Baden reported that the mayor had further appealed to French Foreign Minister Robert Schumann to demand that the Federal Republic undertake a thorough investigation and that the culprit be tried before a *French* court. The article closed by saying that the author trusted that the overwhelming majority of Germans were as indignant as the residents of Thann and hoped that the vandal would soon be found and forced to face *German* justice.⁵²

The vandalism and rumours regarding the surrender of German jurisdiction to French courts did not go unremarked from the German side. It was at this moment that the conflicting German description of the eleven Alsatians as 'family fathers' collided with Alsatian portrayals of the men as members of the Maquis. One concerned German citizen, a certain Theodor A., reminded the Federal Minister of Justice in Bonn that 'In the last war the "Maquis" (Resistance Fighters) for the French were "heroes", while for the Germans they were "guerillas"'.⁵³ Establishing the actual motivations of the Alsatians was of critical importance to German officials and went beyond placating a single disgruntled citizen. The distinction between 'Resister' and 'victim' of Nazism meant the difference between compensation and nothing in West German legislation. This differentiation was in large part motivated by the pressure of West German public opinion that, as represented by Theodor A., resented extending benefits to individuals that had or attempted to cowardly murder German soldiers.⁵⁴ Theodor A.'s letter demonstrates that discussions of the 'legitimacy' of certain categories of victims were occurring at the local level contemporaneously with the passage of such legislative distinctions. More broadly it confirms that post-war West Germans were more willing to recognise and demonstrate their remorse towards certain categories of victims than others.⁵⁵

The close observation of German authorities' and the general populace's reaction to the vandalism and investigation demonstrates that popular participation continued to be perceived as an important yardstick for the sincerity of German remorse. Alsatian newspapers like *L'Alsace* were pleased to report to their readers that the profanation had been met with universal condemnation among German officials and the general population.⁵⁶ The article read:

At a time when on our side of the Rhine many painful memories still make us hesitant to establish a good relationship between the German and French people and collaborate to realize European unity, a deed such as the Rammersweier monument desecration cannot help but elicit a justifiable outrage among us. That this action has elicited disgust on the German side and that the authorities and people have unequivocally distanced themselves from the culprit has been noted with satisfaction.⁵⁷

The reaction of the editors demonstrated that the legacy of bitterness from the German occupation continued to persist and could easily be rekindled, but that the clear and public rejection of the deed by the Badenese authorities and the population left the path open to reconciliation in the future. This statement also closely aligns with a statement that Colonel Huchon made at the dedication of the memorial for the four executed Frenchwomen in 1946: 'France, Germany's neighbor and its victim, could one day shake hands with a Germany that painstakingly recognizes its obvious responsibility for the recent past, has indicated its desire to rectify the damage as far as possible and rebuild the war ravaged countries for a future based on humaneness and morality.'⁵⁸

The study of the events and ceremony surrounding the commemoration of the eleven murdered Alsatians and the later search for the monument's vandal provides an opportunity to examine the moral dimension of *Wiedergutmachung* as it was put into practice over the period from 1947 to 1952. An unmistakable cathartic element was present in contemporary Germans' participation in the public acts of atonement surrounding the commemorations of the Alsatians and the later search for the vandal. Unlike the post-war financial and material reparations, whose actual payment would be the concern of a few select West German government officials, the moral atonement for the crimes of the National Socialist period required the participation of the German populace. Each of the remembrance undertakings surrounding the Alsatians' corpses were part of a broader effort undertaken by Badenese authorities to demonstrate the local populace's rejection of the recent Nazi past and rehabilitation at a moral level. Local officials recognised the symbolic importance of the three incidents and believed that the degree of public participation in the commemoration and investigation would be the measure by which foreign opinion judged the sincerity and depth of German popular support for *Wiedergutmachung*.

Beyond providing opportunities to prove separation and remorse, the bodies of the eleven Alsatians also became the focal point and catalyst for larger debates on post-war patriotic constructions of memory, the feasibility of national reconciliation between

France and Germany and ultimately the viability of European unity. In fact, the passage of time and the community of Rammersweier's continued care of the monuments have facilitated a Franco-German understanding at an individual and communal level. The *Badische Zeitung* described the atmosphere of a joint ceremony involving delegates from Thann and Rammersweier marking the fiftieth anniversary of the executions in 1994 thus: 'No word of accusation and no word about hatred was spoken, in fact they spoke of reconciliation and friendship.'⁵⁹ The sense of resolution conveyed in this quotation does not suggest a lessening of grief of the victims' families, nor does it come at the expense of whitewashing the past. The shared Franco-German acknowledgement of the Alsatians' murders and survivors' pain has worked to perpetuate the memories of the dead and overcome the hatred that motivated the original atrocity and the legacy of bitterness it left in its wake.

Notes

- 1 See R. Bessel, *Germany 1945: From War to Peace* (New York: HarperCollins, 2009), especially ch. 3, 'Murder and Mayhem'.
- 2 See S. Farmer, *Martyred Village: Commemorating the 1944 Massacre at Oradour-sur-Glane* (Berkeley: University of California Press, 1999).
- 3 The mass grave of the Alsatians was the second of its kind discovered in the area outside Rammersweier. In December 1945, the bodies of four Frenchwomen who had been executed as members of the French Resistance had been discovered in the neighbouring forest. The women had been killed at the same time, in the same manner and in nearly the same place as the Alsatian men by members of the Offenburg Gestapo. The form of their memorialisation is a point of commemorative comparison for the Alsatians that will be periodically referenced.
- 4 During the Second World War approximately 130,000 Alsace-Lorrainers were forcibly conscripted or joined the *Wehrmacht* and SS. Most of these individuals were dispersed in units across the Eastern Front. See J. Jackson, *France: The Dark Years, 1940–1944* (Oxford: Oxford University Press, 2001), pp. 247–8.
- 5 'Verordnung über Massnahmen gegen Wehrpflichtentziehung vom 1. Oktober 1943; *Verordnungsblatt des Chef der Zivilverwaltung im Elsass* Nr. 21, 13 October 1943, R 43 II 1334a, Bundesarchiv Berlin-Lichterfelde.
- 6 P. Lagrou, *The Legacy of Nazi Occupation: Patriotic Memory and National Recovery in Western Europe, 1945–1965* (Cambridge: Cambridge University Press, 2000). Lagrou argues that an exaggerated conception of a society-wide resistance to Nazi occupation was utilised by France and other Western European countries to justify their participation in post-war European and international politics.

- 7 C. Goschler, *Wiedergutmachung: Westdeutschland und die Verfolgten des Nationalsozialismus (1945–1954)* (Munich: R. Oldenbourg Verlag, 1992), pp. 12–13.
- 8 For a study of the way in which West German leaders approached the memory of the Nazi past in the years immediately following the Second World War, see J. K. Olick, *In the House of the Hangman: The Agonies of German Defeat, 1943–1949* (Chicago: University of Chicago Press, 2005).
- 9 Quoted in J. Herf, *Divided Memory: The Nazi Past in the Two Germanys* (Cambridge, MA: Harvard University Press, 1997), p. 282.
- 10 Lagrou, *The Legacy of Nazi Occupation*, pp. 279–80.
- 11 *Vergangenheitspolitik* or ‘politics of the past’ refers to West German political leaders’ approach to the memory and legacies of the recent National Socialist period. Political parties were divided on the issue. The Christian Democratic Union (CDU) led by Konrad Adenauer focused on reintegrating and reconciling former Nazis to the democratic West German government at the expense of confronting Germans’ roles in the Third Reich and justice for its victims. The Social Democratic Party (SPD), on the other hand, led by Kurt Schumacher advocated a direct confrontation with the Nazi past. See Herf, *Divided Memory*, pp. 240–61 and 267–72.
- 12 Jeffrey Herf and Robert G. Moeller examine the combination of moral obligation and self-interest that motivated the West German government’s indemnification efforts. See Herf, *Divided Memory*; R. G. Moeller, ‘Remembering the war in a nation of victims: West German pasts in the 1950s’, in H. Schissler (ed.), *The Miracle Years: A Cultural History of West Germany, 1949–1968* (Princeton, NJ: Princeton University Press, 2001), pp. 83–109. Norbert Frei provides an in-depth examination of the political-legal elements of Adenauer’s ‘politics of the past’ that sought to amnesty and integrate former supporters of National Socialism and separate the now West Germans from their Nazi past. See N. Frei, *Adenauer’s Germany and the Nazi Past: The Politics of Amnesty and Integration* (trans. J. Golb) (New York: Columbia University Press, 2002); Michael L. Hughes studies the manner in which West Germans internally dealt with the political and economic debts and legacies of National Socialism in his investigation of the post-war *Lastenausgleich* (‘balancing out of burdens’) movement. See M. L. Hughes, *Shouldering the Burdens of Defeat: West Germany and the Reconstruction of Social Justice* (Chapel Hill: University of North Carolina Press, 1999).
- 13 F. R. Willis, *The French in Germany, 1945–1949* (Stanford, CA: Stanford University Press, 1962), pp. 45–6, 91.
- 14 *Ibid.*, pp. 190–218.
- 15 See Herf, *Divided Memory*; Moeller, ‘Remembering the war in a nation of victims’.
- 16 See K. Jarausch, *After Hitler: Recivilizing Germans, 1945–1995* (trans. B. Hunziker) (Oxford: Oxford University Press, 2006).
- 17 ‘Gestapo Mordtat bei Rammersweier’, *Ortenauer Zeitung*, 6 May 1947. C 15/1 Nr. 497 Landesarchiv Baden-Württemberg Staatsarchiv Freiburg (hereafter StA Freiburg).

- 18 Ibid.
- 19 Ibid.
- 20 Frei, *Adenauer's Germany and the Nazi Past*, p. 311; see also R. G. Moeller, *War Stories: The Search for a Usable Past in the Federal Republic of Germany* (Berkeley: University of California Press, 2003). Constructing their memory of the National Socialist period in this light allowed West Germans to portray themselves as seduced, 'unwilling' participants who would be made victims over the course of the war and in its aftermath.
- 21 'Gestapo Mordtat bei Rammersweier', *Ortenauer Zeitung*. C 15/1 Nr. 497, StA Freiburg.
- 22 Bessel, *Germany 1945*, p. 6.
- 23 Olick, *In the House of the Hangman*, pp. 97–8.
- 24 Kreisdelegierte Robert to Landrat von Offenburg Dr. Joachim, 2 May 1947. C 15/1 Nr. 497, StA Freiburg.
- 25 C. Weizenecker, 'Elf elsäßische Widerstandskämpfer wurden 1944 in Rammersweier hingerichtet. Todesschüsse in eisiger Kälte', *Badische Zeitung*, Nr. 168, 23 July 1994. 12 Stadt Offenburg 122–06 Rammersweier/1, Stadtarchiv Offenburg (hereafter StadtA Offenburg).
- 26 C. Weizenecker, 'Ein "Vaterunser" über die Grenzen hinweg', *Badische Zeitung*, Nr. 283, 8 December 1994. 12 Stadt Offenburg 122–06 Rammersweier/2, StadtA Offenburg. At least one of the daughters of the murdered men brought this photo of her father's corpse to the on-site ceremony commemorating the fiftieth anniversary of the men's executions. The article described the picture as the daughter's only real memory of her father. I have not found any other mention of a post-mortem investigation.
- 27 Robert to Joachim, 2 May 1947. C 15/1 Nr. 497, StA Freiburg.
- 28 Willis, *The French in Germany*, pp. 190–218.
- 29 The archival record does not suggest that the participation of the local inhabitants in the memorial ceremonies was coerced. See 'Gestapo Mordtat bei Rammersweier', *Ortenauer Zeitung*, 6 May 1947. C 15/1 Nr. 497, StA Freiburg.
- 30 'Die feierliche Beisetzung der Gestapo-Opfer', *Ortenauer Zeitung*, 13 May 1947. 12 Stadt Offenburg 122 Ortsteile, 122–06 Rammersweier 1, StadtA Offenburg.
- 31 Memorial Invitation, OG-Gen3-464, Kreisarchiv Offenburg (hereafter KA Offenburg).
- 32 Aktennotiz, 10 November 1947. OG-Gen3-464, KA Offenburg.
- 33 Kreisdelegierte Robert to Landrat von Offenburg Dr. Joachim, 12 May 1947. OG-Gen3-464, KA Offenburg.
- 34 'Kurze Inhaltsangabe der Ansprache, welche der Delegierte für den Kreis Offenburg am 19.6.46 bei der Einweihung des Denkmals für die vier Französinen gehalten hat'. OG-Gen3-464, KA Offenburg.
- 35 Ibid.
- 36 For a discussion of evolving German memorialisation practices, see M. Lurz, *Kriegerdenkmäler in Deutschland*, vols 1–6 (Heidelberg: Esprint Verlag, 1985–87).
- 37 The satisfaction of French authorities with the local official response is evident in a note sent by Huchon following the dedication. Huchon

spoke directly to the *Landrat* and thanked him for ‘the understanding and good will that we have seen in your subordinates and yourself in the edification of this monument of piety and reparation.’ It is reasonable to assume that having demonstrated an appropriate willingness to work with French officials in 1946, Badenese authorities would continue their cooperation less than a year later when the bodies of the eleven Alsations were discovered. See Lieutenant-Colonel Huchon to Monsieur le Landrat d’Offenbourg, 27 June 1946. OG-Gen3-464, KA Offenburg.

- 38 See L. Boswell, ‘From liberation to purge trials in the “mythic provinces”: recasting French identities in Alsace and Lorraine, 1918–1920’, *French Historical Studies*, 23:1 (2000), 129–62.
- 39 ‘Gestapo Mordtat bei Rammersweier’, *Ortenauer Zeitung*, 6 May 1947. C 15/1 Nr. 497, StA Freiburg.
- 40 ‘Die Aufdeckung des Thanner Maquis-Lagers im Spiegel authentischer Gestapo Berichte’, *L’Alsace*, 11 November 1947, StadtA Offenburg; *L’Alsace* was written in German. Although in general Alsations politically leaned towards France, they culturally and linguistically were oriented towards Germany. For example, in 1918 only 3.8 per cent of the population of the Lower Rhine and 6.1 per cent of the Upper Rhine spoke French. See C. Fischer, *Alsace to the Alsations?: Visions and Divisions of Alsatian Regionalism, 1870–1939* (Oxford: Berghahn Books, 2010), p. 135.
- 41 ‘Die tragische Bilanz des Maquis in Thann – Alt-Thann. Von 31 Verhafteten sind 17 tot, davon 11 ermordert, 3 vermisst und nur 11 sind ins Heim zurückgekehrt’, *L’Alsace* [probably August 1947], StadtA Offenburg.
- 42 ‘Die sterblichen Überreste der Maquisards wurden gestern nach Thann überführt’, *L’Alsace*, 14 November 1947, StadtA Offenburg.
- 43 For a discussion of the contested politics of memory in France following the Second World War, see G. Namer, *La commémoration en France de 1945 à nos jours* (Paris: Editions L’Harmattan, 1987), especially ‘La commémoration’, pp. 143–62.
- 44 Lagrou, *The Legacy of Nazi Occupation*, p. 2.
- 45 *Ibid.*, pp. 26, 266.
- 46 See Farmer, *Martyred Village*, especially ch. 5, ‘The Bordeaux trial’.
- 47 L. D. Clay, *Decision in Germany* (Garden City, NY: Doubleday & Company, 1950), pp. 421, 436. The Basic Law established a democratic government with an independent judiciary system and guaranteed individual rights and freedoms.
- 48 *Ibid.*, p. 428. An Occupation Statute governed the authority of the Commission. Clay records that ‘It [the Occupation Statute] conveyed full legislative, executive, and judicial powers to the federal state and the participating states except in the fields of disarmament and demilitarization; international controls such as the Ruhr authority; foreign affairs; displaced persons; protection, prestige, and security of Allied forces; respect for the Basic Law; control over foreign exchange and over internal actions which would increase external

financial assistance; and control of prisoners confined by the occupying authorities.'

- 49 *L'Alsace*, 15 January 1952. C 20/1 Nr. 680, StA Freiburg. The article related that the ceremony took place 'with the agreement' of the military administration.
- 50 Report from the Oberstaatsanwalt bei dem Landgericht Offenburg to the Bad. Ministerium der Justiz, 28 December 1951. C 20/1 Nr. 680, StA Freiburg.
- 51 Mayor of Thann to the Governor General in Offenburg, 15 December 1951. R.2.016, Centre des Archives diplomatiques de La Courneuve.
- 52 'Protest aus Thann', *Badische Zeitung*, 20 December 1951, Nr. 198. C 20/1 Nr. 680, StA Freiburg.
- 53 Theodor A. to Bundesjustizminister in Bonn, 20 December 1951. C 20/1 Nr. 680, StA Freiburg.
- 54 Lagrou, *The Legacy of Nazi Occupation*, pp. 279–80. Lagrou also observes 'the claim of resistance fighters to be assimilated with soldiers of the regular army, both during and after the war, invalidated all legal claims for reparation payments, since they should in consequence, and despite the particular conditions of their detention, be considered PoWs for whom international law never foresaw reparation.'
- 55 See Goschler, *Wiedergutmachung*.
- 56 *L'Alsace*, 15 January 1952. C 20/1 Nr. 680, StA Freiburg. The article specifically mentioned that the president of South Baden, Leo Wohleb, had personally written to the French *Landeskommissar* Pierre Pène expressing his disgust at the act and that both local state and city officials participated in the rededication 'atonement' ceremony.
- 57 *Ibid.*
- 58 'Kurze Inhaltsangabe der Ansprache, welche der Delegierte für den Kreis Offenburg am 19.6.46 bei der Einweihung des Denkmals für die vier Französischen gehalten hat'. OG-Gen3-464, KA Offenburg.
- 59 'Die Erinnerung schmerzt noch immer: Gedenkfeier auf dem Thalebuckel für elf 1944 ermordete elsässische Widerstandskämpfer', *Badische Zeitung* 284, 8 December 2010. 12 Stadt Offenburg 122 Ortsteile, 122–06 Rammersweier/2, StadtA Offenburg.

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‘Earth conceal not my blood’: forensic and archaeological approaches to locating the remains of Holocaust victims

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Introduction

‘Earth conceal not my blood’. It is this statement with which every visitor to Sobibór in Poland was confronted as they entered the memorial site marking the former Nazi extermination camp that existed there from April 1942 to October 1943.¹ This echoed the biblical statement in the Book of Job, in which Job pleads ‘O earth, cover not thou my blood, and let my cry have no resting place.’² Although this line has received different interpretations, one assumption is that Job is calling for justice; he believes that if blood is covered, murderers will not be called to account for the crimes they have perpetrated and innocent victims will be forgotten. At Sobibór, the statement seems to have been used in a similar way. Here we see the human body used as a means to ask visitors to remember the crimes committed there and to never forget those who perished during the Holocaust.

The perception of graves and corpses as evidence of Nazi crimes, and as proof of life, was not only a post-war phenomenon. During the Holocaust, attempts were made by victims and witnesses to alert the wider world to the crimes being perpetrated by burying or hiding physical evidence. For example, speaking about Treblinka extermination camp, survivor Abraham Goldfarb stated: ‘we secretly placed in the walls of the graves whole skeletons and we wrote on scraps of paper what the Germans were doing at Treblinka ... if one

day someone looked for the traces of the Nazis' crimes, they could indeed be found'.³ Many testimonies like this one also suggest that the victims and witnesses of these atrocities expected searches for the victims to be carried out in the aftermath of conflict.

However, despite these sentiments, the earth continues to conceal the remains of those killed at places like Sobibór and Treblinka. Although the existence of post-war legal trials, historical enquiries and images in the media lead us to believe that the events of the Holocaust are well known, there have actually been very few investigations throughout Europe that have sought to locate burial sites and the remains of Holocaust victims in the years since the Second World War. Of those searches that have been undertaken, few have drawn upon techniques now commonly used by forensic practitioners and archaeologists during investigations of the recent and distant past. Additionally, many of those who have attempted to examine human remains of Holocaust victims have had limitations placed upon their work.⁴ Consequently, questions still remain about the fates of many victims and what exactly happened to their remains. Thousands of burial sites are still unlocated and unmarked.

