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“If These Skulls Could Talk...”

Subjectification and Memory Practice in Repatriation and Reburial of Colonial Human Remains

Thesis submitted by Yann Le Gall
Matrikelnummer 769651
First supervisor Prof. Dr. Lars Eckstein
Second supervisor Dr. Anke Bartels

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ABSTRACT

International repatriation of colonial human remains have generated numerous questions regarding the status of indigenous communities, the responsibility of museums, and the importance of retrieving the histories of those ancestors whose bodies have been dug up, displaced and objectified as token of racial difference. This work proposes to move away from the traditional oppositions that have structured repatriation claims for decades and advocate collaboration between the current legal owners of those anthropological collections and the repatriation claimants so that indigenous communities can regain authority on the history of their oppression thanks to a process of postcolonial remembrance. To achieve this aim, the consequences of repatriation in the cultural and collective memory of colonialism will be studied. Moreover, anthropological considerations of the body will be accordingly pushed further in order to relocate the debates about repatriation around the central position of the dead ancestors.

In den letzten dreißig Jahren haben die zahlreichen Repatriierungen von Schädeln und Gebeinen aus der Kolonialzeit (Human Remains) Museen gezwungen, bezüglich ihrer eigenen Sammlungen Stellung zu beziehen. Indigene Völker haben dadurch in begrenztem Maße Autorität über ihre eigene Geschichte und Anerkennung als selbstständige kulturelle Akteure zurück erhalten. Die vorliegende Arbeit fordert eine Neukonzeption im Feld der anthropologischen Restitutionen, für die Zusammenarbeit mit Herkunftsgesellschaften als notwendiges Element der Provenienzforschung und Erinnerung zentral ist. In diesem Zusammenhang wird gezeigt, wie westliche Institutionen es versäumt haben, die von ihnen gesammelten Schädel als menschliche Individuen zu betrachten. Dem gegenüber konzentrieren sich indigene Forscher, Nachfahren und Projekte auf die Re-Individualisierung und ethische Behandlung der menschlichen Überreste. Damit könnte die Rückführung der Schädel letztlich sowohl bei den ehemaligen Kolonialmächten als auch bei den Herkunftsgemeinschaften zur tiefergehenden Erinnerung und Aufarbeitung der kolonialen Rassenanthropologie beitragen.

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My thoughts also go to those I write *about*: the dead ancestors themselves, whom I unfortunately only “met” through registries, books, photos of their skulls, but whose silent albeit conspicuous presence has accompanied me all along; and finally, the descendants, whose determination and effort for repatriation have spawned a unique experience of reunion, empowerment and acknowledgment.

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INTRODUCTION

In May 2015, a group of artists, the Center for Political Beauty, whose performances address political issues in a provocative and controversial manner, travelled to the southern borders of Europe where they gathered dead bodies of drowned refugees. In June, the artists then started to bury the corpses in Germany. On June 16, a 34-year-old Syrian mother and her daughter were given a Muslim burial in Gatow, in the Berlin west suburban area. Other burials have been carried out since then. These burials are both a way to provide a respectful and human recognition of those individuals that died before reaching the shores of Fortress Europe, as well as strongly appeal against the deadliness of European migration and foreign policy. Moreover, journalist Arno Widmann even emphasizes to what extent burial has enabled those individuals to pass from the status of refugees to human beings¹. The graves themselves are tokens of remembrance that an unknown person is also a fellow human, that their journey should end on European soil since they aspired to get there, and that it is here that they should be recognized as subjects, that is, as individuals who deserve esteem, dignity and freedom of movement.

These burials are embedded in an even greater context: the difficulty to apprehend, avoid or contain crises, dictatorships and political oppression in the Global South, some of which are evidently directly or indirectly correlated to past interventionist policy carried out by Western colonial or imperialist powers (France for the Central African Republic; Italy, the UK and the United States for Eritrea; the UK for Sudan; Israel and France for Syria to name only a few). The idiosyncratic character of the current migration crisis however lies in its continental scope. The post-independence migrations that occurred in the second half of the twentieth century were tracing arrows from the former colonies to the former metropolis (think of Pakistanis in the UK). For this reason, it remains difficult to relate the current migrations to Europe as part of the aftermath of colonialism.

While millions of displaced and fleeing people are on the move towards the old continent, other bodies have already been carried to great European cities against their will and have trouble finding their way back to their original place. With the development of anatomic science and anthropology in the nineteenth century, and thanks to the partition of the

¹ Widmann, Arno, "Kommentar zum Zentrum für Politische Schönheit: so werden Flüchtlinge zu Menschen."

world and the peoples of the world in colonies, European scientists aspired to study the skeletal morphology of different individuals to verify, amend, support or question theories about the meanings that can be derived from physical features. To gather data, museums and researchers did not hesitate to snatch corpses from different available sources: frontier wars, indigenous graves, hospitals and prisons. Nowadays, many of these dead bodies are still lying in museum collections in Europe, and remain possibly subject to invasive scientific practices. While many are unknown, some can boast of affiliated descendants or community members who demand their repatriation and their reburial in their countries of origin.