This situation presents something of a paradox: why do corpses form a central part of Holocaust iconography and yet remain elusive in the physical sense? Why have large-scale searches for Holocaust victims not been carried out? How is it possible that the remains of so many people have not been found? How might we go about finding them in the future? Through the presentation of a case study from the author's own research, this chapter will consider these questions and highlight the challenges that archaeologists will likely face should they choose to investigate Holocaust sites in the future. It will be shown how, provided these challenges are addressed, it will be possible to locate previously unmarked sites, characterise burial environments, examine human remains and shed new light on practices of killing and body disposal.

An evidence paradox

Millions of people are known to have died during the Holocaust. The remains of some have been found, but the remains of the majority have not. Only a handful of investigations have been carried out at Holocaust sites by archaeologists, the majority in the last decade, but few have included the search for graves.⁵ For the most part, archaeologists have focused on recording the structural remains of the

camp. Recent examples include work at Sobibór, Sachsenhausen, Mauthausen, Semlin, Westerbork, Amersfoort, Falstad and in the Channel Islands. Conversely, over the last forty years, forensic archaeologists and anthropologists have played a central role in investigations of crimes against humanity elsewhere in relation to the detection and analysis of clandestine burials and body deposition sites. Responses to genocide and mass violence in Argentina, the former Yugoslavia, Kosovo, Rwanda and Iraq in particular have seen the development of sophisticated search and recovery methodologies.⁶ The evidence collected and examined by forensic archaeologists and anthropologists has been used in court to ensure that perpetrators are held accountable and in a humanitarian context in order to satisfy the needs of families and friends of victims wishing to know the fate of their loved ones. Likewise, in some countries (such as the Netherlands, the United Kingdom and the United States), forensic archaeologists and anthropologists are now regularly employed to assist the police in the detection and recovery of clandestine burials in domestic missing persons cases.⁷ Therefore, well-established protocols now exist for investigations where victims' bodies have been disposed of illicitly.

There are a number of complex reasons why the response to the Holocaust has been quite different. Some relate to the attempts by the perpetrators to hide their crimes, others to the effects of time. These are discussed in more detail in the context of the case study provided below (see section 'Treblinka extermination and labour camps, Poland'). In general terms, when the various narratives of the Holocaust and the sensitivities that surround this period are examined, it becomes immediately clear that many of the reasons why large-scale searches for Holocaust victims have not been carried out relate to the ways in which corpses have been perceived by individuals, groups and societies. These key reasons will be summarised here in order to highlight some of the main challenges that archaeologists may face in the course of their work in the future. A comprehensive overview of these and other issues is also provided in the author's previous work.⁸

Previous investigations

The sheer scale of the crimes perpetrated by the Nazis is one reason why corpses came to form such a central part of Holocaust iconography, in that the landscape of Europe was literally littered with traces of mass violence both during and after the Second World War.

Therefore, in some places, it was not deemed necessary to search for the remains of victims since many could easily be found. For example, in camps like Auschwitz-Birkenau, Bergen-Belsen, Ohrdruf and Dachau, the liberators were faced with thousands of bodies that had not been buried by the perpetrators and, as such, they were faced with the huge task of burying them. These burials were carried out quickly in light of the need to provide a suitable place to prevent the spread of disease and to limit the trauma faced by survivors.⁹ Throughout Germany in particular, it was common practice for perpetrators, people deemed to have an association with the Third Reich and local communities to be forced to bury the corpses.¹⁰ This took place at Dachau, Buchenwald, Nordhausen and Namerling, and local people were forced to view the corpses, which were laid out in the camp grounds at the request of the American liberating forces.¹¹ In many towns and villages, communities searched for the dead and funerary scenes were common sights in the places where the Nazis had carried out massacres of the local population. Some of these sites were marked but others were not.

The scale of the crimes perpetrated during the Holocaust is also a reason why relatively few searches have been carried out; the logistics and finance required to undertake such operations was beyond the capabilities of the nations involved at the time and has remained so since. Therefore, investigations undertaken after the war occurred for very specific reasons and the treatment of corpses thus varied depending on local circumstances.

At some sites, corpses were not being inhumed but rather exhumed in an attempt to document the Nazis' crimes. A number of medico-legal investigations were conducted in the immediate aftermath of liberation or after the end of the Second World War with the intention of locating mass graves and other body deposition sites.¹² The majority of these investigations were focused on verification of the fact that graves existed rather than on their detailed investigation. At the extermination camps at Auschwitz-Birkenau, Sobibór, Bełżec, Chełmno and Treblinka, as well as at most individual killing sites across Europe, it appears (from post-war reports) that it was not the intention to locate all graves and full exhumations were not carried out. Searches were also not geared towards the identification of victims but rather documenting for the courts, so far as was necessary, evidence that a crime had occurred and what had happened at a particular place in general terms. The presence and condition of bodies began to be used in criminal tribunals such as Nuremberg in order to attest to the brutality of Nazi crimes.¹³

As time went on, in many places the perceptions of corpses also changed so that they went from being something that should be seen (for example, as a reminder and a form of evidence) to something that should be buried and remain undisturbed. Crime scenes became memorial spaces and lines were drawn under criminal investigations. This of course happened at different times throughout Europe, depending upon the political and social climate in any given country. In other places, the desire to search for the victims of the Holocaust never went away but was rather suppressed by politics or ongoing social tensions.¹⁴ Consequently, current attitudes towards human remains can sometimes be a reflection of the complex post-war histories and cultural memory connected to a site.¹⁵

In the years since the end of the Second World War, a few exhumations have taken place at Holocaust sites for the purpose of providing evidence in legal investigations.¹⁶ In some countries – such as Germany and Poland – the crimes perpetrated during the Holocaust could still potentially become part of a legal investigation since the statute of limitations on the investigation of war crimes has not passed or does not exist.¹⁷ However, in recent years, human remains from Holocaust sites have been most commonly recovered when they have been discovered serendipitously (for example, in the course of building work) rather than as a result of proactive searches organised in either a legal or humanitarian context.¹⁸ Rarely have there been searches that have sought to exhume Holocaust victims for humanitarian reasons and rarely has it been possible to identify victims in the absence of ante-mortem information about missing persons. As the Holocaust continues to sit between history and memory – between a legal/forensic context and an archaeological one – it is likely that the role of corpses in searches and Holocaust narratives will continue to vary.

Popular perceptions

The deaths and disposals that occurred during the Holocaust resulted in very public and an abnormally high number of interactions between the dead and the living, both at the time and in its aftermath. Many of these interactions were consequently documented by witnesses or were photographed, filmed and broadcast by the media.¹⁹ Thus in addition to the materials generated during war crimes trials, after the war sources emerged that further illustrated the nature of the Nazis' crimes; hence, corpses became a central

part of Holocaust iconography. In the secondary literature that followed, the gas chambers, the crematoria, mass graves and execution sites (as the places where these mass killings and body disposals occurred) have continued to be what defines the Holocaust in public consciousness.²⁰

The prevalence of corpses in Holocaust narratives and the openness with which they were presented in the public realm has undoubtedly contributed to the limited number of investigations aimed at locating victims' remains and appears to have created the mistaken perception that everything is known about the Holocaust. In the author's experience, there is often the belief that the majority of victims have either been found or that the Nazis were successful in totally obliterating all traces of their crimes, and as such it is not possible to find victims' remains.²¹ However, neither is true and, as will be demonstrated later in this chapter, forensic and archaeological approaches have the potential to reveal a considerable amount of new evidence and locate body disposal sites.

Sensitivities

There are also many reasons why large-scale searches for the remains of Holocaust victims have not been carried out that relate to the sensitivities that have surrounded and continue to surround this period of history. It is unquestionable that corpses were symbols of suffering during the Holocaust and since. Although many communities engaged in prodigious searches, exhumations and reburials in the immediate post-war period, for many people, corpses became something to forget, something to cover up quickly and something that should remain buried, physically and metaphorically. Some people did not, and do not, want sites to be excavated because this would bring physical evidence to the fore that is deemed too painful – thus by default they are opposed to archaeological and forensic investigations that seek to recover remains.²² In some countries, politics, the potential for scandals around blame and collaboration, ongoing friction, anti-Semitism and marginalisation of minority groups offer just some of the possible explanations as to why searches have not been carried out. Some communities have not encouraged or supported investigations because they are content with the information they have about a particular place. When memorials already exist, some people may question why it is necessary to revisit these places, to disturb them and to revive painful memories.²³ Elsewhere, it may

be a failure to feel a connection to the history of the Holocaust that has resulted in a lack of interest in locating graves.²⁴ Investigations of Holocaust sites have been carried out in other places as a way of confronting tensions that still remain and as a way of dealing with the past.²⁵ In some cases, exhumations have deliberately or inadvertently led to the resurfacing of old rivalries (for example, in the former Yugoslavia).

Religion

Of all the reasons that have affected whether searches for corpses of Holocaust victims have been carried out, it is perhaps religion that has been the most influential. Exhumations were carried out in some places in the immediate aftermath of the Holocaust in order to provide victims with a proper burial, in accordance with their beliefs. Most commonly, this was undertaken in relation to the bodies of Christian victims. In the years since, when remains have been deemed to be under threat from natural or artificial landscape change, they have also been exhumed and reburied elsewhere, as in the case of a grave near Bełżec that was in danger of falling off a cliff and a recent case in Dobrzyn Nad Wisla, Poland, where human remains emerged on a riverbank as a result of erosion.²⁶

However, the reason that the majority of Holocaust graves have not been exhumed or located relates to the fact that they contain the remains of Jewish victims. When a review of previous investigations is undertaken it becomes apparent that, in most cases, Jewish law (Halacha) has led to searches being forbidden, restricted or incomplete.²⁷ Despite the complexities of Jewish law (see David Deutsch's chapter in this volume), in essence it stipulates that the body of a deceased person is tied to a soul and, therefore, to disturb a grave is to disturb a soul.²⁸ There are certain exclusions to this rule, for example if remains are under threat or if they have been scattered rather than buried within a grave.²⁹ However, in the absence of suitable non-invasive methods in the past, the graves of millions of Jewish victims have remained unlocated. The scientific analysis of remains is also forbidden; thus in the absence of DNA and osteological analysis, Jewish victims cannot be identified.³⁰ It should be noted though that different rabbinical authorities and Jewish communities have different opinions about the disturbance of human remains and so the degree of opposition to proposed excavations will vary in different countries and in relation to different sites. For

example, exhumations of the remains of Jewish victims have been permitted in several cases in Austria and some rabbis have argued that mass graves of the Holocaust should be treated differently from other Jewish burials.³¹ Evidently, victims are on an unequal footing in terms of the potential to be found, identified and buried in a marked grave, even within the same religious group. Additionally, there have been temporal variations in the treatment of Jewish victims. For example, in the immediate aftermath of the Holocaust, rabbis in many countries interpreted Jewish law more liberally in order to facilitate the exhumation and reburial of corpses buried in mass graves, but as time passed there has been a greater consensus to let the dead rest where they lie.

Conflicting religious beliefs at the same site must also be considered. The Nazis murdered people from a variety of faiths and cultures and buried them within the same grave. Thousands of Roma and Sinti people were killed during the Holocaust but there have not been dedicated efforts to find their remains. This is likely due to the fact that many Roma and Sinti people believe that graves are something to be feared (as the dead have the potential to haunt these places) and so they believe they should be left undisturbed.³² Conversely, as already noted, there is a Christian belief in the right to a proper burial with appropriate funeral rites.³³ Some non-Orthodox Jews believe that the remains of victims should be found and buried in accordance with Halachic law, while hidden messages from victims (as discussed above) indicate the same desire. It may be unclear whether victims actually practised the religion by which they were identified by the Nazis. Differentiating between corpses belonging to people from these various groups may also be difficult, if not impossible, when excavation is undertaken. Thus the result is a very complex situation with a number of different opinions potentially existing in relation to the same graves.³⁴ In the past, these issues have caused a number of problems for archaeologists seeking to undertake exhumations and work has been opposed, prevented and criticised. Examples include the archaeological investigations at Bełżec extermination camp in Poland in the 1990s³⁵ and, more recently, at a killing site in Iași in Romania.³⁶

Addressing challenges

In light of the above discussion, it would seem that there is something of a dichotomy between the investigation of the Holocaust

and archaeology/forensic investigation. Standard archaeological methodologies, centred on excavation, may not always be appropriate and may not be permitted, depending on the context in which searches are proposed. Practitioners may find themselves facing opposition because of the perceptions of archaeological and forensic investigations. Religion and the law may be at odds. The fact that the Holocaust remains within living memory can make the investigation of the physical evidence extremely sensitive; thus even describing the remains as archaeological may be deemed offensive. Archaeologists in particular may also face the added challenge of trying to demonstrate why fieldwork is necessary and what it may reveal, because of the aforementioned popular perceptions that human remains will not survive.

However, archaeological and forensic searches can be undertaken effectively provided these issues and sensitivities are taken into consideration. This is illustrated below through a case study from the author's own research.

Treblinka extermination and labour camps, Poland

Historical background

In an area of remote forest, north-east of Warsaw in Poland, there now exists the Museum of Struggle and Martyrdom in Treblinka and an accompanying memorial site that commemorates the Nazi extermination and labour camps that existed there. The camps claimed the lives of between 800,000 and 1,000,000 people mostly Jews through a combination of systematic murder (carried out at the extermination camp and at an execution site where people from the labour camp were routinely shot), death through work and poor living conditions.³⁷ The extermination camp was only open for thirteen months, between the end of July 1942 and August 1943, but here a complex of gas chambers, killing sites, mass graves and cremation pyres was developed in order to efficiently 'process' victims in an industrialised fashion.³⁸ Although in reality the camp was chaotic, people could be taken from the reception area of the camp and killed in the gas chambers within fifteen minutes.³⁹ The story of the labour camp is less well known but a combination of poor living conditions, forced labour and executions resulted in the deaths of around 10,000 victims, including Polish political prisoners, Jews and Roma and Sinti.⁴⁰ This camp was located approximately 2 km south of the



Figure 7.1 Location of the extermination and labour camps at Treblinka

extermination camp (Figure 7.1). The survival rate in both camps was very low and, as a result, only a small body of historical evidence attests to the crimes perpetrated. In 2007, when archaeological and historical research was initiated, a number of key questions still remained concerning the layout of the camps and the whereabouts of the bodies of the victims killed there.

Methodological challenges

Despite the scale and significance of the crimes perpetrated at Treblinka, the former camp area had not been examined since the mid-1940s. Even then, the investigation that took place was only cursory; the examination of the extermination and labour camps (which cover an area of approximately 4 km²) by a Polish investigative team lasted only five days.⁴¹ Shallow excavations were carried out in a small number of areas and, although human remains and other evidence were observed, they were not thoroughly examined. The remains found were disarticulated, scattered and dismissed as

insignificant. Soviet investigations were equally brief. As a result, the common perception is that the Nazis succeeded in completely obliterating all traces of their crimes in Treblinka.⁴²

Therefore, prior to commencing a new programme of forensic and archaeological research at Treblinka, it was important to consider why no further searches had been carried out for over sixty years. It was also necessary to consider how the site had changed in the years since and what issues needed to be borne in mind when designing and implementing fieldwork methodologies. The key issues are discussed below. Although they are presented here in the context of the work undertaken at Treblinka, in the author's experience they are relevant to the investigation of other Holocaust sites. Likewise the issues discussed in the section above were also central considerations during the work here.

Landscape change and current site appearance

The landscape of the former camps at Treblinka is vast (approximately 4 km²) and there were no adequate wartime plans of the area. The extermination camp was abandoned by the Nazis in 1943 (almost two years before the camp was liberated), and it was not protected until it was levelled to create a memorial in the 1960s. No obvious visible remains survive above the ground. By contrast, at the labour camp the foundations of the majority of the structures survive above the ground and some mass graves are marked (see below). Trees have been planted across much of the former extermination and labour camp areas in the years since the war, thus preventing the use of certain survey techniques (see section titled 'Developing a unique approach', below). Both sites have also been subject to looting since the end of the war by people looking for valuable personal effects. When examining sites like Treblinka, it is important to evaluate and document the physical changes that have accompanied the different phases of use in order to select appropriate search techniques and in order to distinguish between contemporary and more recent disturbances.

Post-war investigations

As noted above, a limited number of investigations took place at Treblinka in the post-war period and it became apparent through the author's research that there was, therefore, a belief that all evidence had been already found.⁴³ This trend has been observed by the

author at other Holocaust sites throughout Europe where post-war investigations were carried out. Similarly, as noted above, post-war investigators were often dismissive of certain types of evidence: for example, foundations, wooden posts, fences and scattered objects. This has led to a number of popular perceptions concerning the apparent absence of mass graves within the extermination camp area. It simply would not have been possible for the post-war investigators to have fully examined the site in the short amount of time they spent there. At the execution site close to the labour camp, forty mass graves were reportedly examined by the investigators, but the accuracy of their observations is unclear. It was also apparent from an examination of the investigators' reports that the bodies were not subject to detailed forms of analysis and it was not clear whether all graves had been found.

It is of course easy to be judgemental of the approach taken by this team. However, the Holocaust was unprecedented, as were the legal proceedings that followed, and there were no advanced methods available at that time for the examination of large numbers of corpses or the environment in which they were located. The fact that the remains at Treblinka have not been disturbed by further investigations in the last seventy years actually implies that a considerable amount of evidence would have survived that could be examined using the advanced methods now available to forensic archaeologists and anthropologists.

Religious beliefs

Jews, Christians and Roma and Sinti (of different faiths) were all killed at Treblinka. Historical research indicates that the majority of victims killed in the extermination camp were Jews from all over Europe, while both Polish Catholics and Jews were killed in the labour camp. The same research also revealed that unidentified mass graves and scattered remains were likely to exist at both sites. Therefore, all of these different religious beliefs needed to be taken into account when deciding how to search for the remains of the victims. It was immediately apparent that different approaches were needed for each area since these different groups have different opinions on death and burial.⁴⁴ Consultations were initiated with religious leaders, the museum authorities, the Conservator of Monuments for the region and the Institute of National Remembrance in Warsaw. The Jewish community did not want the mass graves at the extermination camp to be disturbed and so it was agreed that no excavation

would be undertaken in these areas. However, the Chief Rabbi of Poland, drawing on advice from others and Jewish law, decided that the recovery and reburial of scattered remains located in the course of excavations of structural remains would be permitted. There was also a consensus among the parties that the mass graves at the labour camp should be located via minimally invasive excavations but that the remains should be left *in situ*. This was consistent with the approach taken with regard to the marked mass graves that were examined after the war.

Common perceptions

A number of popular perceptions existed in relation to Treblinka with regard to the ways in which the Nazis attempted to hide their crimes, the conditions of the corpses and the destruction of the physical evidence in the post-war years. In summary, many publications (academic and in the popular press) state that very little physical evidence survived.⁴⁵ Thus some people (historians in particular) were initially sceptical about the value of carrying out archaeological investigations.

However, to assume that all traces of corpses were removed at a site without thorough research and in-field investigation is to overlook the complex nature of Nazi body disposal practices. A significant amount of evidence exists that demonstrates that not all of the corpses of Holocaust victims were treated in the same way. This issue has been discussed at length elsewhere: in short, very few of the practices employed to destroy the traces of corpses would have resulted in their complete destruction.⁴⁶ For example, the majority of Holocaust victims across Europe were buried in mass graves, a practice that continued even after the order was given to exhume and cremate bodies.⁴⁷ Similarly, upon the cremation of bodies, very few corpses would have been reduced to ashes and, as such, these remains may still be detectable.⁴⁸ This was demonstrated during archaeological work at Bełżec and a considerable body of evidence existed prior to archaeological work at Treblinka suggesting that this was also the case there.⁴⁹

Condition of the remains

When historical research was undertaken by the author, although it became apparent that the aforementioned popular perceptions were likely inaccurate, it was evident that the Nazis had gone to great

lengths to hide the evidence of their crimes.⁵⁰ It was noted that while some of the victims were buried in mass graves, others were cremated. Some cremated remains were reportedly also buried in pits while others were scattered across the fields. Some of the remains of victims initially buried in mass graves were also reportedly exhumed and burnt. It was therefore anticipated that the remains of the victims may be very difficult to find and that different approaches would be required in order to detect the various types of interments.

Stakeholders

As noted above, before work at Treblinka could proceed, formal permissions needed to be obtained from religious leaders, the museum authorities and the Conservator of Monuments. A consensus among all parties was also required. Through regular communication and open discussion, acquisition of these permissions was a relatively smooth, albeit lengthy, process. Granting of permission was subject to a commitment on the part of the archaeological team to carry out the work according to a pre-agreed methodology and reporting schedule with ethical standards and timescales.

Developing a unique approach

As a result of these issues, the landscape of Treblinka could not simply be examined using a conventional archaeological approach. The unique nature of the physical evidence at the site and the political, religious and ethical considerations that surround it meant that an equally unique approach was required for its investigation. This was particularly true of the human remains that were thought to be present and which had remained hidden for almost seventy years.

A variety of techniques are now available that offer the possibility to take a much broader approach to the analysis of landscapes of the Holocaust, and many of these techniques were employed at Treblinka between 2010 and 2015 by a team under the direction of the author.⁵¹ Through a combination of desk-based research and in-field survey, it was possible to locate and characterise burial sites and the context in which they lie. By reviewing witness testimonies and documentary and photographic evidence and drawings, it was possible to re-evaluate the location and form of mass and individual graves, and the killing sites to which they relate. Primary witness interviews were undertaken where possible and this elicited information of direct relevance to the search for human remains, some

of which had not previously been recalled by survivors. The detailed examination of historical maps, dating from before graves were dug through to the present day, helped build site histories. This assisted in the identification of possible burial locations and highlighted how the landscape had been modified over time.⁵² This was accompanied by similar regressions of aerial and satellite imagery.

Moving on to in-field investigation, other forms of remote sensing techniques proved fruitful. A drone survey was undertaken that captured up-to-date images from the air.⁵³ A LiDAR survey was also carried out. This technique emits multiple laser pulses from a laser scanner mounted on an aircraft, and the return of these pulses can be measured in order to determine the elevations of the ground, structures, vegetation and anything else with which they come into contact.⁵⁴ This elevation data can then be used to produce three-dimensional digital terrain models, and tree and vegetation cover can be removed from the image, revealing a site's bare earth. Vegetation change and other evidence of ground disturbance, such as depressions and mounds, indicative of buried remains can then be observed. As graves often exhibit such indicators a long time after creation, detecting these changes can be extremely useful; this has been proven repeatedly in a forensic context and now also at Treblinka.⁵⁵ Recent developments in forensic archaeology also provided new ways of examining graves in terms of what they can reveal about offender behaviour and processes of inhumation.⁵⁶ Even without excavation, it was possible to access these because the overall length, width and shape of the graves was recorded during the LiDAR survey and using a combination of other measured survey methods such as Differential Kinematic GPS and Total Station survey.⁵⁷

In order to establish the depth, geophysical survey methods were required.⁵⁸ There are a number of geophysical survey methods available that measure different properties of the soil and materials buried within it, highlighting the contrast between them and any signs of ground disturbance. The most common methods used in archaeological surveys are Ground Penetrating Radar (GPR), resistance survey and magnetometry. These techniques do not find 'bodies' but rather 'anomalies'. Therefore, the results generated must be compared to information derived from desk-based and other in-field research to determine whether the 'anomalies' suggest the presence of a grave.⁵⁹ It is important to remember that corpses and graves of Holocaust victims will survive in different forms depending upon how victims were treated by perpetrators. These different

conditions will sometimes require different techniques to be used to detect the remains and will offer different possibilities for investigation and discovery. For example, the use of magnetometry may be more appropriate if victims are thought to have been cremated and then reinterred in a collective grave because the technique detects evidence of burning and changes to the earth's magnetic field.⁶⁰ Resistance survey provides a rapid tool when it is suspected that remains are buried at a shallow depth (usually less than one metre), while GPR provides an invaluable tool for examining deeper remains and viewing them in three dimensions.⁶¹ All of these tools have limitations that should be considered on a case-by-case basis and, as such, GPR and resistance survey were employed at Treblinka.⁶² The data derived from these methods were layered onto and compared with other material collected during desk-based research and field survey in a Geographical Information Systems (GIS) in order to assist in determining the exact nature of any anomalies recorded.⁶³

Minimally invasive excavations were carried out at Treblinka at mass graves at the execution site as it was not possible to carry out geophysical survey in these areas due to the density of the tree cover. Well-defined protocols for the recovery, storage and analysis of human remains were drawn upon from the disciplines of archaeology and forensic investigation during this work. Even though the work was not undertaken in a legal context, it was deemed important to follow recognised standards in order to ensure that remains were handled ethically and examined comprehensively.⁶⁴ Similarly, well-established guidance also exists for the identification of victims and the assessment of remains to establish a biological profile such as the age, sex and pathologies of a victim.⁶⁵ If these techniques are permitted, it may be possible to identify individuals, return their remains to their families and to ensure that they receive a proper burial. However, this type of analysis was not permitted at Treblinka since the excavations were only confirmatory. Although the discussion above outlines why investigations of Jewish victims will rarely involve the identification of victims, one aspect of Jewish law that has not been widely discussed in literature concerning missing persons investigations is the fact that to recover the remains of victims who have never been buried in a grave – scattered remains, for example – is considered to be an act of kindness. Therefore, archaeologists and forensic investigators may have a key role to play with regard to the recovery of these victims' remains. By drawing on search strategies developed in policing, forensic archaeology and forensic anthropology, it was

possible to recover scattered remains at Treblinka (found during excavations of the gas chambers) and to work with the religious authorities to ensure that they were reinterred appropriately.

Instead of relying solely on one method or one disciplinary approach, archaeologists and other practitioners searching for graves should consider taking an interdisciplinary approach that draws on a variety of techniques, as carried out at Treblinka. These techniques offered the possibility to locate graves without excavation, thus accounting for the sensitivities surrounding individual sites and events and facilitating searches of a large, complex landscape. By using non-invasive methods, access may be provided to sites that have previously been 'off limits', thus facilitating the identification of burial sites for the first time. For example, searches for the remains of Jewish victims buried within graves became a possibility when non-invasive methods were adopted.⁶⁶ Alternatively, if excavations are to be carried out then an awareness of the sensitivities surrounding this approach is essential.

Archaeological investigations can also have a key role to play in facilitating commemoration, enhancing historical narratives, informing conservation and developing educational tools. A range of new techniques and approaches that can be borrowed from other disciplines, such as the digital humanities, computer science and heritage management, formed a key part of the methodology employed at Treblinka and have also offered new opportunities to present information about the missing from the Holocaust. E-platforms, performances, exhibitions, artistic installations, public presentations and the media offer just some possibilities to communicate victims' stories with the wider public. The ability to combine testimonies, images, objects, field survey data and other sources within these forms of dissemination offer the possibility to return the identities to missing victims. In the absence of a body or a known/marked grave, these methods may play a particularly important role in raising awareness of individual and collective experiences, provided this material is presented in a sensitive and ethical manner ('Restoring identities' section, below).

Treblinka's hidden evidence

By adopting the unique methodology employed at Treblinka, archaeological research has facilitated, and continues to facilitate, a detailed analysis of the entire landscape of the two camps and

surrounding area. A summary of the findings directly related to the remains of the victims is provided below and the reader is referred to previous work for details on additional findings.⁶⁷

With regard to the extermination camp, this non-invasive approach allowed the locations of several mass graves to be identified without disturbing the remains contained within them; thus Jewish law was adhered to, the memorial site remained undisturbed and the graves can be protected for the future. In total, eleven possible mass graves were recorded in the grassed areas surrounding the memorial at the extermination camp. Desk-based research indicated that it is likely that further graves exist under the monument. By examining the spatial distribution of these graves in relation to the structures, boundaries and other features that were identified using non-invasive survey methods, it was possible to identify the body disposal patterns and the ways in which the living and dead were moved through the extermination camp area. Permission was then granted to excavate in the areas where structures were thought to be present, provided the graves were avoided. Scattered human remains were found, mixed in with the demolition rubble of the gas chambers. Given that the majority of victims murdered in the extermination camp were Jewish, it is highly likely that at least the majority of these remains belonged to Jewish victims. However, the possibility that they belonged to Roma and Sinti victims could not be ruled out. Following consultation with the religious authorities and site custodians, the remains were recovered and reburied in a protected grave. This approach ensured that they were afforded a dignified burial for the first time in such a way that respected Jewish customs and those of other faith groups.

The combined use of archival research, LiDAR survey and walkover survey allowed at least six potential graves to be identified in the area of the execution site to the south of the labour camp.⁶⁸ Permission was granted for minimally invasive excavations at three of these sites. Here an approach was adopted that involved stripping the turf and topsoil away from the areas indicated in the LiDAR survey and digging small, minimally invasive test trenches at strategic locations within each feature. This approach was developed as a result of discussions with the museum, religious and archaeological authorities, and by drawing on the author's expertise as a forensic archaeologist. As victims from multiple faith groups may have been present, and given that the aim of the excavation was to confirm that human remains were present so that the grave could be marked, this minimally invasive approach was deemed most appropriate. It

was also carried out in such a way that it would be possible to go back to each site to conduct a full exhumation in the future if this was deemed necessary. The excavations revealed the presence of disarticulated human remains belonging to multiple individuals in all three areas. Shoes and bullets were also recovered. The human remains were reinterred into the graves. As a result of this work, the museum authorities immediately erected markers on these three graves, which have already become the focus of commemorative activities at the site. This represents the first time that these graves have been marked and the first time since the post-war investigations that unmarked graves have been found and examined.

This multifaceted approach was well received by the various groups with a connection to Treblinka as an appropriate compromise. It allowed the religious, ethical and scientific requirements of the research to be adequately balanced, without limiting the possibilities for further work in the future if it is desired.

Future challenges

One of the key questions that emerges from this chapter is: what contribution of knowledge can archaeologists realistically expect to make about the Holocaust seventy years after the events? It is hoped that the findings at Treblinka thus far demonstrate that archaeologists can make a significant contribution. The ability to locate previously unmarked graves and to find and recover the remains of victims so that they can have a marked burial means that archaeology offers the potential to provide information to victims' families and to provide new insights into the crimes committed during this period. The continued development of novel forensic and archaeological methods suggest that archaeologists will be able to make significant contributions in the future, even when excavation is not permitted.

However, the archaeological investigation at Treblinka highlighted a number of key issues and raised a number of further questions in relation to both the history of the site itself and the contribution that archaeologists can make to the examination of Holocaust sites more broadly. There are also several questions that archaeologists will not be able to answer and a number of further challenges that they will likely face in the future as a result, either because we are unable to excavate or because of the Nazis' attempts to hide their crimes.

Where are the bodies?

In 2010, Richard Wright considered the question ‘where are the bodies?’ in relation to genocide in the twentieth and twenty-first centuries.⁶⁹ This is a question that is often asked in relation to the Holocaust, sometimes by the relatives of those who were killed, sometimes by inquisitive individuals, but also, more commonly, by those who deny that the Nazis carried out mass murder.⁷⁰ Certainly this question has been repeatedly posed in relation to Treblinka and it was one of the main aims of the archaeological research to attempt to answer it. The working answer devised by author is that, in some cases, we simply do not know where the bodies are and perhaps we never will. However, in other cases Wright’s eloquent answer to his own question – ‘in the ground’ – can equally be provided.

By way of an example: Archaeological research at Treblinka has proven through the analysis of physical evidence that the remains of many of the victims do survive. Historical research has also shown that other remains may be ‘in the ground’ but they may be inaccessible, hidden or destroyed. In-field investigation demonstrated that the extermination camp at Treblinka should be considered as a cemetery, since human remains appear to be scattered and buried across much of it. During the non-invasive research, a combination of archival research, aerial imagery analysis, field survey and geophysical prospection has confirmed that mass graves do survive. Walkover survey and excavations around the structures at Treblinka then also revealed the presence of scattered human remains. Additionally, during reinterment of these remains, well away from the area where the victims were killed, further fragmented remains were unearthed.

The discovery of these remains, archival research and the accounts of post-war investigators demonstrate that, despite the assertion in much of the popular literature that the majority of the victims at Treblinka were cremated and reduced to ash, victims were disposed of in a variety of other ways.⁷¹ These include incomplete cremation and reinterment in existing graves, burial in mass graves, the scattering of disarticulated remains and the deposition of remains on the surface. These methods differed during the lifetime of the extermination camp, whereas at the labour camp mass burial appears to have remained a consistent method of disposal throughout the camp’s period of operation. At the labour camp, the bodies of the victims were buried in mass graves, as shown by the exhumations that were carried out in the immediate post-war period. These investigations were only brief and, thus, the remains were not examined

comprehensively. If these graves were re-examined it is highly likely that considerably more bodies would be found. Similarly, the recent archaeological work at the execution site has confirmed that three other mass graves exist that, in the absence of techniques such as LiDAR in previous years, had simply not been detected. A further three potential mass graves were also identified and these will be investigated in future field seasons.

Across much of the extermination camp, it is known or suspected that the bodies are 'in the ground', but the sheer number of remains and their scattered nature means that it would be a huge task to recover every fragment of every body. One need only look at the costs involved in recent mass grave investigations and mass disaster recoveries, which run into the hundreds of millions of dollars, to understand why this has rarely been undertaken at sites like Treblinka.⁷² The measures taken by the Nazis to hide their crimes only add to this problem. There is clear evidence that bodies were buried in the woods and covered with trees or dense vegetation, while others were reported to have been buried outside the camp area. Historical sources demonstrate that the remains of others were scattered on the surrounding fields following the cremation process. It would be impossible to recover the remains of all these victims since many will have been destroyed or damaged by years of ploughing and other forms of landscape change.

Similarly diverse body disposal methods are likely to exist and vary at other Holocaust sites across Europe. Archaeologists have to be realistic about the extent to which they can contribute to discussions about the numbers of victims. In light of the above discussion, archaeologists should not try to make such estimates but rather they should explain which remains it is/has been possible to locate and which it is/has not. The fact that it is not possible to locate remains says something in itself about attempts by the perpetrators to hide their crimes, issues such as landscape change and current limitations of detection equipment, all of which should be clearly outlined by archaeologists engaged in such searches.

Restoring Identities

One of the key issues during the Treblinka project was ensuring that the victims of the camp do not remain anonymous when it is not possible to exhume and/or examine their bodies in detail. Several solutions have been developed to account for this that are worthy

of consideration here given that such issues will likely arise in the course of investigations at Holocaust sites in the future.

During the small-scale excavations carried out at the execution site at Treblinka, although the remains could not be fully exhumed, they were still thoroughly documented. This meant that it was possible to provide information about the victims whose remains were found; details like the sex, age, stature, trauma and pathologies of victims were derived in the field and retrospectively from the analysis of the detailed written and photographic record compiled. The configuration of remains within the graves, the shoes and the overall construction of the graves make it possible to say something about the experiences of the victims even if they cannot be identified by name.⁷³

Even though it may be preferable to identify individuals for a wide range of reasons, when this is not possible, this does not mean that unidentified bodies and items do not have a role to play in enhancing our understanding of the crimes perpetrated by the Nazis. When it is not permitted or possible to identify individual bodies, objects may take the place of corpses in providing 'names and faces' of missing people.⁷⁴ This may be directly, through the location of objects that bear names, or indirectly, through the discovery of items that can be linked to individuals via other means such as the analysis of testimony and photographs. The excavations that were permitted at Treblinka in the terrain of the gas chambers resulted in the recovery of personal belongings including hair clips and jewellery. These items, alongside the scattered remains, dentures, teeth and other items that were recovered, provided the only evidence of individual and collective experiences in the absence of complete corpses. Through detailed research, including the analysis of witness testimonies, it has been possible to highlight some of these experiences and to explore some of the actions of the perpetrators.

The anonymity of corpses and objects can also play an important role in genocide education and prevention as this demonstrates the ways in which the Nazis successfully deprived people of their identity. Anonymous items can also reveal basic human desires; for example, the jewellery found close to the gas chambers at Treblinka demonstrates the will of people to keep precious items with them, even when they risked injury and death in order to do so (see [Figure 7.2](#)). Individual items and unidentified bodies also represent man's inhumanity to man. The overall form and locations of graves, as derived from non-invasive or invasive methods, can also yield



Figure 7.2 Some of the personal items unearthed during excavations in the area of the Old Gas Chambers at Treblinka that survive as a testament to the individuals who were sent there

important information about the ways in which people were disposed, 'offender behaviour' and attitudes towards these places in the past. For example, at both the extermination camp and execution site, non-invasive methods provided the dimensions of several mass graves and it was possible to plot their distribution and examine spatial relationships between the graves, structures and the movement of people.

The development of a number of dissemination tools that have sought to unite witness testimonies, photographs, archaeological survey data, video evidence, documentary records and other types of material identified during historical and archaeological research have provided different ways of ensuring that the physical evidence can be viewed alongside the stories of those who experienced Treblinka. One example is a combined exhibition and virtual archive that has sought to re-present the history of Treblinka through stories, images artwork and research findings. The aim of this combined approach is to provide greater access to a local and global audience. The production of different types of publications about the work, media appearances and outreach activities have also been undertaken to ensure broad dissemination of the findings to people with a wide range of backgrounds and prior knowledge of the camps.

All of these approaches have sought to account for the sensitivities that surround Treblinka, make amends for the lack of investigation of the site in the past and provide new insights into the history of this brutal landscape. The project has sought to examine the events of the past, while paying attention to the enormous contemporary relevance of the work.

Where next?

The investigation at Treblinka is far from complete. Work will continue at the site for the foreseeable future and undoubtedly new questions and challenges will emerge. Likewise, Holocaust archaeology as a field of investigation is also on the rise. As part of future investigations, it is important to consider how corpses can be found and if they should be found, how they should be treated once they are located and what role they will play in commemoration and reconnecting identities. Knowing the potential options for identifying victims of violence (due to advances in forensic techniques), but being unable to do it at Treblinka, means the work can sometimes be frustrating, although there are clear reasons why this is the case. This will likely be a frustration shared by colleagues working at Holocaust sites in the future and by members of the public. Therefore, it is important for this reason to examine exactly why limitations are placed upon investigations and if decisions to prevent excavation are justified on ethical or religious grounds. At Treblinka, ethical questions also persist about whether or not the mass graves at the execution site should be fully exhumed and attempts made to identify individuals. As new research is emerging regarding the proportion of Polish victims and Jewish victims killed at this site, questions also need to be aired concerning whether or not excavations should be carried out, and whose opinion on this should influence methodologies.

The inability to exhume the corpses of all of the victims means that we will only ever have part of Treblinka's story, and there are questions that will most likely never be answered in the absence of human remains. There are some questions that we are not able to answer at this moment in time but, equally, there is the possibility that political and social tides will change in favour of excavation or that new technologies that will emerge that may facilitate more detailed investigations of graves. As a result, it is necessary to continually reflect on the methodologies employed at Treblinka

and respond to these changing circumstances. Just as there is no single methodology that will work at every Holocaust site (because of the specific historical and ethical circumstances), methodologies employed at individual sites should also be multifaceted and flexible.

As a final point, for as long as victims' remains stay buried, Holocaust denial debates will undoubtedly continue to focus on the apparent absence of corpses as evidence that the Nazis did not commit the crimes indicated by the historical record and witness accounts. These are issues that we, as archaeologists and other specialists searching for information about these historic crimes, should expect to face. Yet, they are also issues that should be discussed with a wider audience more clearly alongside the presentation of the information that we are able to uncover. These challenges are not unique to Treblinka and will likely be encountered by anyone engaged in searches for human remains and the investigation of Holocaust landscapes.