Just as for refugees being buried thanks to the Center for Political Beauty, a burial might provide colonial human remains² with a way of being finally recognized as human beings after having been objectified in museum collections. If the names may have sometimes sunk into oblivion after more than a century, proof of respect and care for the dead can still be sufficient to attest of their humanity. From the acquisition of the drowned refugees to the covering of the grave with flowers, the process is more than an artistic performance; it is a sensitive, contentious and utterly political act. In a similar way, the common agreement for human remains repatriation is a process that is highly delicate, sometimes painful, often disputed, and obviously rooted in historical and political issues dealing with indigenous rights and decolonial policy. Finally, the parallel between those burials extends to the act of remembrance. The graves, the ceremonies and the happenings in Germany are here to remind that thousand others have died in the Mediterranean, trying to land in Europe before undertaking the last arduous part of their flight, confronting police violence, discrimination, administrative complications and possible deportation. The graves and the handover ceremonies of colonial human remains remind of genocidal violence in Australia, of colonial wars, of grave robbing, of hierarchical theories of race, and of the Western objectification of colonised people.

Human remains of colonized people have been subjected to numerous discourses from their acquisition until their reburial, be they cultural, political, scientific, and pertaining to the media or to popular beliefs in the public sphere. The application of human racial categorisation and the objectification of the colonized “other” are two of those discourses

² The term “human remains” in this thesis refers exclusively to colonial human remains, namely skulls and skeletal material who were brought from the peripheries of the colonial empires to the colonial centres of knowledge, such as museums and universities, to be studied in the name of Western anthropological science. It discounts ethnological objects made out of human remains which usually fulfil an aesthetic purpose, such as remains of hair on masks, or sculptures made out of bones.

relevant to this thesis, being mostly the products of scientific and cultural actors and institutions such as anthropologists, archaeologists, museums, and indigenous people³ themselves – the latter usually fervently criticizing those paradigms. Remains of ancestors are therefore sensible items of museum collections which involve a struggle over their emotional and local significance, as well as their possible scientific contribution.

Nevertheless, I will not endeavour to excoriate modern science for its past of oppression and denigration of indigenous and overseas populations. The fields of archaeology, physical and cultural anthropology have already taken on self-reflexive assessment of these practices, and the sprouting disciplines lead by previously marginalized groups, such as queer and indigenous archaeology, are the tokens of this evolution in scientific mentalities, although those are yet to be acknowledged outside the realm of academia (Nilsson Stutz “Caught in the Middle” 87). I believe that Little Bear’s paradigm of “jagged worldviews colliding” – the aboriginal ones and the Western neoliberal ideology – is a Manichean state of affairs that is slowly fading away in the academic field (Little Bear 77).

Rather, this thesis will clearly aim at reconsidering the repatriation movement not in terms of conflicting interests, but in terms of joint venture. The places that are used and the time that elapses from the repatriation claim, to the handover ceremony, and ultimately to reburial host acute and sensitive discussions regarding colonial oppression, respect of

³ My understanding of the term “indigenous community,” or sometimes replaced by “community of origin” is herein indebted to several definitions of “indigenous people” in which experience of colonial domination is intrinsic. Jose Martínez Cobo, former Special Rapporteur for the UN Sub-Commission on the Prevention of Discrimination of Minorities, identifies indigenous communities as “those which, having a *historical continuity with pre-invasion and pre-colonial societies* that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories” (Cobo par. 379, italics mine). This definition highlights the fundamental inscription of indigeneity in the modern and the postmodern world, in colonial (domination), decolonial (liberation and sovereignty) and postcolonial (negotiation) struggles. Nevertheless, this definition implies that hierarchical positions disappeared to a certain extent, and forgets to emphasize on the need for indigenous communities to preserve and remain attached to their respective original lands. Erica-Irene Daes, Chairperson and Special Rapporteur of the UN Working Group on Indigenous Populations until 2002, has later filled these gaps and identified a present *situation of “non-dominance”* and “*discrimination*,” a “*relationship with ancestral lands*” and “voluntary distinctiveness of the group” as being three additional elements to the definition of the term “indigenous” (Daes par.26-27).

Given that this paper is concerned with manifold spheres within which indigeneity is contested and evolving, and that the United Nations’ definitions still emanate from a nation-state based supranational Western form of diplomatic and political power, I would add to that understanding of indigeneity a sense of particularism opposing this all-encompassing concept. Being indigenous is contingent on context. The rigidity of notions such as “distinctiveness” and “non-dominance” is an intricacy that becomes even more problematic in the case of people identifying with their indigenous roots and still participating in structures of discrimination which oppress other indigenous communities. There is no unity in indigeneity, but multitude. Finally, I would ask whether a last component could be added to the definition. Gender studies and postcolonial studies have had trouble dealing with the term “human,” partly because of its marginalising character. Gender studies has often relied on the performative aspect of identity to counter this exclusion. Being indigenous is also being *performative*; it is the utterance a particular group membership in order to regain the authoritarian position over an ongoing history of marginalisation that has been stolen, modified, and hardly incorporated in dominant narratives.