Conclusion

Corpses of Holocaust victims remain something of a paradox. Given the ways in which they are remembered and forgotten, present and absent, lost and found, human remains assume a particular role in Holocaust iconography and collective memory. Searches in the past have been either motivated or limited by the complexities and sensitivities that surround the examination of corpses from this period. Archaeologists in particular have found themselves in difficult situations when attempting to search for, recover and re-present both the material remains of victims and the history to which they relate.

Corpses of Holocaust victims have taken on different meanings in the years since the end of the Second World War, many of which have resulted in restrictions being placed upon the work of those who seek to find them. It was the intention of this chapter to illustrate how these different meanings and interpretations of the past have influenced searches and to offer some new approaches for the future. This review has far from covered all of the complexities involved in searches for missing persons, but it is hoped that it will inspire further discussions among archaeologists, historians, anthropologists, legal professionals, religious groups, the public and other stakeholders concerning the complex range of ethical issues that have to be considered when addressing historic crimes. For whatever the

reason searches are carried out, archaeologists and other professionals are certainly in a better position than ever before to shed new light on the crimes perpetrated during the Holocaust and should rise to the challenge of addressing the ethical issues that will arise when attempting to do so. There now exists a range of methods to search for human remains, allowing for a broader understanding of the landscapes and physical evidence of mass violence to be gained. By taking an interdisciplinary approach towards the investigation of mass and individual burials of Holocaust victims in the future, it is possible to ensure that, while corpses may continue to remain out of sight, they are not out of mind.

Notes

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- 2 Job, 16:18.
- 3 Y. Arad, *Belzec, Sobibor and Treblinka: The Operation Reinhard Death Camps* (Bloomington and Indianapolis: Indiana University Press, 1999), p. 176.
- 4 C. Sturdy Colls, *Holocaust Archaeologies: Approaches and Future Directions* (New York: Springer, 2015), ch. 2; despite the extensive archaeological investigations that have taken place at Sobibór since 2007, searches for human remains have not been permitted. Recently announced plans for a new memorial that will literally seal the earth and prevent further archaeological research suggest that searches for the victims' remains will not take place now or in the foreseeable future.
- 5 *Ibid.*, ch. 2.
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- 10 United States Holocaust Memorial Museum, USHMM LIB6492; University of South Florida, 2005, Photos: Germans Confront Nazi Atrocities. URL: <http://fcit.coedu.usf.edu/holocaust/resource/gallery/confront.htm> (accessed 20 June 2014).
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The return of Herero and Nama bones from Germany: the victims' struggle for recognition and recurring genocide memories in Namibia

Vilho Amukwaya Shigwedha

Introduction

In April 1904, General Adrian Dietrich Lothar von Trotha delivered his infamous order to exterminate the Herero and Nama people.¹ The '*Vernichtungsbefehl*', or extermination order, signifies Imperial Germany's military response to the Herero and Nama popular revolts against Germany's confiscation and domination of indigenous land. Close to 100,000 Herero and 20,000 Nama, mainly women and children, had been killed by the time the violence ended. This scenario may assert the event as the first genocide of the twentieth century.² It is also felt that the mass murder of Herero and Nama civilians, with impunity and in defiance of European martial codes, corroded German military morality and set the scene for even more extreme crimes by Hitler in Eastern Europe in the 1940s.³ While the campaign to annihilate the population of the Herero and Nama communities was ongoing, hundreds of human remains – especially skulls – of the victims were collected and packaged for exporting to Europe via the Cape. Although most of the skulls and skeletons were shipped to Germany from their transit in Cape Town, it is generally understood that a number of human remains from German South-West Africa did not travel beyond Cape Town harbour. However, the skulls that arrived in Germany became important realia, raw materials for racial scientific studies. This practice underpins 'what has become to be known as race science of the nineteenth Century'.⁴

A number of recently published scholarly works on the discourse of the Herero–Nama genocide has mainly focused on the politics of the victims’ ‘unsettled memory’ and the legacy of ‘embedded history’ between Namibia and Germany: apology, restitution and redress for the victims.⁵ However, none of the existing literature has explored the tension and divide that the return of the skulls has created between the local customary rites, on the one hand, and the political morality of the Namibian and German governments on the other. In particular, difficulties emanating from the disappointment of the Namibian delegation (which will receive a detailed explanation in this work) that travelled to Berlin to witness the official handover of the skulls, as well as the inappropriate treatment of the bones since their return from Germany to Namibia, not only generate controversy, contestation and reignition of acrimony between the concerned parties. These difficulties also contravene the rights of individuals, families and communities in respect of spiritual, religious, cultural and customary rites as standard and universal obligations to which these communities are entitled. To examine this growing acrimonious relationship and the re-emerging trauma, pain and suffering of the affected people, this work relies on a number of sources – government and institutional reports, position papers of the Herero and Nama traditional leaders on the issue of repatriation and treatment of the returned skulls, newspaper reports and oral interviews – to ascertain issues that this work raises and for which it seeks ways to address them. To lay a platform for this discussion, a brief overview of the genocide and its aftermath becomes necessary.

Indiscriminate killing and decapitation

In August 1904, the Schutztruppe overpowered the Hereros at the battle of Waterberg in north-central Namibia. This event empowered the German troops to undertake the indiscriminate killing of the Herero people as the latter retreated. Elsewhere, in southern Namibia, the Germans also subdued the Nama people, whose population was smaller than that of the Herero people. Subsequent to the genocide, the German colonial government pursued harsh policies that saw the establishment of concentration camps in Liideritz Bay, Okahandja, Swakopmund, Windhoek and more.⁶ These centres were notorious ‘death camps’ where survivors were deliberately sent to die from the harsh environment or poor sanitation in the camps. It was during this period that an undisclosed number of skulls and

skeletons were produced, beheaded from dead bodies, wrapped or boxed and prepared for a journey to pathological institutions in Germany. Humane and ethical norms were violated during this process of decapitation and the preparation of body parts for export. For example, it is claimed that Herero women, some of whom the German soldiers regularly treated like prostitutes, 'were forced to clean the severed heads of their murdered menfolk and scrape off the flesh using pieces of broken glass'.⁷ This narrative informs a scenario where survivors were instructed to take the responsibility for their own people's decapitation. German soldiers then 'began to trade in the skulls of dead Herero and Nama people. They sold them to scientists, museums and universities back in Germany'.⁸

The practice of trading human bones, particularly skulls, in German South-West Africa was so widespread that a number of postcards were made 'showing soldiers packing skulls – as normal colonial life'.⁹ It should, however, be noted that human bones were collected under the tutelage of German anthropological research institutes and museums.¹⁰ Eugen Fischer,¹¹ who later became an anatomist for the Nazis, travelled to German South-West Africa in 1908 to conduct research on the Rehoboth Basters, descendants of indigenous South Africans and Cape Colony Dutch, to prove that Mendelian laws of heredity applied to humans. During this time he also visited Riideritz Bay to conduct racial tests on the human remains of prisoners at the Shark Island concentration camp.¹² His studies of the Herero and Nama human remains led him to claim that Europeans were racially superior to Africans, and Fischer is believed to have taken hundreds of dismembered human heads and skeletons to Germany for further research. For over a century, some of Fischer's collections and other bones from Namibia were secretly held by individual institutions across Germany.

Becoming public

The documentary film by Markus Frenzel, a German television reporter with the MDR broadcaster, proved the existence of human remains of Namibian origin in Germany in 2008.¹³ In Namibia, speculations about the existence of the Herero and Nama genocide skulls in Germany started making headlines in the local media in mid-2000. The Alexander Ecker Collection based at the Albert-Ludwigs-Universität Freiburg, with over 200 human skulls of African origin, was also suspected to contain skulls from

the Herero and Nama genocide. The skulls from Namibia, it was alleged, most likely entered the Ecker Collection during Fischer's tenure as curator (1900–37). In 1908, as indicated earlier, Fischer, who was at the time curator of the Ecker Collection deposited in the Freiburg archives, travelled to German South-West Africa to conduct research on the Rehoboth Basters. During that trip, he uncovered several graves near Swakopmund that he believed to be Nama burials and took some of the remains with him to Freiburg.¹⁴ Fischer was also interested in conducting research on the Bushmen, the earliest known inhabitants of modern-day Namibia, but with whom he appears not to have made good contact during his visit. A few years later, in 1913, he wrote to the German colonial government in Namibia to ask for the removal of body parts from male Bushmen for research practices. He referred to the Bushmen who had been executed as criminals. He also suggested that live Bushmen could be sent to Freiburg, where they would surely soon 'die off' due to the climate. It is not known whether he ever received such body parts.¹⁵

To come to terms with the possible existence of the Herero and Nama skulls in the Ecker Collection, the Namibian ambassador to Germany in 2010, Neville Melvin Gertze, met with the rector of the Albert-Ludwigs-Universität Freiburg, Hans-Jochen Schiewer, and the head of the university's anthropology department, Ursul Wittwer-Backofen, to discuss the likely existence of remains at the institution. At that time, a repatriation project concerning Australian Aboriginal remains within the collection was already under way. As a result of the meeting, a similar project was designed and research began in October 2010.¹⁶

At the same time as scientific investigations to determine the existence of the Herero and Nama human remains at Freiburg were ongoing, Chief Kuaima Riruako acted swiftly by sensitising the Namibian government to initiate a dialogue with the German government for the return of the skulls to Namibia.¹⁷ The motion for the repatriation of the skulls, which Riruako initiated and tabled in the Namibian parliament, was coupled with demands for material and moral reparation payable to the descendants of the genocide victims. Unfortunately, the demands of the affected groups experienced a setback when the Namibian government decided that the skulls must be returned to Namibia without proper investigations to determine whether they really belonged to the victims of the Herero and Nama genocide victims.

Since the Namibian government did not specifically indicate interest in the issue regarding reparations for the descendants of the victims, the German government concluded that the 'lukewarm response' from the Namibian government on this issue affirms the Namibian and German governments' agreement not to compensate affected groups and communities.¹⁸ For a considerable period of time, the Namibian government kept a low profile on the motion introduced by Chief Riruako in the Namibian parliament. This silence continued until November 2007, when Prime Minister Nahas Angula announced in the National Assembly that the Namibian Cabinet had decided to direct the Foreign Affairs Ministry to formally convey the contents of a parliamentary motion on the issue of the skulls to the German parliament.

Nevertheless, while it was the Albert-Ludwigs-Universität Freiburg that pioneered research into identifying the Herero and Nama skulls for repatriation to Namibia, it was the Charité, a Berlin university hospital, that became the first institution in Germany to hand over the skulls to the German government for repatriation to Namibia. In his letter to the Namibian Embassy, dated 21 October 2008, Professor Karl Max Einhaupl, CEO of Charité, expressed the preparedness of the Charité to return the skulls to Namibia.¹⁹ The Federal Republic of Germany was expected to cover the cost of transporting the skulls. The official handover of the skulls was witnessed by a delegation of fifty-four representatives (whose travel and accommodation costs were paid for by the Namibian government) from Namibia, among them senior representatives of Ovaherero, Ovambanderu, Nama victims' associations as well as representatives of the National Museum of Namibia, who travelled to Berlin on 26 September 2011 to receive them. The delegation returned to Namibia on 3 October 2011 with twenty human skulls from the Charité University hospital.²⁰ According to the report of the Embassy of the Republic of Namibia in Berlin, scientific research proved that these skulls belonged to members of the Herero and Nama tribes from the period of Germany's rule over South-West Africa.²¹ However, this report did not explain what 'scientific research' was conducted to determine individual identity, biological relationships or prove the 'provenance' of the skulls. Meanwhile, the University of Freiburg report on the identification process of the skulls returned to Namibia in 2013 did outline a number of approaches, in spite of difficulties and anomalies, which researchers used to establish the skulls' provenance.²²

The handover ceremony, discontent and rage

In a report addressed to the Permanent Secretary at the Ministry of Foreign Affairs in Windhoek, the Namibian Embassy to Germany issued the following statement:

Despite the difficulties experienced in terms of reconciling the various differences and wishes amongst the members of the delegation as well as dealing with the uncooperative attitude of the Foreign office to meet the expectation of the delegation, the Embassy is satisfied that the repatriation of the first consignment of Namibian skulls was successfully carried out.²³

Amidst issues of dissatisfaction and inhospitality that the Namibian delegation experienced throughout their stay in Germany, it is ironic to attach 'success' to the process of repatriating the skulls from Germany. A number of harmonising factors,²⁴ listed below, that made the stay of the delegation in Berlin uncomfortable would unpack the preceding paradox. First, there was the failure of the German Ministry of Foreign Affairs to designate a representative of the German government Foreign Office to be part of the welcoming committee at the airport upon the Namibian delegation's arrival. As a result, the Namibian Embassy alone received the delegation upon its arrival in Berlin.²⁵ Second, what the Namibian delegation expected to be a solemn event in Berlin turned into bitterness as the Namibian representatives accused the German government of failure to accord them the necessary protocol. For example, they noted the absence of top officials from the German government during the official handover of the skulls. Third, the German government's disrespect for the Herero and Nama delegation was made explicit when Cornelia Pieper, State Minister in the Federal Ministry of Foreign Affairs, who attended the handover ceremony on behalf of the German Federal government, immediately left the hall and the Charité premises before the leader of the Namibian delegation could deliver his speech. This action caused shock not only among the Namibians, but also among the German audience who attended the occasion.²⁶ Fourth, the position of the German government that genocides committed in the nineteenth century did not violate international law because genocide only became punishable in 1948 when the General Assembly of the United Nations adopted the Convention on the Prevention and Punishment of the Crimes of Genocide. Fifth, there was Germany's refusal to sign a memorandum of understanding (MoU) between

the Namibian and German governments on the occasion of repatriation. Representatives of the German Foreign Office informed the Namibian side that the Germans do not see an international agreement in the form of a MoU as appropriate. Instead, the German side proposed that a 'Joint Political Declaration' between the two countries would suffice as a record of the handover. To register their disappointment with the German side, the Namibian delegation to Berlin staged a protest. For instance, following the official handover ceremony, the Namibian Embassy in Berlin was informed that the German Namibia Society, in cooperation with the German Foreign Ministry, would host a cocktail reception for the delegation. Unfortunately, this offer came at a time when the delegation had already expressed their dissatisfaction with the hospitality afforded them by the German government. They felt the Foreign Office's gesture came too late and they therefore declined the invitation.²⁷

In considering the unfavourable treatment and situations presented above, it can be reasonably argued that the visit of the Namibian delegation to Berlin 'did not translate into a period of collective reflection and coming collectively to terms with Germany's violent chapter in Namibia ... Instead, [it reinvigorated] ... the hardening of relations between various communities with, among others, commentary and letters of denial of the genocide in the *Allgemeine Zeitung*, the local German-language newspaper.'²⁸ Nevertheless, the unsympathetic welcome of the Namibian delegation was alarming and seemingly reveals an indifference on the part of the German government towards the grievances of the affected communities. Nonetheless, despite the fact that the expectations of the Namibian delegation were shattered during the entire period of their stay in Berlin, the visit remains significant for a number of reasons. First, it can be seen that the shame and humiliation that the delegation experienced in Berlin initiated a positive drive for the affected communities to undertake concerted efforts and actions to demand compensation and justice for the families of the victims. Second, the humiliation of the Namibian delegation in Berlin demonstrates that the German government is less committed to addressing the suffering and pain of the victims. Ironically, Germany sees the strengthening of 'good bilateral relations' between the two states as repairing the damage caused by the genocide and doing justice to its victims. In fact, Germany fears that, if allowed, reparations may risk the 'good bilateral relations' between the two countries.²⁹

Warning against genocide reparations

The German government has repeatedly warned Namibians that the process of returning the genocide skulls to Namibia should not be used as a catalyst to unmask atrocities committed by Imperial Germany. Should the return of the skulls be used as an impetus to demand compensation, Namibia risks depriving itself of multi-million-dollar bilateral agreements with the German government. This genre of socioeconomic and political threat was stated very conspicuously by, for example, Egon Kochanke, former German ambassador to Namibia who, while speaking at the signing ceremony for the multi-million-dollar cooperation between Germany and Namibia, described the return of the Namibian skulls as a 'sensitive topic', which, if not handled with utmost sensitivity, would have a negative influence on bilateral relations between the two countries.³⁰

In a similar instance in February 2013, Kochanke's successor, Otto Huckmann, remarked that although Germany will not forget its colonial history with Namibia, harping on the subject of reparations could tarnish the flourishing bilateral relations between the two countries. He also called on Namibians to accept the call by the German government for reconciliation in order to move past the sad episode experienced by the Herero and Nama tribes. In response, Hage Geingob, the then prime minister of Namibia, reprimanded Huckmann 'not to silence Namibians about their demands for genocide reparations'.³¹ According to Geingob, 'reconciliation was built on the admission of wrongdoing as a first step to mending atrocities committed. We cannot stop people from talking about reparations. It is their rights to do so. People are paining. They are hurt when they see skulls. Where are the skulls coming from? Let us handle this issue carefully and not tell people not to talk about it'.³²

Corresponding to the issues raised above, a visiting German parliamentarian, Doris Barnett, remarked that 'the genocide reparations issue is closed', adding that Germany will no longer entertain reparation demands by Namibians for colonial atrocities.³³ Barnett's remarks somehow relate to an earlier statement made by Nahas Angula on behalf of the Namibian government on the occasion of receiving the skulls from Germany in 2011. During this ceremony, Angula said that the Namibian nation accepts these mortal remains as a symbolic closure of a tragic chapter.³⁴ Technically, Barnett and Angula's statements complement each other as they both entertain the view that the return of skulls from Germany to Namibia would heal and bring 'closure' to the atrocities that colonial Germany

committed against the Herero and Nama people. However, many people who are descendants of the victims of the genocide oppose these views. This became explicit when some leading figures from the Herero and Nama communities publicly repudiated Barnett's remarks. Kazenambo Kazenambo, a SWAPO Member of Parliament who was himself born and raised in Botswana by survivors of the Herero genocide, called Barnett a 'drunkard politician who was talking after she was chucked out of a Katutura bar'.³⁵ Ida Hoffmann, the chairman of the Nama Genocide Technical Committee, said Barnett's remarks would not deter the Namas from continuing to ask for reparations from Germany.³⁶ Speaking at the 2014 Herero, Mbanderu and Nama Cultural Festival in Botswana, Vekii Rukoro, the Ovaherero Paramount Chief-designate, 'accused Germany of failing to pay reparations to Namibians because they were not of European descent',³⁷ describing the Namibian–German Special Initiative Programme (NGSIP) as 'nonsense'.³⁸

Realising that the struggle for repatriations will be long and aggressive, the chairman of the Ovaherero/Ovambanderu Council for Dialogue on the Genocide of 1904 called for the genocide committees to unite under a single body as the only way to achieve their demands.³⁹ This does not of course mean that every Herero heeds the call for collective unity of the Herero ethnic groups to demand reparation from Germany. Likewise, not all Germans, including individuals in government, agree with their government's refusal to acknowledge or apologise for the genocide of the Herero and Nama people and recognise their demands for compensation. It is in this light that the former German Development Minister, Heidemarie Wieczorek Zeul, while delivering a speech at Okakarara in 2004 during the 100th anniversary of the Herero and Nama massacres, called the mass killing of Herero and Nama people a '*Völkermord*' (genocide): 'We Germans accept our historic and moral responsibility and the guilt incurred by Germans at that time. The atrocities committed at that time would have been termed genocide. Everything I have said was an apology from the German government.'⁴⁰

Wieczorek's assertion makes her the first German government official to issue a seemingly apologetic statement for the genocide. However, at the same time she was also quick to 'rule out financial compensation for the victims' descendants'. Ironically, following Wieczorek's remarks, the German parliament rejected an opposition motion calling on the German government to acknowledge that the killing of more than 80,000 Herero and over 10,000 Nama people constituted genocide. The German parliament also

dismissed Wieczorek's apology as purely personal remarks and not representative of government policy.⁴¹ In attempts to substantiate its argument, the German government claimed that 'international rules on the protection of combatants and civilians were not in existence at the time of that conflict'.⁴² This is while a civil case has been launched by the victims' descendants. In fact, it is reported that as far back as 2001 a committee for Herero reparations filed a \$4 billion lawsuit (which Wolfgang Massing, former Germany ambassador to Namibia, has urged the Herero people to drop) against the German government and two German firms in the US courts.⁴³ This committee was established with the following goals: to pursue justice and moral recognition for the victims of genocide as a matter of urgency and to demand material compensation and negotiations on measures of restorative justice for the genocide victims.⁴⁴ However, such lawsuits face serious hurdles. One such obstacle regards claims that the Namibian government is uninterested in the issue of reparation. Hence, the return of skulls from Germany is seen by some people as a bilateral tactic between the Namibian and German governments to obscure complex issues such as the victims' demand for reparation and to rewrite the history of the genocide. In light of this situation, it is important to trace the marriage between the Namibian and German governments along numerous economic benefits that Namibia receives from Germany. Put differently, Germany has been the main provider of developmental assistance to Namibia since Independence. For instance, Namibia received \$188 million for the 2011–12 period. However, it is generally felt that 'the money that Germany gives as developmental aid to Namibia has nothing to do with reparations'.⁴⁵

Speaking on behalf of the Ovaherero Traditional Authority (OTA), Bethuel Katjimune said the government-to-government negotiations had turned the genocide reparations into a public fund to benefit any ordinary Namibian who may need help. Katjimune's concept of dissociating development aid from Germany, under the mantle of victimhood, to the benefit of all Namibians is divisive as it promotes ethnic identity around the issue of the developmental aid that Germany gives to Namibia, for example, by emphasising that the 1904–08 conflict only involved the Herero and Nama people against the Germans. This seemingly ethnic prejudice suggests the exclusion of other indigenous communities in Namibia from any financial assistance by claiming that they were not targeted by German colonial forces.

Notwithstanding the issue raised above, some local papers reported that bones of Ovambo, Damara and San ethnic groups were among the consignment of human remains that were returned to Namibia in March 2014. These remains had been taken to Germany alongside those of Herero and Nama people. This was claimed by the National Heritage Council of Namibia Chairperson, Esther Mwoombola-/Goagoses, following the repatriation of thirty-five skulls from Germany in March 2014. According to Goagoses, 'the analysis and documentation we got from the German university (Freiburg) indicated which skulls belonged to whom. There were even skulls from New Zealand and Australia, but those from here were clearly indicated'.⁴⁶ It is therefore possible to argue here that apart from the Herero and Nama people, the Germans also committed atrocities against other ethnic groups in Namibia. Thus, like the Herero and Nama people, other population groups in Namibia also have a legitimate case to hold Germany to account for the suffering and loss of lives of their ancestors. However, it is certain that after the war of extermination the Herero and Nama ethnic groups emerged as the most devastated population groups, not just because of the loss of lives but also due to the economic destruction of these communities as their land, cattle and other sources of livelihood were confiscated by the Germans.

Negotiating the future of the genocide skulls in Namibia

Prior to the return of the skulls in 2011, the Namibian cabinet had already designated the Heroes Acre, situated a few kilometres south of Windhoek, as the fitting burial site for the Herero and Nama genocide skulls. In opposition to this proposal, the representatives of the Herero victims felt that the 'historical material evidence should never be buried'. This call was publicly made when, a few months before the return of the first consignment of the skulls, a committee of ten chiefs of the Herero Council met in Okahandja to decide what should be done with the bones on their return. At the meeting, it was decided that the skulls would 'become part of the property of the Namibian government so that they can be kept in a professional way and keep the memory of this part of Namibian history alive for future generations'.⁴⁷

In a memorandum addressed to the Namibian cabinet, Paramount Chief Kuaima Riruako of the Ovaherero and Chief David Frederick

of the Nama conveyed their 'great concern' that the cabinet had already decided, without conducting proper consultations with the affected communities, that 'once the skulls have arrived in Namibia, they are to be given a heroes' burial at Heroes' Acre'.⁴⁸ In this light, the traditional chiefs' memorandum to the government noted the cabinet's unacceptable unilateral decision to bury the skulls at the Heroes Acre without consent and consultation with the Nama and Ovaherero traditional leaders. The memorandum also contained the following recommendations: instead of burying such vital material evidence where no one will see them, the skulls should be kept in a special chamber within the Independence Memorial Museum for restoration and posterity; statistical data about the skulls should include the victim's identity (in terms of Namas, Ovaherero or whoever else), the number of men, women or children and their age; each skull should be labelled with the victim's name for identification purposes; findings of research conducted on the skulls prior to their return home should be provided; the cabinet should take an in-depth interest in humanitarian issues surrounding the victims and their descendants, not just merely request the return of the skulls without further concern for the issues and queries raised in the memorandum.⁴⁹

While the scope of this study does not permit a detailed discussion of the recommendations contained in the chiefs' memorandum to the cabinet, it is important to explore the controversy surrounding efforts to deny the skulls a burial. The Herero chiefs' struggle to stop the burial of the genocide skulls is inspired by the economic interests of the concerned group. As a result, this approach would create cultural problems in its relation to the customary rites of the affected communities. For instance, the Herero people believe that 'the dead will always remain human beings' even when their living bodies have decayed and disintegrated by natural or human factors. Burying their own dead and ensuring continuity of paying tribute to the graves of ancestors therefore remains a standard ritual obligation and the basis for pursuing the unresolved humanitarian issues of the victims. The majority of the Herero population group would generally be happy to see the skulls of their ancestors buried at Okahandja where most leaders of the 1904–05 uprising against the Germans are buried. Hence, a ritual ceremony called *Otjizerandu* takes place every year at Okahandja during which Hereros congregate in large numbers to commemorate and pay tribute to their fallen heroes and heroines.

However, since the Herero people are the majority, any decision taken in regard to the victims is likely to influence how the minority,

the Nama people, should deal with their past. For this reason, the association between the Herero and Nama ethnic groups as a result of their shared traumatic past is not without differences. For instance, unlike the Herero traditional leaders who want the Namibian government to engage the German government to pay reparations for the genocide, the Nama traditional leaders, on the other hand, take a pro-government approach on this issue. Consequently, while the Namas recognise the essence of 'fairness' and 'justice' in negotiating the future of the skulls, they also feel strongly that the existing bilateral and multilateral agreements between Namibia and Germany must not be disrupted.⁵⁰

In this vein, it is also important to note that the return of the genocide skulls should not be treated as an issue affecting the Herero and Nama communities alone, but something that touches the whole of Namibian society and humanity at large. If repatriation and dealing with the skulls from Germany were to be conducted in a manner that is more compassionate and humane (by involving the affected families and communities, rather than government and traditional leaders alone), this would serve as a catalyst to encourage other families and communities to think about the repatriation of the remains of other Namibians who died in exile during the liberation struggle and are buried in foreign lands.

Of course, government participation would be required, but it should be limited to financial and other matters while allowing families to independently deal with the sociocultural aspects and sundry issues. Creating an environment that allows family and community members to practise burial rites for the dead would be the ideal way to help them deal with the traumatic past by fulfilling the wishes of both the deceased and those still alive. Most importantly, the customary rite of honouring the dead is considered a universal norm, hence the UK's Human Tissue Act of 2004 calling for human remains to 'be treated with appropriate respect and dignity'.⁵¹ As discussed below, should the proposal to display the genocide skulls in a museum succeed, the principles of the Human Tissue Act of 2004 and the International Council of Museums should be adhered to. These would include displaying human remains 'in a manner consistent with professional standards and taking into account the interests and beliefs of members of the community, ethnic or religious groups from whom the objects originated'.⁵²

Speaking at the ceremony to mark the return of the first consignment of skulls to Namibia, President Hifikepunye Pohamba remarked that 'the remains will be interred in the Independence Memorial Museum

to preserve our history for posterity and to remind future generations about the cruelty of war.⁵³ This viewpoint represents a retreat from the Namibian cabinet's earlier decision to give the skulls a state burial upon their return from Germany. Notwithstanding the fact that Pohamba's perspective on what to do with the skulls has attracted many critics nationally, proponents of this idea believe that when displayed in a museum, the skulls would: create awareness, especially among young Namibians about German colonial atrocities in Namibia; inform and educate museum visitors that the anti-colonial resistance in Namibia did not start with SWAPO's armed liberation struggle in the 1960s, but was initiated by the Herero- and Nama-speaking people during the war of resistance against the German occupation of their land; create a platform for the victims of the genocide to make valid claims and urge Germany to acknowledge the genocide and take responsibility for the damage created by that event.

Some critics of the proposal to display the human remains in a museum have provocative opinions on this topic. Responding to the idea of displaying the genocide skulls as museum objects, Albertina Nekongo, a former Public History student at the University of Namibia, offered the following sentiments: 'It does not really matter to me if a museum is built to exhibit the genocide skulls ... the skulls are unrelated to me ... Moreover, skulls are just skulls ... but I would not entertain to see human remains of my close relative displayed in a museum.'⁵⁴ This remark suggests that displaying human bones in a museum is as good as slighting their dignity and diminishing their sense of being human remains. Arguably, when human remains are displayed in a museum, those who are not directly connected to the deceased care very little about such exhibits. However, Nekongo here provokes the thought that if the skulls were to be displayed in a museum for the purpose of aiding a political agenda, their historical context may be damaged because as public objects they resonate no history and instead create ambivalence about their humanness. A concern is also raised when it is noted that the Herero and Nama genocide skulls have been quarantined and interned in a room at the National Museum of Namibia since their return from exile:

The room where the skulls are kept is isolated from visitors and staff ... So, I must say that entrance to that room, by anyone, is difficult. The only access to the room that I can remember was at the beginning of this year, 2014, when a Brazilian crew, a lady and two men, visited the room to film the skulls. They came to Namibia to film human remains of the victims of the Herero and Nama genocide for a documentary film. I took them inside the room for filming and to answer some of their questions.⁵⁵

The treatment of human skulls here discloses issues of humanitarian, cultural and ethical concerns. In considering these injustices, and the way the skulls are treated in Namibia, it can be argued that the repatriation of the skulls from Germany seeks to open old wounds rather than heal them. Some Herero and Nama people, for instance, find it unacceptable that the national museum, where the bones are kept, is located in the vicinity of one of the notorious former German concentration camps for the Herero and Nama prisoners. It is therefore possible, one would suspect, that some of the Herero and Nama victims, whose skulls are currently hidden at the old national museum, or their associates whose remains are still missing, were once incarcerated or even died at this site. Therefore, the return of bones to the place associated with bitter memories of physical and emotional abuse of the Herero and Nama people awakens memories of untold atrocities experienced in the German concentration camps. The act of confining human remains to a hostile environment raises further ethical and humanitarian issues:

It is emotionally charging when one comes into contact with the skulls and skeletons in their current environment and situation. When I escorted the Brazilian team to the room where the skulls are kept, I opened some of the boxes that contain the skulls. Mind you that apart from the skulls, four human skeletons are also inside that room ... It's painful that these people continue to be treated this way ... You cannot just walk into that room and come out clean.⁵⁶

Indeed, as a matter of principle, ethical issues are raised when keeping human remains locked up without the affected communities' consent or knowledge about their present conditions. By and large, many Namibians would appreciate the Herero and Nama genocide skulls being treated in the same way as the human remains of some of the Namibian liberation struggle heroes. For instance, in March 2014, human remains of five SWAPO leaders killed in Angola during the liberation struggle were repatriated to Namibia. A month later, human remains of two other SWAPO leaders were also exhumed from Zambia and repatriated. On 25 August 2014, these human remains were laid at the parliament gardens in Windhoek for twenty-four hours where a state memorial service was conducted to bid them farewell. The following day, on 26 August, Namibia's heroes day, they were accorded a 'befitting state burial' at the Heroes' Acre in Windhoek.

This scenario raises a concern as to why the skulls of the victims of the Herero and Nama genocide should not receive equal treatment

and recognition. Thus, the preferential treatment given to the remains of those politically recognised as heroes and heroines of the war for Namibian liberation generates a number of questions: Why did the government treat human remains from Angola and Zambia differently? Why did the state have the urge to bury human remains from Angola and Zambia while those from Germany stay unburied? Who decide which people are heroes or heroines? If one did not die as a hero of the Namibian liberation struggle, should one's dignity not be respected? Most importantly, should the Herero chiefs' interference with the Namibian government's proposal to offer the skulls a state burial be blamed for the current situation of the skulls? While these questions would receive polarised answers, the fact that the genocide skulls remain abandoned since their repatriation to Namibia should not imply that the Herero and Nama communities are insensitive to the plight of the unburied bones or they are inconsiderate of their customary rites regarding how the dead must be treated. Instead, this prevailing situation should be understood as a response to rigid circumstances, such as the Herero chiefs' influence in monopolising this process. However, if they were in control of the situation, the Herero and Nama communities, irrespective of the decisions of individuals with power and influence, would have treated the skulls in accordance with their communities and undertaken customary rites for the dead.

Nevertheless, in spite of the ongoing underlying challenges, the belief that, when buried, the deceased's wandering spirit would be finally put to rest remains at the heart of the majority of affected communities. In the same way, the majority of affected communities would be in distress when the human remains of their ancestors are left unburied, as this is believed to impel the spirit of the dead to wander restlessly. In return, culturally, this invites misfortune for the deceased's family and communities at large. Above all, the importance of returning the skulls to Namibia and issues concerning what to do with them appear at the bottom of the victims' priorities – one of which is the affected communities' demand for restitution as an equitable tool for restorative justice for descendants of both the victims and perpetrators of the genocide.

Conclusion

The beginning of this chapter presented a genealogy of the genocide of the Herero and Nama population groups by the Schutztruppe in

German South-West Africa. An attempt was then made to explore the suffering and trauma experienced by the victims during the massacres and in concentration camps. The most critical issue raised in this work concerns the Namibian 'crisis of memory', relating to the issue of how modern Namibia and, in particular, communities that are most directly affected by the genocide deal with human remains, as well as with the recurring emotional memories and negativity of post-imperial Germany's political morality concerning the demands of the affected communities. In this light, the chapter has explored the treatment of the Herero and Nama remains since their return from Germany by arguing that the failure to treat human remains in accordance with the affected communities' customary rites violates particular provisions embedded in the Namibian constitution. In the context of post-genocide Namibia, the chapter has further addressed the historical and political dynamics at play to illuminate the way in which this struggle disempowers and disables societal ethics to give a dignified resting space for the deceased victims of the genocide; it has challenged proposals to display human remains in a museum. The dead, it is argued, should not be displayed for remembrance, to justify reparation claims or for any other reasons. Generally, plans to display human remains should be done with the consent of affected families and communities, also taking into consideration the wishes of the dead. The return of skulls and skeletons from Germany should be accompanied by acceptance, reparation and apology from the perpetrator. However, the question of whether apology and compensation can remedy past injustices creates other debates. Notwithstanding this concern, the most acute scenario concerns the fact that the victims are wounded, even more so when they are reprimanded by both the Namibian and German governments not to demand reparation and restorative justice for the crimes committed by the Germans in the region. Therefore, the repatriation of human skulls to Namibia and issues around how they should be treated becomes less important for most victims who are more interested in receiving monetary compensation for the physical and emotional damage caused by the killings and displacements. As a result, whatever the politics surrounding these bones, accountability and justice for the genocide should be weighed as the key factors in trying to address the grief and suffering of the victims. Hence it is not the question of treating the bones respectfully, but it is currently the issue of reparation for the affected communities that is of paramount importance. Even if the bones were to be given a dignified burial, it would not be enough to heal the wounds and repair the damage inflicted on the affected communities,

except when the return and burial of the skulls and skeletons happens concurrently with or after Germany's acceptance of the genocide and compensation for the victims.

Notes

- 1 General Adrian Dietrich Lothar von Trotha was the Commander of the Schutztruppe during the 1904–08 Herero–Nama genocide in German South-West Africa. The extermination order occurred when the Herero people rebelled against the annexation of their ancestral land and cattle by imperialist Germany. Part of the Von Trotha commandment reads as follows: 'the Herero nation must now leave the country. If it refuses, I shall compel it to do so with the "long tube" (gun fire). Any Herero found inside the German frontier, with or without a gun or cattle, will be executed. I shall spare neither women nor children.' However, some historians are of the opinion that the killing and suffering of these two ethnic groups does not constitute genocide but was, instead, a 'normal war between two parties'. See J. Sarkin, *Germany's Genocide of the Herero: Kaiser Willem II, His General, His Soldiers* (James Currey: UCT Press, 2011), p. 127.
- 2 See, for example, A. D. Cooper, 'Reparations for the Herero genocide: defining the limits of international litigation', *African Affairs*, 106:422 (2007), 113.
- 3 B. Madley, 'From Africa to Auschwitz: how German South West Africa incubated ideas and methods adopted and developed by the Nazis in Eastern Europe', *European History Quarterly*, 35:3 (2005), 429–64; see also D. Olusoga and C. Erichsen, *The Kaiser's Holocaust: Germany's Forgotten Genocide and the Colonial Roots of Nazism* (London: Faber & Faber, 2010), p. 361.
- 4 John Gorbler, 'The saga of the skulls: restitution enacted – recognition failed', unpublished paper.
- 5 Some of these works include M. Biwa, 'Stories of the patchwork quilt: an oral history project of the Nama-German war in Southern Namibia', in A. du Pisani, R. Kössler and B. Lindeke (eds), *The Long Aftermath of War: Reconciliation and Transition in Namibia* (Freiburg: Arnold Bergsträsser Institut, 2010), pp. 331–70; J.-B. Gewald, 'Herero genocide in the twentieth century: politics and memory', in J. Abbink, M. de Brujin and K. van Walvaren (eds), *Rethinking Resistance: Revolt and Violence in African History* (Leiden, Brill, 2003), pp. 279–304; R. Kössler, 'Entangled history and politics: negotiating the past between Namibia and Germany', *Journal of Contemporary African Studies*, 26:3 (2008), 313–39; P. Katjavivi, 'Namibia's bilateral relations with Germany: a crucial relationship', in A. Bösl, A. du Pisani and D. U. Zaire (eds), *Namibia's Foreign Relations: Historic Contexts, Current Dimensions, and Perspectives for the 21st Century* (Windhoek: Macmillan Education Namibia, 2014), pp. 135–68.

- 6 The Schutztruppe used brutal techniques to eliminate the Herero people. These included deliberate strategies of starvation by driving victims into the harsh Kalahari Desert. It is also claimed that stragglers, those who became weak as a result of exhaustion and a lack of food and water from long walks through the desert, were left to die alone and their remains were never buried. However, a considerable number of Herero people, including women and children, were also captured by German army who abused them. For instance, it is claimed that the German troops used women captives as sex slaves in concentration camps (see Sarkin, *Germany's Genocide of the Herero*, pp. 1–2). Prisoners were forced to live under inhospitable conditions of overcrowding, exposure to extreme cold weather without proper shelter and clothing and a lack of basic food. The Hereros were further subjected to forced labour, constructing railway lines and harbours with long working hours. Some prisoners were sold to companies, both locally and continentally, to supply slave labour to German colonies in Africa such as Tanzania, Cameroon, Rwanda and Burundi. Against this background, it is possible that descendants of Herero and Nama people could be found in these countries in the present day; see also 'Statement by Chief Alfons Kaihepovazandu Maharero, Chairman of the Ovaherero/Ovambanderu Council for the Dialogue on the 1904 genocide on the occasion of the official handing-over ceremony of Namibia skeletal remains in Berlin', 30 September 2011.
- 7 Sarkin, *Germany's Genocide of the Herero*, p. 22.
- 8 See the Gallery Ezakwantu, 'The Herero and Namaqua genocide'. URL: www.ezakwantu.com/Gallery%20Herero%20and%20Namaqua%20Genocide.htm.p.10 (accessed 21 January 2015).
- 9 Ibid.
- 10 Ibid.
- 11 Ibid. 'Geneticist Eugen Fischer came to German South West Africa on behalf of German universities as soon as the deaths camps opened. Fischer's "race science" theories led to the idea of a "supreme race" which not only severely influenced the Second Reich, but also the Third.'
- 12 See University of Freiburg, 'Report on the identification of skulls from Namibia in the Alexander Ecker collection', November 2011, pp. 16–18.
- 13 Welcoming remarks by Ambassador Neville Gertze during the memorial service on the occasion of the repatriation of human skulls of Namibian origin from the period of German colonial rule to Namibia, St Mathew Church, Berlin, 29 September 2011.
- 14 University of Freiburg, 'Report on the identification of skulls from Namibia', p. 5.
- 15 Ibid., pp. 16–17.
- 16 Ibid., pp. 4–5. The Alexander Ecker Collection was relocated to the University Freiburg archive from the Freiburg archives. The collection was originally assembled by the anatomist and anthropologist Alexander Ecker (1816–87) and is mainly composed of human skeletal remains, primarily skulls, of worldwide origin.
- 17 The late Chief Kuaima Riruako was a Herero Paramount Chief and parliamentarian.

- 18 Embassy of the Republic of Namibia, 'The report of the Embassy of the Republic of Namibia in Berlin, to the Permanent Secretary of the Ministry of Foreign Affairs in Namibia, following Namibia's Ambassador to Germany meeting with Dr. Manig and Ms. Ludwig of German Foreign Office, regarding the repatriation of human remains to Namibia', 20 September 2011.
- 19 This speech was made by State Minister Pieper at the ceremonial event of handing over skulls of Namibian origin at the Charité, 30 September 2011.
- 20 N. Gertze, 'Report on the return of twenty human skulls from Germany to Namibia', Embassy of the Republic of Namibia, Berlin, 6 October 2011.
- 21 Ibid.
- 22 University of Freiburg, 'Report on the identification of skulls from Namibia', pp. 4–74.
- 23 Gertze, 'Report on the return of twenty human skulls'.
- 24 Ibid.
- 25 Ibid.
- 26 Ibid.
- 27 Ibid.
- 28 Ibid.
- 29 N. Eltringham and P. Maclean (eds), *Remembering Genocide* (Abingdon: Routledge, 2014), pp. 168–9.
- 30 Namrights, 'German aid should target genocide victims', press release, 23 November 2011. URL: www.nshr.org.na/index.php?module=News&func=display&sid=1716 (accessed 21 October 2015).
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- 32 Ibid.
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- 34 See *Kenya London News*. URL: www.kenyalondonnews.co.uk/index.php?option=com_content&view=article&id=9522:namibian-skulls-ignite-anger&catid=49:world-top&Itemid=46 (accessed 17 November 2015).
- 35 *Namibian Sun*, 'KK fumes at German MP over genocide', 24 July 2014, p. 1.
- 36 Ibid.
- 37 *Namibian Sun*, 'Rukoro wants UN to tackle reparations: says Namibian Tribes want compensation, just like the Jews', 1 October 2014, p. 1.
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- 42 Meldrum, 'German minister says sorry for genocide'.
- 43 DW Staff, 'Germany urges Herero to drop lawsuit', Deutsche Welle. URL: www.dw.de/germany-urges-herero-to-drop-lawsuit/a-1287663 (accessed 21 October 2015).
- 44 L. Foster, "'The skulls are not enough": the repatriation of Namibian human remains from Berlin to Windhoek in 2011', *Darkmatter*, 18 November 2013. URL: www.darkmatter101.org/site/2013/11/18/these-skulls-are-not-enough-the-repatriation-of-namibian-human-remains-from-berlin-to-windhoek-in-2011/ (accessed 21 October 2015).
- 45 Ibid.
- 46 *Namibian Sun*, 'Owambo, Damara and San skulls found in Germany', 10 March 2014, pp. 1, 14.
- 47 B. Weidlich, 'Herero and Nama skulls to be preserved, not buried', *The Namibian*, 6 May 2010, p. 1.
- 48 K. Riruako and D. Hendrick, 'Memorandum of the Herero Paramount Chief Kuaima Riruako and Chief David Hendrick of the Nama to the Cabinet of the Republic of Namibia: the return of the skulls', 1 October 2009.
- 49 Ibid., pp. 2–5.
- 50 See D. Frederick, 'Position paper of the Nama Traditional Leaders in respect of the offer to visit Germany to collect and repatriate skulls by descendants', addressed to Hon. Kazenambo Kazenambo, Namibia's Minister of Youth, National Services, Sport and Culture and signed by Chief David Frederick, Chairman of the Nama Traditional Leaders Association, 26 April 2011.
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- 53 'Statement by His Excellency Dr Hifikepunye Pohamba, President of the Republic of Namibia, on the occasion of receiving human remains of Namibians repatriated from Germany', Heroes' Acre, Windhoek, 5 October 2011.
- 54 N. Albertina, 'Should museums exhibit human remains?', Public History assignment, University of Namibia, June 2014, p. 4.
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A Beothuk skeleton (not) in a glass case: rumours of bones and the remembrance of an exterminated people in Newfoundland – the emotive immateriality of human remains

John Harries

This chapter is about human remains and how human remains inhabit the public sphere after their exhumation. It is also, however, about a curious form of inhabitation. Usually, when we think of things being *in* the public sphere, we think of them as being somehow present. In the case of bones we think of them being actually, materially, physically, there. Perhaps they are on display in a glass case in a museum. Perhaps they are held within the collections of a university awaiting the possibility of scholarly interest. Perhaps they have been reunited with ‘their’ people (or whichever people have advanced a recognised claim to possess a privileged and proprietary relationship with the bones) and have then been returned to the earth with due ceremony; but, even at that, if they are once again hidden from view they are still locatable, their spot being marked by some architecture of commemoration enabling us to return and point and say here lies the remains of someone.

The political life of dead bodies in the public sphere has received considerable attention of late, most of which assumes the presence of these bodies or is oriented towards the processes by which they come into presence as they are exhumed and so (re)enter public life, becoming embroiled in contemporary politics of memory and sovereignty.¹ In many ways this chapter shares this concern with the political life of human remains; however, it is also concerned with rumours and memories of remains that were once visible but are now lost. This is not to say that these remains have vanished altogether.

They are still somewhere but their whereabouts is unknown, or the common knowledge of their whereabouts is said to be withheld.

In general, one could argue that there is something slightly uncanny about lost objects in that they trouble the distinction between presence and absence. It is, after all, not just a matter of them having once been here and are now gone. Lost objects can still be close and so it is just possible that they may re-emerge into the public domain, being literally or figuratively exhumed, rediscovered in a cupboard or a long locked and forgotten storeroom. This aura of uncanniness may be a quality of any lost object, even those little everyday things that leave our lives without our intention, but it is particularly true of human bones. The reasons why are complex, although it has been variously suggested that, beyond their significance within particular cultures of mourning and remembrance, there is something about human remains, something about the fact that they are uncertainly situated between subject and object, vital being and mere matter, person and thing, that predisposes them to become objects of peculiar concern,² and so, by extension, the sense that they are vanished yet 'near at hand' can create a peculiar disquiet.³

In truth, these bones have not 'vanished'. Some people know where they are. But for many people they have disappeared without the knowledge of where they have gone. It is also true to say that they have not been 'lost' through carelessness or accident. They have been taken away and hidden from view. The difference is a question of intent and the attribution of intent. In writing of the 'movement of lost effects' (in this case gloves and other bits of clothing), David Bissell addresses a situation 'where an object that is normally located, placed, and known is abruptly and unintentionally severed from these corporeal bonds and knowledges that serve to maintain these often practical and sometimes meaningful networks of proximate and distantiated objects'.⁴ In many ways, I am writing of a similar situation in that I will be discussing something, in this case the body of a child, that was once there and is now gone (while still being somewhere). However, this loss is not unintentional and everyone knows and agrees it is not unintentional. The body's vanishing from public view was a purposeful decision, although who made this decision and why, in the first instance, this decision was made has been forgotten; nonetheless, even in this absence of clarity there is the assumption of intentionality.

Another point follows from this observation. Bissell, as with many who have recently written about landscapes of ruination and the detritus

of abandonment, suggests these are scenes and situations in which things slip beyond the circuits of value and signification that held them in place as objects of some determinant kind. Discovering lost items in their abject state has, then, the potential to allow us to become attuned to the vibrancy of matter;⁵ its inherent and anterior indeterminacy, which both elides and is gathered into our projects of constituting objects from the stuff of the world. In this case, however, what remains of the body has vanished but not been lost. It has, therefore, not been 'severed' from the 'meaningful networks'; rather it dwells within these meaningful networks but in an altered state. In fact, we could suggest that its peculiar position of the 'lost' body as something that is somewhere (and someone knows where it is) accords it a peculiar kind of meaningful status as one of a class of entities that are present yet withheld – an absence perhaps, but an absence that is not the product of carelessness but an absence constituted in the purposive act of withdrawing and withholding. In other words, as Zoe Crossland argues with reference to the bodies of the 'disappeared' in Argentina,⁶ absence is something that is created and maintained, not inadvertently but through the purposeful action of people who are trying to do or undo something in the maintenance of absence.⁷ In other words, absences, to quote Severin Fowles, 'perform labour'.⁸ This may be the work of forgetting, but it may also be the work of remembrance, in as much as such absences may have the effect of 'intensifying our emotional or cognitive engagement with that which is manifestly not present'.⁹

In truth, we are addressing a double-absence; for the remains of the dead perhaps inevitably suggest the absence of the living, just as the litter of everyday objects in abandoned English factories suggests the haunting absence of working lives,¹⁰ or a never-used cradle and doll materialise the absences of stillborn babies.¹¹ The problem is, however, that such evocations of absence assume the presence of the body, or the lost glove, or the empty cradle, as a trace of that which was but is (and will be) no longer, thereby allowing for a theorisation of the immateriality of absence to be enfolded into the study of the materiality of presence.¹² We are, therefore, concerned with the 'presenting of absence' in the affective human encounter with the stuff of the world.¹³ Meyer and Woodthorpe, for example, write the following about museums and cemeteries:

In cemeteries, we are confronted with absence in the loss of people ... In museums, we are confronted with the absence of the 'world out there' and/or the 'world that once was'. Both sites, hence, do something to and something with the absent – transforming, freezing, materialising, evoking, delineating, enacting, performing, and remembering the absent.¹⁴

In many ways, this chapter is concerned with the same processes by which absence is materialised, enacted and performed, as well as the complicity of the researcher in these processes. In this case, however, there is the curious problem of the absence of the materialisations by which absence of people once living is made present. It is as though one came to a museum and sought out a skeleton displayed in a glass case, only to find that the glass case was empty save for a hook and bit of wire. In fact, this chapter concerns exactly such a situation, where the remains of a child were once on display in a museum and have now 'disappeared'; in this situation, however, there is not even an empty glass case, nor is there a museum – at least not in the same place. This is not to deny that the 'maintenance of absence' is a material process that somehow conjures the immanence of that which cannot be brought into presence. After all, even when the glass case has been removed, there are still the memories of those who visited the museum when the remains were still on display, as well as a small collection of documentary traces – old photographs and newspaper articles, handwritten lists, published reminiscences and the jottings of visiting anthropologists – which speak to the fact of a particular gathering of human bones having once being present and laid before the gaze of the paying public.

I wish to suggest, however, that we cannot simply look past the fact that from most people's perspective the body has vanished. It once was there and now it is not (even as it is still somewhere). Nor can we simply resolve this problem by re-establishing its presence by undertaking a form of archival exhumation, a sort of historiographic disinterment in which the unseen body is once again brought into visibility thanks to the persistence of the researcher. Those of us who are concerned with the political lives of dead bodies perhaps tend to overly focus on these processes of unearthing in which the dead are made present in the (re)appearance of their mortal remains, either as they are undertaken by others, particularly in the exhumation of histories of mass violence, or by ourselves as we piece together biographies of bones through our research. Additionally, we need to attend to the political lives of that which is doubly absent.

The extermination of the Beothuk

I have said that this chapter is about the double-absence of the dead in that it concerns a body that has disappeared. In fact it is about a triple absence; for the body that has disappeared belongs to a people

who have 'vanished'. The bodily remains, which are now beyond of public view, are a metonym for the more general absence of an entire people who once existed as a culture, distinct and entire unto itself. In this case, therefore, the question of our understanding of how the absence of human remains may haunt the public sphere intersects with the question of how the corpses of victims of violent campaigns of dispossession come to inhabit contemporary articulations of collective identity, especially in circumstances where the act of violent dispossession is foundational to these very articulations. Again, there is some ambiguity here. The body in question is likely not that of an individual victim of violence. The person died as a child, but was buried in an orderly way fully in keeping with the tradition of his (or her) people, strongly suggesting that at the time of the burial these people were more or less going about life as usual. Yet, as will be discussed later, against the backdrop of a history of violence and annihilation this body comes to evoke not just the absence of a living child but the absence of the child's family extended to encompass the entirety of his (or her) people.

The people in question are the Beothuk. The Beothuk were native to Newfoundland, a large island off the north-eastern coast of North America, which, along with the mainland territory of Labrador, is now a province of Canada. In truth, we know little of the Beothuk. Their encounters with Europeans were few, mostly unfortunate and, by and large, they ran when they saw Europeans coming. Sometimes they left their possessions behind to be described by those few Europeans who had a penchant for fashioning written descriptions. Some of these possessions endured to be discovered many years later by archaeologists. From these old written accounts and more recent archaeological investigations we know the Beothuk hunted for caribou in the interior, gathered the eggs of seabirds and took salmon from the rivers and seals from the sea. They made their shelter in *mameteeks* fashioned from straight poles of spruce and overlaid by birch bark and deer skin.¹⁵ They usually buried their dead in caves overlooking the sea, digging out hollows and overlaying the body, accompanied by grave goods, with bark and then stones.¹⁶ They smeared their bodies in red ochre and thus became known by the early European adventurers as the 'Red Indians', acquiring their proper name, albeit rendered in a profusion of different spellings, within the historical record only when a captive woman named Demasduit spoke the word to Reverend John Leigh in 1819.¹⁷

In the eighteenth century English planters and their servants settled the northern bays of Newfoundland. They fished for cod,

made weirs in river mouths to net salmon and set traps in winter to catch fox and marten. There was trouble between the Beothuk and these settlers. How much trouble is hard to say. The northern bays of Newfoundland were at the very fringes of British imperial governance. People did not write things down. Most of what we know of the events during this time is a matter of rumour and distant recollection. There is, however, enough talk from this time to suggest that some settlers cruelly persecuted the native people, often on the pretext of seeking retribution for acts of thievery. There is the story of a man named Wells who, coming in sight of a 'canoe of Indians', shot at them and saw three of four drop down injured. He followed the canoe ashore and 'fired at them again' and so 'increased their wounds' and left them to die.¹⁸ An old man named Creazy was said to speak of 'shooting at and wounding Indians with as much coolness and as little concern as [one] would speak of wounding a duck'.¹⁹ There was the story of John Peyton Sr, an eminent planter and ancestor of a still-prominent family, who followed a frozen river to a frozen lake to reclaim some stolen items. As he and his party approached, the Beothuk fled, save for one disabled man who was found working one of Peyton's traps into arrow-heads. Peyton took the trap and beat the man to death.²⁰

So it went. The Beothuk died. Shot. Choked with tuberculosis. Starving as they lost access to the cliffs, cove and beaches where they had taken capelin, salmon and gulls' eggs. There is still disagreement about how to understand their death. Some say it was an unfortunate accident of a sort, the Beothuk being a people few in number and eking out a precarious existence on an inhospitable island.²¹ Others cite the stories of violence and suggest that this was genocide, if not by any organised design then certainly in disorganised intent.²² Whatever the case, the Beothuk became fewer until 1829 when a young woman, not yet thirty years old, named Shanawdithit, died in a hospital in St. John's, the colony's principal port and capital city. The governor sent out expeditions to search for the remnants of her people in the hope of bringing them safely into the compass of their civilisation. No Beothuk were encountered and they were thus declared extinct.²³

Beothuk bones

The Beothuk may be gone but they are far from forgotten. Given that this is such a grim story it is perhaps surprising that there is a

lot of Beothuk stuff about. There are Beothuk novels that pick over the rumours and recollections of old acts of violence to craft vivid accounts of the cruel treatment and sad demise of a people. There is a whole bunch of Beothuk poems, which, similar to the novels, hymn their passing and mourn their absence in dolorous and portentous tones.²⁴ There are displays of Beothuk artefacts to be found in museums in St. John's, Grand Falls and Botwood, as well as the Beothuk Interpretation Centre at Boyd's Cove. There is a feature film and at least two documentary films.²⁵ A few years ago a Beothuk musical entertained the tourists at Twillingate.²⁶ Finally there are the historians and archaeologists who dig through archives or into the earth to know the Beothuk better and publish these contributions to knowledge as articles and monographs.

There is, one could say, a whole culture of recursive revelation that is oriented towards excavating the scene of a crime that is foundational to the becoming of Newfoundland as a settler society in which people, in the denial or annihilation of any contestation from those who were here before, came to think of themselves as the natives of the island.²⁷ It is a curious and perhaps perverse little formula that Terry Goldie caustically summarises as follows: 'We had natives. We killed the natives. Now we are the natives.'²⁸ Only Goldie's formula neglects the seeming compulsion to return and to keep digging. Nor does it give us purchase on the ambivalence that seems to inhere in this process of excavation, caught as it is between the will to repress that which is unsettling and to draw it into expression and so to render it intelligible within a public culture of commemoration. After all, it could be easier to forget about the whole thing, but instead we have novels, poems, paintings, archaeological digs and so on.

Which brings us to bones. For some years now, my colleague Joost Fontein formulated a couple of catchphrases that helped us think towards a more symmetrical account of the ways in which bones came to enter into and create certain effects within the public sphere. We wrote of the 'emotive materiality' and 'affective presence' of human remains.²⁹ The idea was not to deny the cultural significance of bones, but to suggest that to better understand this significance we had to account for the *thingness* of bones, that which is both anterior to and animates their constitution as objects within domains of signification. This shifted the focus away from what bones mean to the unfolding relational processes, at once ideational and material, by which bones enter into meaning, while acknowledging that this entry is never complete and there always remains a remainder, sensed fleetingly in the moment of encounter which

exceeds and is insufficient to the constitution of the object. Within this formulation, unearthing is the process by which stuff come into being as human bones through a material hermeneutics of recognition that, among other things, reveals the trace of another, an absent presence who is immanent in but transcends the form and substance of that which remains.³⁰

In Newfoundland there have been several such unearthings in which a Beothuk grave has been discovered and some, or usually all, of the bones removed, transported out of the wilderness and so brought into the public sphere. This might be for the purpose of putting on display, or perhaps to be made available to anthropological or anatomical research. Invariably, given the dark allure of the history of extermination, these bones have been valued as a curious relic of an extinct people. The most famous of these 'unearthings' is the looting of the grave of Demasduit (she from whom the Reverend Leigh learned the word Beothuk) and her murdered husband Nonosabasut, whose skulls were taken by William Epps Cormack in 1828 and subsequently transported to the University Museum in Edinburgh where they now reside in the National Museum of Scotland's collections.³¹ But there are others. In 1847 a boy was 'gathering brushwood' on an uninhabited island near Burgeo, on the southern coast of Newfoundland. He saw a stick of wood poking out of a cliff of loose stone and, on pulling the wood free, the stones fell away to reveal a cavity beneath. At some point the Reverend Mr Blackmore arrived and in that cavity he found the 'bones of human being wrapped closely round with birch rinds.'³² He undid this package and took away the skull and other bits of bone as well as the grave goods: a bone spear, some glass beads and more. He took them all the way to Montreal to present them, along with an account of their finding, to the museum of McGill University. In 1888 George Hodder of Twillingate explored a cave on Comfort Island, Bay of Exploits. He found the near-complete skeleton of a man, covered with birch bark and buried beneath loose stones, along with a 'lot of beads and bone ornaments, a lot of birds heads, a piece of iron pyrites, etc.'³³ He sold the bones to the museum in St. John's, where they came to be hung as a fully assembled skeleton in a glass case.

The particular unearthing focused on in this chapter happened in 1886 when people were out berry-picking on an island lying at the entrance to Pilley's Tickle in Notre Dame Bay. The party could have been, however, geologists surveying the island for copper ore.³⁴ No matter. The most published version of the story has it that it was berry-pickers, one of whom, 'a boy', took a step and pushed

his foot through a 'slight covering' of birch bark. He tore 'up the stones and dirt and found the body of a child'. He and the other berry-pickers 'carried away the head' of this dead child, as well as 'some trinkets',³⁵ and brought them to Samuel Coffin, a local metal dealer, farmer, merchant and, it seems, amateur bone-collector. Mr Coffin purchased the head and trinkets and then came to the island and inspected the body *in situ*. Someone must have then removed the body as well as the things with which it lay – two little models of birch bark canoes, a wooden doll, a child-sized bow and arrows and a packet of neatly wrapped dried fish – and brought them to the museum in St. John's. However, there is no record of Mr Coffin's actions in this regard, and the *Twillingate Sun*, a near enough local newspaper, describes that a Jabez Tilley discovered the small body and brought it out of Notre Dame Bay for exhibition to the public in the capital.³⁶

This becomes then a story of unearthing – a rather uncertain tale of things, stuff, Beothuk bones coming into presence and thus entering the public domain as objects of value to be sold and passed on, eventually coming to rest as a specimens within the collections of the museum in St. John's. The crux here is, however, that these bones cannot be seen by you or me or anyone else, and therein lies the difficulty for notions of human remains' affective presence and emotive materiality; for these very turns of phrase emphasise the process of coming into presence, of being literally and figuratively to hand. In this case, however, these bones have receded from presence yet are still not wholly absent. We have then, if you will, an affective absence or an emotive immateriality. For the remainder of this chapter I wish to consider this strange possibility of affective absence and the ways in which these things that are close by yet not seen are enfolded into troubled articulations of postcolonial identity. I will do so with specific reference to the body of the boy (for he has always been thought to be a boy) from Pilley's Tickle.

Rumours from Eastport

This story of absence began for me with a rumour: a story told to me by someone, which had been told to him by someone else. In truth this story did not make a particular mark on me at the time. It was just a bit of gossip told to me because I was (and am) a researcher, looking into the ways in which the people of Newfoundland remember the native peoples who preceded them, examining how these

memories are entangled with the stuff – human bones, bits of iron cold-hammered into arrowheads, middens of shells and so on – that remains of a people now said by many (but not all) to be extinct.

The rumour goes like this: back in 2010 there was a literary festival in Eastport, a small town on the coast of Trinity Bay, Newfoundland. One of the events at the festival was a session entitled ‘Lost Voices’. Speaking at the session was an artist named Gerry Squires and three writers – Annemarie Beckel, Kevin Major and Bernice Morgan – all of whom had published novels that in one way or another dealt with the story of the Beothuk and the circumstances of their extinction. The artist was to discuss ‘the Spirit of the Beothuk’, a life-sized bronze statue fashioned according to his design and erected in a grove of trees near the Beothuk Interpretation Centre at Boyd’s Cove. The authors were to speak to ‘their various approaches to representing an important part of Newfoundland and Labrador history, and how each has attempted to capture the spirit of the Beothuk in prose’. This is, in fact, not the rumour. This is a matter of record.³⁷ The rumour has to do with what happened next.

A question and answer session following the readings with the audience. One member of the audience got onto the subject of the partially mummified body of the ‘Beothuk baby’. The audience member remembered that when they were young they would go to the museum on Duckworth Street in St. John’s where they would see, displayed in a glass case, the remains of a Beothuk child. Then the child’s body disappeared. It was no longer on display. The audience member wondered what happened to the body. Where had it gone? Was it safe? Was it lost? As luck would have it, a senior member of the museum service of Newfoundland and Labrador was in the audience. He spoke up, saying that the child was not lost, but had long been withdrawn from display and was now in the safe-keeping of the province, held in an appropriately secure and respectful way, along with the remains of other disinterred Beothuk. As the story was told to me, this off-the-cuff revelation was thought to be somewhat misjudged since, on the whole, the museum service did not (and do not) want to draw overmuch attention to the Beothuk bones in their keeping.

There are a couple of interesting things about this little story. The first is the very fact that there was a session at a local literary festival devoted to artists and writers who were ‘seeking to capture the spirit of the Beothuk’ in bronze or words. This is, as described above, indicative of a more general cultural concern with remembering the Beothuk and mourning their passing – a concern that

finds expression in poetry and prose, paintings, songs, displays of artefacts (with accompanying interpretive signage), heritage trails, documentary films and a big bronze statue. There were three authors speaking at the festival, but in truth if one had gathered together everyone who had written of the tragic events that unfolded along the northern bays and in the interior of Newfoundland in the eighteenth and nineteenth centuries you could have likely filled the room.

The second interesting feature of this story is the fact that someone remembered a body that was once on display and wondered aloud about its whereabouts. This is an instance of a whole series of stories, rumours and queries about lost or hidden Beothuk bones that I have come across while doing research in Newfoundland. In Point Leamington I was told the story of how some boys had found a skull while scrambling up an eroding bank to gain a better view of a crow's nest. As the story goes, the boys, out of malice, threw the skull into the sea, but word got around and a man from a museum in Nova Scotia came and unearthed more bones, carrying away a crateful that was never seen again. During the same visit I heard from a man who claimed to have found a few Beothuk bones when he was a boy – part of a ribcage, he thought – but these were now lost. Maybe, he mused, his mother threw them out with the rest of his boyhood items, his hockey cards and so on. Elsewhere I was told of a man who as a boy had clambered up to a cave on an island in the Bay of Exploits. There he found a finger bone and, drilling a hole and then running through a string, long wore it as a pendant until, years later, crippled with arthritis, he buried the bone thinking it brought him misfortune. There was another tale told from Twillingate, Notre Dame Bay, of the old village doctor who kept the skull of a Beothuk on his desk as a candy dish. The skull has disappeared, but the rumour goes that someone took it to bury in the local Anglican graveyard under the cover of night. Back in 2008 I interviewed a young man from Baytona who said he knew of an old man who had found some Beothuk bones. The old man had let these bones lie and would not tell anyone of their whereabouts, feeling that, in the words that were quoted to me, 'no good would come of that'. In the folklore archive in St. John's, I unearthed a story recorded by a student-researcher back in the 1960s who was interviewing an old man named Ted Bugden. Mr Bugden told of when, as a boy, he was playing baseball and found a man's skull. It turned out the skull belonged to a Beothuk man and people from the museum in St. John's came and took the skull and other bones and made them into a skeleton that, for a long time, hung in a glass case in the museum.

Mr Bugden, when he was in town, would visit the bones he found in childhood. Later, as the story goes, there was a fire and the bones were lost.³⁸

The best-known of all these stories of bones, found then lost, concerns the remains of Shanawdithit. Upon her death her skull was removed and studied by William Carson. He then shipped the skull to the Royal College of Physicians in London for further study.³⁹ The rest of her body was buried in the old Anglican graveyard on the south side of St. John's harbour. The graveyard and with it the whereabouts of Shanawdithit's remains were lost to railway construction in 1903. A stone cairn with a metal plaque was erected somewhere near the spot where the graveyard may have been. 'Near this spot', the words on the plaque read, 'is the burying place of Nancy Shanawdithit, very probably the last of the Beothics'.⁴⁰ The cairn and plaque have since disappeared to make way for the new sewage treatment plant. As for her skull, this was moved to the collections of the Royal College of Surgeons and then was lost, with much else besides, when a German bomb fell through the roof of the College Building and exploded.⁴¹ In 2010 there was another brief flurry of media interest after a local historian, Bob Cuff, claimed that the graveyard where her headless body was buried had been rediscovered.⁴² A letter to the editor by Corey Sharpe from Grand Falls-Windsor made the plea that 'if and when Shannadithit's grave is located, she be returned to her place of abode' so that she finally enjoys 'the peace and respect that was stolen from her so many times over'.⁴³ So far the grave has not been located.

What is suggestive about the rumour from the literary festival at Eastport is that there is some odd association between the public culture of commemoration by which the people of Newfoundland remember the 'spirit of the Beothuk' and stories of missing bones. This suggestion of association is, indeed, not wholly speculative. Two of the authors who were reading at the 'Lost Voices' event – Annemarie Beckel and Bernice Morgan – had both written novels that feature the story of Shanawdithit's skull, its post-mortem removal and examination, its transport to London and its eventual loss. Morgan's novel, *Cloud of Bone*, indulges in a speculative conclusion in which the skull is not actually lost but finds its way into the possession of an archaeologist, Judith Muir, who is traumatised by the murder of her husband and her experience of excavating mass graves in Rwanda and Yugoslavia. Judith takes the skull back to Newfoundland and gives it to Kyle, an old man haunted by the voice of Shanawdithit's spirit. The novel ends with Kyle climbing over the

south-side hills above St. John's as snow falls. He walks until the snow becomes so dense and her voice so compelling that they move beyond time and place into 'a white cave that is filled with nothing but story'.⁴⁴ Together they stumble and fall into a ravine, still green from the running stream, and so the skull will be lost again, enfolded by the moss that 'given time, will cover everything'.⁴⁵

Archival excavations and discovery of absence

I will admit that back when I first heard the rumour from the literary festival in Eastport I did not pay it much heed. I had become interested in the afterlife of Beothuk bodies, but my interest focused mostly on the skulls of Nonosabasut and Demasduit, now held in storerooms of the National Museum of Scotland.⁴⁶

A couple of years later, however, I was rummaging around the Internet in search of information that may relate to the Beothuk, and I came across a list of photographs held in the Royal Commonwealth Society Collections of the University of Cambridge.⁴⁷ The photographs had been taken by a man named Alfred Hugh Fisher in 1908. At the time Fisher was employed by the 'visual instruction committee' of the colonial office. His job was to travel the extent of the British Empire in order to take photographs that would form the basis of a series of lectures, illustrated with lantern slides, which would serve to cultivate an 'imperial attitude' in the children of Britain and the British colonies.⁴⁸ Fisher then came to St. John's and took photographs of small fishing boats at the harbour and bigger schooners soon outward bound for the Labrador fishery. He also took photographs of 'fish flakes', the tables on which the spit cod was laid to dry, women spreading the fish in the sun, the stout stone-built Roman Catholic Cathedral and similarly solid Parliament House, as well as much else besides.

Among this collection is a photograph of the Beothuk child, taken at the colony's museum, which was rather haphazardly housed in the post office building. In the photograph the skeletal remains are laid upon a wooden board that is supported at either end by glass display cases. The skeleton seems nearly intact. The child lies on its side facing the camera. The right arm is folded across the body. The knees are drawn up to the chest so that it lies in foetal position. A loose covering of cloth or hide hangs about the bones but seems to have been pulled aside to display the whole body. Threads from the unravelled covering hang down from the

board. The eye sockets are, of course, hollow and there is a rough triangular opening where once there would have been the nose. A few teeth remain.

The focus is upon the child's body laid out upon a board, but arrayed around one can see some of the other displays. To the left of the body, as one looks at the photograph, there is a gathering of glass jars, one filled with squid, another with small fish and others still whose contents I cannot discern. On the wall above the jars there is a photograph of what seems to be three large fish, maybe tuna, hung up by their mouths and another photograph of an even larger fish, or perhaps a small cetacean, balanced on a wooden table. To the right of the body, the contents of the cases are mostly obscured, the fall of light making the glass opaque, but it seems the case nearest the photographer, just under where the board holding the child's body rests, may contain a human cranium laid upon its side. At the back and to the right, maybe suspended from the ceiling, is a kayak with a figure, dark-skinned and clad as Eskimo, holding a paddle. Behind that, against the far wall, is a standing glass cabinet, which seems to house stuffed and mounted birds. Beside this is another narrow standing cabinet ornately carved on the top, in many ways reminiscent of the cabinet that would house the works of a grandfather clock. In this cabinet hangs another skeleton. This one, I would assume from its size, belongs to someone who died as an adult and likely the skeleton unearthed by George Hodder in 1888.

So, the part-mummified Beothuk child once inhabited the public culture of Newfoundland as a museum exhibit. At that time, when Fisher visited St. John's, the museum's collection was in a state of some neglect. The post office was not happy housing the glass cases of human bones, stuffed birds and stone tools and consigned them to the building's attic and other out-of-the-way 'nooks and corners'.⁴⁹ In 1907 the museum's curator and champion, James P. Howley, complained that 'the present condition of the museum and exhibits, is ... one that reflects little credit on us as a people of intelligence and advanced ideas' and, with the encroachments of the postal service, a museum that had once been 'in good order, and compared favourably with any museum in any town of similar size' and was now 'but a store room and a very poor one at that'.⁵⁰ Nonetheless, poor storeroom as it was, the museum remained open to the public from ten in the morning until four in the afternoon every day save Sunday, and, despite the dilapidated and disorderly state of the displays, visitors still came to look upon its curious collection held within glass cases and arrayed upon shelves. 'During the summer months', reported Howley, 'almost

every tourist and traveller who comes to the city visits the museum.⁵¹ But it was not just visitors to the island who sought out the neglected displays. According to Howley (who, admittedly, was interested in promoting the museum as a public good and so worthy of being supported by public funds), most of the 'fishermen and their friends who semi-annually visit St. John's find their way to the museum' and 'were keen at observing anything new, and take a deep interest in it, very frequently bringing specimens of some sort with them'.⁵²

Provoked by this photograph, I set about trying to reassemble the story of how the body of this child was present within the public culture of Newfoundland. This was, as suggested above, an exercise in archival exhumation by which I attempted to render the body present once more, by drawing it back into visibility and, in doing so, move towards reconstructing the cultures of curiosity that made it something worth seeing. As it was, the work of exhumation proved difficult in that the records of the layout and displays of this sometimes troubled museum are highly partial. In an inventory of 1891 the remains of the 'mummified body of a Beothuk child' are listed as being displayed in 'Case 13', which was labelled 'Beothuk inhumation' and, besides the body of the child and associated grave goods, included the skull, 'thigh bone' and 'upper arm bone' of an adult.⁵³ From the evidence of some scrawled notes on lined yellow paper, we know that Truman Michelson, of the American Bureau of Ethnology, visited the museum collection in 1923 and, although he is better known as a linguist, took a series of anthropometric measurements of Beothuk skulls, including the skull of the child that was noted to still be in 'case number 13'.⁵⁴

In 1934 there was another inventory of the museum's collection under the auspices of the commission of government appointed by the British parliament. By then the former dominion's museum was in a precarious and neglected state and the inventory was for the purposes of dispersing the mineral specimens, stuffed birds and old bones to various buildings around the city. Among the litter items are listed three full sets of 'human bones' as well as 'bones', 'bones etc.', a 'forearm of a child', two 'pieces of skull' and three entire 'Beothuck skulls'. It is unclear if the body of the child was part of this collection of human remains, but if so it was packed up and disappeared into storage.⁵⁵

It is likely that the small body was once again on display beginning in 1957, when the museum, now the Provincial Museum of Newfoundland and Labrador, reopened in its new premises on Duckworth Street. In an article announcing the opening of the

museum, the new curator, Leo English, writes about a display of 'a collection of relics of the vanished Beothuck', boasting it as 'the only collection of its kind in the world';⁵⁶ however, he makes no reference to human remains. Another article announcing the opening does, however, include a photograph of the large skeleton laid prone in a glass case. The caption reads: 'One of the finest collection of Beothuck relics, including a skeleton and the manner in which these nomads was [sic] buried. The remains lie on a bed of birch rind.'⁵⁷ In the years that follow there is a passing mention of a display in various articles and publications. In a piece in the *New Lands Magazine* of autumn 1965, P. J. Wakeham writes that

In the Provincial Museum in St. John's, there is a section which contains the relics of a vanished race, the Beothuck Indians of Newfoundland. In a birch-lined coffin lies a complete skeleton of an exceptionally tall Red Man, and as far as I know the only one of its kind on exhibition in the world. In an adjacent coffin is the mummified body of a Beothuck child, and a fine display of artefacts.⁵⁸

It seems that some time between then and 1974 the display was rearranged and the museum, as a whole, was once again in a dilapidated state. An article critical of the museum's condition in the early 1970s describes a 'grimy and uninviting foyer', the floor littered with 'large piles of broken plaster mixed with empty soft drink cans', where 'Steep and winding stairs' lead to the museum proper, 'a small space' in which 'artefacts and paintings, scale models and replicas are exhibited in an attempt to illustrate aspects of the history of Newfoundland'. Among these is the Beothuk male skeleton, which had been 'nicknamed Charlie' by the author's children, 'who considered him to be the highlight of a museum visit'. This has 'been removed from his supine resting place' in the birch-bark lined coffin and, as a photograph attests, displayed as 'a pile of old bones' on a shelf. No reference is made to the remains of the Beothuk child.⁵⁹ There is, however, a photograph of the child's remains to be found in Bernard Fardy's book, *Demasduit: Native Newfoundland*,⁶⁰ taken by the author in 1976. As with the skeleton of the adult, the small body has been removed from its coffin and placed behind glass on a white shelf. The cloth covering the body seems to have been pulled up, although the leg bones, which are drawn up to the ribs, can still be seen, as well as the skull. Arrayed by the head, so close as to be touching, are the small deerskin shoes that were found in the grave back in 1886.

Nowadays, as the story from Eastport attests, the body is no longer on display. As far as I can ascertain, the remains of the Beothuk child were withdrawn from display some time in the mid- to late 1970s, most likely in 1976 when the museum was temporarily closed for an extensive refurbishment and the wholesale redesign of its exhibitions.⁶¹ The current museum is now housed in The Rooms, a purpose-built heritage centre constructed to resemble two salt box houses, complete with red peaked roofs – albeit two salt box houses connected by an atrium of tinted glass and built on such a scale that they almost dwarf the adjacent Catholic Cathedral. In the museum there are still displays, some of which have been inherited from the collections of Howley, once housed so precariously in what was the post office building. There are the stuffed birds and kayaks and arrowheads fashioned from chert and baskets sewn of bark. There are, however, no bones on view: the bones of the child, the skeleton of the adult in a glass case, the cranium fallen on its side – none are to be seen by visitors.

Memories and the affective encounter with bones unseen

There is nothing surprising in this. There has been a profound change in attitudes and policies concerning the display of human remains and, in particular, the remains of indigenous peoples. The Vermillion Accord on Human Remains adopted by the World Archaeological Congress in 1989 advocates ‘the respect for the mortal remains of the dead’ that ‘shall be accorded to all, irrespective of origin, race, religion, nationality, custom and tradition’ and recognition and respect for the ‘wishes of the local community and the relatives or the guardians of the dead.’⁶² Museum services have variously engaged with the ambiguous notion of ‘respect’ and the requirement that any local communities of concern must be involved in decisions concerning the management, display and disposal of collections of human remains. In Newfoundland there is no written policy pertaining to how best to manage the collections of indigenous remains kept by the provincial government, but there is a clear sense that the public display of these remains is problematic and potentially disrespectful, both of the dead and of the wishes and values of the living First Nations peoples of Newfoundland and Labrador. They are therefore withdrawn from view, held within the public domain, but discretely.

This, for me, raises the interesting possibility of an affective absence that haunts the near-contemporary scene of remembrance in Newfoundland. This possibility is situated within, and so expresses, a problematic ambivalence in our understanding of the emergence, or unearthing, of human remains. On the one hand it could be argued that this unearthing, interpreted within a Freudian topology of repression, may be considered as an ethically engaged project of excavation that, by disclosing that which has been hidden, serves as a means of making manifest histories of violence and dispossession, which are immanent in present yet unspeakable within hegemonic articulations of identity and belonging. On the other hand, and contrariwise, it could equally be argued that the entry of indigenous bones into the public domain as skeletons held in glass cases does nothing to undo histories of violence, but in fact extends these histories into the present by asserting an interpretive proprietorship over the other; a proprietorship that is realised in the project of bringing bones into presence and so domesticating their excessive thingness and unsettling alterity as they are constituted and stabilised as curiosities and specimens through the work of measuring, cataloguing, labelling, displaying and looking.

The question of the emotive immateriality of human remains intersects therefore with broader questions of memory, forgetting and the ways in which violent acts of annihilation and dispossession are, particularly in colonial settler societies, foundational to the emergence of the postcolonial nation. One can track this intersection in some of the memories that people shared with me during a research visit in 2014 concerning their visiting the remains of the child, often when they were, in fact, schoolchildren.⁶³

In sifting through these recollections, one thing that strikes me is how most felt no fear or guilt, or at least remember this absence of feeling in their childhood selves. They recall their trips to the museum and seeing the child. Sheldon LeGow, who visited the museum in the 1950s and early 1960s, 'fondly' recalled 'two sets of human remains: one was an adult skeleton lying in a glass case not too far off the floor ... The other was not far from that, it was of a child in the foetal position and it appeared to be mummified in that there was skin on it and it was intact', and Paul Collins, who visited as a child in the 1960s, described 'the display as containing the body of a child resting in the foetal position and an adult skeleton laid out in full length on a bed of red-coloured bark'. Predominantly the people who shared their reminiscences with me remember their childhood selves as being '*fascinated*' but not afraid or repelled. Geoff Tooton, who visited the museum on school trips and with boy scouts in the early 1960s,

remembered that ‘those showcases with the human remains would have been the first exhibit to which, with boyhood vigour, we would have rushed’, and that his ‘impression would have been of *fascination*’. Kenneth Lawton recalls that the display of Beothuk remains was ‘the most interesting and therefore most talked about exhibit among us children’. Sheldon LeGow also remembers that ‘as a kid’ he was ‘*fascinated* by’ the displays of Beothuk bones and that ‘they didn’t cause’ him ‘any anxiety because they were human remains’. Rick Barnes, who also visited in the late 1950s and early 1960s, said that he and his schoolmates ‘meant no disrespect as we stared, *fascinated*, at the brittle remains’. Susan Rockwood Khaladkar, who as a child visited the old museum ‘almost every other week’, similarly does not think that she and her childhood friends ‘were shocked or horrified or even sympathetic. I think’, she reflected, ‘we were mainly just *fascinated*’.

More than anything, these remains, as a spectacle held within a glass case, *fascinated*, and it seems that what fascinated above all else was the felt intimacy and proximity of the dead human. At least as described in these reflections, this intimacy was felt in a quality of familiarity, in the sense that they were someone like *us*, but someone exposed, naked in death before the gaze of the child-visitor. In the words of Jo-Ann Connelly, ‘the child’s remains really struck a chord with me and made me feel a connection with the Beothuk that the text book did not’. For Rick Barnes, the ‘presence’ of the remains ‘drove home the idea that the Beothuk were very real and made of bone and flesh like us’. Gordon Power, described it thusly:

It was the seemingly petrified child folded up into itself that made the big impression, life lasting as it turns out. You see that person seemed to be naked to my untrained eyes? It seemed as if I could see wrinkled skin. The face was partially visible (perhaps completely and I was afraid to have given it further scrutiny) as were the legs and feet, etc.

For Ivan Morgan, the intimacy with the mummified remains of the dead child was enacted in a sympathetic touching of his own body. In his words:

‘I wasn’t traumatized but I remember wondering about it for some time. And it clearly had an impression as I can still recall it. I remember sitting in our front yard looking at my hands and my knees and contemplating the bones underneath.’

What is marked, however, is the lack of remembered guilt felt by these children descended from Newfoundland’s white settlers. There is no ‘man named Wells’ opening the wounds of injured Beothuk with

further shots and leaving them to die, or John Peyton Sr clubbing a man to death with an iron trap. There is, in this feeling of proximity and sympathetic identification, something of an undoing of histories of violence and dispossession, to be replaced by a curious mixture of voyeuristic fascination and a sombre sense of mourning as one would feel at a family funeral. The one exception is Amanda Spurrell, who remembered her childhood self 'feeling very sombre, as though I was attending a funeral or graveside' and 'feeling somewhat guilty that my ancestors may have something to do with their demise'.

But this is not to say that the stories people told me are devoid of any guilt or anxiety about the ambivalent politics that surround the display of the exterminated people's remains. The point is that they describe these feelings as coming *after*, when they had become adults and looked back to remember a display that is now no longer there. Geoff Tooton describes this shift in sentiment in the context of the changing attitudes to the display of human remains described above:

It was probably during the early 1990s that my feelings started shifting about the Museum's display of human remains when I first became aware of news reports about the growing worldwide controversy surrounding the repatriation and reburial of the remains of indigenous people. I gradually began to understand the argument the descendants were making that the remains of their ancestors had been exploited in most cases for archaeological science and, in my case, for fleeting boyhood sparks of fascination.

Paul Collins, who visited the museum as a child in the early 1970s, sounds a similar note, regretting the fact that as a child he felt no regret:

I don't recall feeling any revulsion at the fact that these were human remains on display, nor do I really recall anything in particular being said about it in class. Sad to say, I think we all just look at them as we did the stuffed animals or the whale skeleton that were also on display.'

Rick Barnes remembers that as a child 'I believed' the dead Beothuk 'ruled over the museum and library from their polished wood and glass case on the upper floor; they were the pinnacle of all the words and things and ideas gathered there'. However, as an adult he feels that 'it's chilling now to think they were pulled from their resting place to be ogled by white-faced children on rainy day'. Similarly, Ivan Morgan finishes his reminiscence with some more recent history, recalling that 'in the 1980's I worked with a local aboriginal group and was present at a meeting when several loudly complained to a government minister how their bones had been put on display like animals', and he remembered thinking: 'Yup.'

It is perhaps a coincidence that this intrusion of a history of violence, dispossession and annihilation is bound up with affective *absence* of Beothuk remains. If their presence, their proximity, and the fact that one could press one's face to the glass and look into the eyeless face of a dead child, created the possibility of a felt intimacy – 'a connection with the Beothuk' that went beyond and exceeded the histories narrated in textbooks – then these reminiscences suggest that this proximity elided the possibility of a recognition of absence constituted in the very violence that is at the heart of Newfoundland becoming a settler society. In other words, the fact that these remains are lost or withheld, at once present somewhere yet absent, and so defer any possibility of the experience of likeness or a sympathetic sense of kinship (realised when we see the kneecap of a long-dead child part shrouded in the deerskin legging of an adult and then touch our own to find them similar), opens a gap within which there is some acknowledgement that this is *another* history, unassimilable into our own. The recognition of violence is, thereby, made possible by a Beothuk Indian not in a glass case.

Notes

- 1 See F. Stepputat (ed.), *Governing the Dead: Sovereignty and the Politics of Dead Bodies* (Manchester: Manchester University Press, 2014); K. Verdery, *The Political Lives of Dead Bodies: Reburial and Postsocialist Change* (New York: Columbia University Press, 1999).
- 2 See Verdery, *The Political Lives of Dead Bodies*, pp. 27–9; H. Williams, 'Death warmed up: the agency of bodies and bones in Early Anglo-Saxon cremation rites', *Journal of Material Culture*, 9:3 (2004), 263–91.
- 3 See L. Renshaw, 'Missing bodies near at hand: the dissonant memory and dormant graves of the Spanish Civil War', in M. Bille, F. Hastrup and T. F. Sørensen (eds), *An Anthropology of Absence* (London: Springer, 2010), pp. 45–62.
- 4 D. Bissell, 'Inconsequential materialities: the movements of lost effects', *Space and Culture*, 12 (2009), 95–115, 98.
- 5 J. Bennett, *Vibrant Matter: A Political Ecology of Things* (Durham, NC: Duke University Press, 2009).
- 6 Z. Crossland, 'Violent spaces: conflict over the reappearance of Argentina's disappeared', in C. M. Beck, W. G. Johnson and J. Schofield (eds), *Matériel Culture: The Archaeology of Twentieth-century Conflict* (London: Routledge, 2002), pp. 115–31, 119–23.
- 7 See É. Anstett and J.-M. Dreyfus, *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence* (Manchester: Manchester University Press, 2014); A. Robben, 'Governing the disappeared-living and the disappeared-dead: the violent pursuit

- of cultural sovereignty during authoritarian rule in Argentina', in F. Stepputat (ed.), *Governing the Dead: Sovereignty and the Politics of Dead Bodies* (Manchester: Manchester University Press, 2014), pp. 143–62.
- 8 S. Fowles, 'People without things', in M. Bille, F. Hastrup and T. F. Sørensen (eds), *An Anthropology of Absence* (London: Springer, 2010), pp. 23–41, 27.
 - 9 Ibid.
 - 10 T. Edensor, 'The ghosts of industrial ruins: ordering and disordering memory in excessive space', *Environment and Planning D*, 23:6 (2005), 829–49.
 - 11 J. Bleyen, 'The materialities of absence after stillbirth: historical perspectives', in J. Hockey, C. Komaromy and K. Woodthorpe (eds), *The Matter of Death: Space, Place and Materiality* (Basingstoke: Palgrave Macmillan, 2010), pp. 69–84, 80–2.
 - 12 See M. Bille, F. Hastrup and T. F. Sørensen (eds), *An Anthropology of Absence* (London: Springer, 2010); M. Meyer, 'Placing and tracing absence: a material culture of the immaterial', *Journal of Material Culture*, 17:1 (2012), 103–10.
 - 13 Meyer, 'Placing and tracing absence', 105.
 - 14 M. Meyer and K. Woodthorpe, 'The material presence of absence: a dialogue between museums and cemeteries', *Sociological Research Online*, 13:5 (2008), quoted in Meyer, 'Placing and tracing absence', 104.
 - 15 I. Marshall, *History and Ethnography of the Beothuk* (Montreal, Kingston: McGill-Queen's University Press, 1996), pp. 223–6.
 - 16 Ibid., pp. 398–410; S. Jerkic, 'Burials and bones: a summary of burial patterns and human skeletal research in Newfoundland and Labrador', *Newfoundland and Labrador Studies*, 9:2 (1993), 213–34.
 - 17 Marshall, *History and Ethnography of the Beothuk*, pp. 434–5.
 - 18 I. Marshall, *Reports and Letters by George Christopher Pulling Relating to the Beothuk Indians of Newfoundland* (St. John's: Breakwater, 1989), p. 138.
 - 19 Ibid., p. 134.
 - 20 Ibid., p. 137.
 - 21 See D. Holly, 'The Beothuk on the eve of their extinction', *Arctic Anthropology*, 37:1 (2000), 79–95; R. Pastore, 'The collapse of the Beothuk world', *Acadensis*, 19:1 (1989), 52–71; F. Rowe, *Extinction: The Beothuks of Newfoundland* (Toronto: McGraw-Hill Ryerson, 1977).
 - 22 H. Horwood, 'The people who were murdered for fun', *MacLean's Magazine*, 10 October 1959, pp. 27, 36, 38, 40, 42–3.
 - 23 J. P. Howley, *The Beothucks or Red Indians* (Cambridge: Cambridge University Press, 1915), pp. 231–2.
 - 24 Among the novels that relate a fictionalised account of the story of the Beothuk and their demise are Charles Murray's *Ottawah, the Last Chief of the Red Indians of Newfoundland* (1848), Peter Such's *Riverrun* (1973), Kevin Major's *Blood Red Ochre* (1989), Anne-Marie Beckel's *All Gone Widdun* (1999), Michael Crummey's *River Thieves* (2001), Bernard Assiniwi's *The Beothuk Saga* (1996) and Bernice Morgan's *Cloud of Bone* (2008). This list is certainly not exhaustive. There is even more poetry.

- So much that James Candow entitled one of his verses the 'Obligatory Beothuck poem' (1986). It begins with the lines 'all the tortured white artists in the world couldn't put you back together again'. Among these are George Webber's 'The last of aborigines' (1851), Al Pittman's 'Shanadithit' (2001), Tom Dawe's 'In there somewhere' (1987) and Enos Watts's 'Wanatoake' (1974).
- 25 The feature film is *Finding Mary March* (1988), directed by Ken Pittman. Pittman also directed the documentary *Shanadithit: The Last of the Beothucks* (1982). The other documentary is *Stealing Mary* (2006), directed by Tim Wolochatiuk.
 - 26 The musical referred to is entitled *Shanadithit: The Musical*. Both the words and music are by Eleanor Cameron-Stockley. An excerpt of the libretto has been published in Book 3 of *Land, Sea and Time* (2001, pp. 69–70).
 - 27 See R. Budgel, 'The Beothuks and the Newfoundland mind', *Newfoundland and Labrador Studies*, 8:1 (1992), 15–33; J. B. Delisle, 'Nation, indigenization, the Beothuk: a Newfoundland myth of origin in Patrick Kavanagh's Gaff Topsails', *Studies in Canadian Literature/Études en Littérature Canadienne*, 31:2 (2006), 23–45.
 - 28 T. Goldie, *Fear and Temptation: The Image of the Indigene in Canadian, Australian, and New Zealand Literatures* (Montreal, Kingston: McGill-Queen's University Press, 1989), p. 157.
 - 29 C. Krmpotich, J. Fontein and J. Harries, 'The substance of bones: the emotive materiality and affective presence of human remains', *Journal of Material Culture*, 15:4 (2010), 371–84.
 - 30 P. Filippucci, J. Harries, J. Fontein and C. Krmpotich, 'Encountering the past: unearthing remnants of humans in archaeology and anthropology', in D. Shankland (ed.), *Archaeology and Anthropology: Past, Present and Future* (Oxford: Berg, 2012), pp. 197–218.
 - 31 Howley, *The Beothucks or Red Indians*, pp. 192–5; Marshall, *History and Ethnography of the Beothuk*, pp. 388–98; S. M. Black, I. Marshall and A. Kitchener, 'The skulls of Chief Nonosabasut and his wife Demasduit – Beothuk of Newfoundland', *International Journal of Osteoarchaeology*, 19:1 (2009), 659–77, 660–1.
 - 32 G. Patterson, 'The Beothiks or Red Indians of Newfoundland', *Transactions of the Royal Society of Canada*, 2 (1892), 123–71, 157.
 - 33 Howley, *The Beothucks or Red Indians*, p. 333.
 - 34 The berry-picking story is narrated by Howley, who says he heard it from Mr Coffin himself (ibid.). It is repeated in Marshall's *History and Ethnography of the Beothuk*. However, in the entry about Samuel Coffin in a local history pamphlet the find is credited to two geologists associated with Coffin's copper-mining interests; J. Anthony, 'Samuel Coffin', in W. Jackman, B. Warr and R. Bragg (eds), *Remembrances of Robert's Arm* (Corner Brook, Nfld.: Western Star Publishers, 1995), p. 9.
 - 35 Howley, *The Beothucks or Red Indians*, p. 331.
 - 36 *Twillingate Sun*, 20 November 1886, p. 4.
 - 37 The details of the presentations at the 'Lost Voices' session of the 2010 'Winterset in the Summer' literary festival can be found at

<http://wintersetinsummer.ca/main/pastfestivals.php?year=2010> (accessed 26 May 2015).

- 38 W. Gushie, interview with Ted Bugden, 1966, Memorial University Folklore and Language Archive 66-020 TAPE F303/C343, 344, 345.
- 39 Marshall, *History and Ethnography of the Beothuk*, p. 220.
- 40 *Ibid.*, p. 221.
- 41 *Ibid.*, p. 220. The question as to whether the skull of Shanawdithit has been destroyed or lost seems, however, a little more ambiguous than Marshall suggests. In a letter of 1953, W. E. Thompson, clerk of the Museum of the Royal College of Surgeons of England, notes that much of the collection of the Royal College of Physicians had been transferred into their keeping in 1938, and much of that collection had been destroyed in 1941; however, no inventory of the collection was made after its transfer. Accordingly, in the words of Thompson's letter, 'it cannot be said for certain that the skull did not come with' the other material from the Royal College of Physicians, 'but there is no evidence' to indicate that it did. It is, in effect, lost. Maybe destroyed. Maybe not. Its whereabouts are unknown.
- 42 S. Bartlett, 'Shanawdithit's graveyard found', *Evening Telegram*, 13 March 2010. URL: www.thetelegram.com/Living/2010-03-13/article-1448239/Shawnadithit-graveyard-found/1 (accessed 28 May 2015).
- 43 C. Sharpe, 'Shawnadithit deserves dignity', *Evening Telegram*, 22 March 2010. URL: www.thetelegram.com/Letter-to-the-editor/2010-03-22/article-1458615/Births-1847 (accessed 25 May 2015).
- 44 B. Morgan, *Cloud of Bone* (Toronto: Vintage Canada, 2008), p. 442.
- 45 *Ibid.*
- 46 J. Harries, 'Of bleeding skulls and the postcolonial uncanny: bones and the presence of Nonosabasut and Demasduit', *Journal of Material Culture*, 15:4 (2010), 403–21.
- 47 Cambridge University Library: Royal Commonwealth Society Library, Fisher photograph collection, GBR/0115/Fisher, Album 12.
- 48 See H. J. MacKinder, 'The teaching of geography from an imperial point of view, and the use which could and should be made of visual instruction', *The Geographical Teacher*, 6:2 (1911), 76–86; J. R. Ryan, 'Visualizing imperial geography: Halford Mackinder and the Colonial Office Visual Instruction Committee, 1902–11', *Cultural Geographies*, 1:2 (1994), 157–76.
- 49 J. P. Howley, Letter to Hon. J. Augustus Clift, Minister of Agriculture and Mines, 8 January 1907, Provincial Archive of Newfoundland and Labrador, James Patrick Howley fonds, MG 105, p. 2.
- 50 *Ibid.*
- 51 *Ibid.*
- 52 *Ibid.*
- 53 J. P. Howley, 'Catalogue of the specimens in the museum', 1891, Provincial Archive of Newfoundland and Labrador, James Patrick Howley fonds, MG 105, p. 75.
- 54 T. Michelson, 'Notes on the anthropometric measurements of Beothuk skulls', National Anthropological Archives, Smithsonian Museum,

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- 55 E. Lear, Inventory of items in the Newfoundland Museum, Provincial Archive of Newfoundland and Labrador, Newfoundland Museum Published Inventories, File MG 105.64, 1 September 1934.
- 56 L. E. F. English, 'The new museum', *The Christmas Annual*, 19 (1957), 20.
- 57 *Daily News*, St. John's, Newfoundland, 22 January 1957, p. 19. A good deal of that day's paper is about the museum, which had been reopened by the Lieutenant Governor the day before.
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- 59 S. Duff, 'The Newfoundland Museum', *The Trident*, 7 (1974), 6–7.
- 60 B. Fardy, *Demasduit: Native Newfoundlander* (St. John's: Creative Publishers, 1988), p. 13.
- 61 M. Bradshaw, 'The history of the Newfoundland Museum: the past – the present', *The Trident*, 4:1 (1977), 1, 3; J. Maunder, 'Museum notes: the Newfoundland Museum – origins and development', 1991. URL: www.therooms.ca/museum/mnotes2.asp (accessed 28 May 2015).
- 62 The text of the Vermillion Accord can be found on the website of the World Archaeological Congress. URL: www.worldarchaeologicalcongress.org/site/about_ethi.php (accessed 28 May 2015). For further discussions of the policy pertaining to the excavation and display of human remains, see N. Márquez-Grant and L. Fibiger (eds), *The Routledge Handbook of Archaeological Human Remains and Legislation: An International Guide to Laws and Practice in the Excavation and Treatment of Archaeological Human Remains* (London and New York: Routledge, 2011); V. Cassman, N. Odegaard and J. Powell (eds), *Human Remains: Guide for Museums and Academic Institutions* (Lanham, MD: Rowman Altamira, 2006).
- 63 I collected twenty-six reminiscences in all. Twenty-four were written accounts that were emailed to me, one as a telephone interview and one as a face-to-face interview. I would like to thank CBC Radio in St. John's and the staff of the *Evening Telegram* (see www.thetelegram.com/News/Local/2014-05-26/article-3738772/Seeking-memories-of-Beothuk-remains-exhibited-in-museum/1 (accessed 21 October 2015)) for publicising my search for memories and for all who responded to the call.

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