indigenous communities and minorities. But what is usually forgotten is that reburial does not represent an end in itself. Through restitution, both descendants of the colonised and the colonisers gather in a *milieu de mémoire* (realm of memory) that both occupies the time of postcolonial⁴ contact and that of the colonial context of acquisition. This often generates friction: the former bringing together divergent postcolonial conceptions of working through history; the latter having born witness to the objectification of foreign bodies and the unethical study of their features to help justify European theories of expansion and civilisation. In order to transcend those times of friction, I propose that we rethink restitution of human remains as a cooperative move, and therefore want to observe what repatriation has brought about *vis-à-vis* realms of memory that exceed ephemeral attention and lingers in the present, such as philosophical reconsiderations of the human body and subject, ancestors' graves, memorials, cultural practices of parting with the dead, and the cultural memory of colonialism through museums and exhibitions.

Another change should also be made in envisaging human remains repatriation: removing the blinkers that focus only on the realm of the living. Do not mistake me; debates over the return of remains efficiently manage to foreground the histories of the ancestors themselves. They are however conducted by the living about the dead. I wish to rethink repatriation as a movement whirling around the dead. A comment by John Njenga Karugia, researcher at Frankfurt University in Memory Studies, right after an intense debate during a panel discussion dedicated to repatriation during the Potsdam ASNEL conference *Postcolonial Justice* in June 2014, called this novel viewpoint to mind. He proposed to ask us the simple question: "If these bones, if these skulls could talk, what would they say?" His personal opinion was that the ancestors would tell their stories. Two important ideas can be extracted from that comment. First, for all the other issues which are often addressed alongside repatriation (e.g. apologies, recognition and respect of indigenous rights), repatriation is and remains rooted in the past and centred on the fate of the dead ancestors. Secondly, the social and political future of indigenous communities and epistemologies and the present and future identity of Western science and epistemology are both dependent on how the remembrance of their past encounters is constructed. Starting from the substantial bodies – those individuals that served, serve and will serve the interests of many different

⁴ In this work, I differentiate "postcolonial" and "decolonial." In the context of repatriation, postcolonial re-workings and negotiations are present issues that are deeply rooted in the legacy of colonial occupation but which aim at a future understanding and solving through derived manoeuvres. A decolonial move tackles an issue which appeared during the colonial era and has lingered on. It is a direct opposition to a state of affairs, sometimes the only means to reverse an unjust balance of power or discrimination.

actors – is the right path towards a proactive reworking of the narratives that have built up Western hegemony, and shattered and altered indigeneity in the modern world.

Scattered skulls and skeletons from the colonial era are legion. Considering human remains repatriation as a number of occurrences that build up a “phenomenon” or a “movement”, as Fründt has labelled it (324), is helpful in picturing a cooperative process involving a multitude of groups and individuals that care about reburial. Nevertheless, in her assessment of that movement, Kakaliouras observes that

what has been missing from [...] discourses about repatriation in general, though, is (1) an analysis of the work that “repatriable” materials do before and after their return, and (2) a consideration of physical anthropological and indigenous subject-making processes through the lenses that the potential for repatriation provides. (212)

In an analysis greatly influenced by anthropological theories of the body and postcolonial memory studies, I aspire to fill both gaps in the inversed order by (1) showing how greater ethical concern and subjectification has been bestowed on colonial human remains and indigenous populations in atonement for the era of colonial objectification, and (2) revealing how the return of remains has influenced the ways of remembering colonial pasts by empowering indigenous memory practice and forcing nation-states and descendants of colonised people to remember together.

What is more, this thesis aspires to push further its mere observations of the repatriation movement. In a wish to pursue this peculiar academic debate, which has been politicised from its onset in the nineties, I will plead for increased joint enterprises of working with human remains, binding together what has repeatedly been deemed incompatible, namely Western anthropological and cultural science, and indigenous practices. It is high time that museums and European institutions of knowledge were forced to face the fallacy of their existence, i.e. their wish to display a global cultural sphere without actually acting for it⁵.

The focus of this thesis on the international repatriation movement is based on different grounds. First, the ways in which the national narratives are shaped differ between settler colonies and former colonies that have become independent. On the one hand, in settler colonies, the history of indigenous people is progressively being acknowledged in the history of the nation, although it often remains at the margins of it. On the other hand, there subsists a

⁵ I consider my work as pertaining to the Western realm of postcolonial critique, since I was born and raised in a former colonial power and I have never lived in a land which has experienced colonial oppression. My criticism towards Western structures will hence be significantly sharper than my critique of postcolonial voices and actors.

dominant narrative that ambiguously celebrates the colonial endeavour through cultural media such as films, novels, or series. The genre of the western or the Thanksgiving tradition in the United States are telling examples of such lingering commemorations of the settlers' endeavour. In Germany, France or the United Kingdom, due to a relative disregard to postcolonial claimants *within* the borders of the metropolises, working through colonial history has taken more time. The process of human remains repatriation has also taken longer to be implemented since legal boundaries of recognition of the rights of formerly colonised populations are absent, unlike in settler colonies. The clash between the descendants of colonised and the legal descendant of the colonial power, the current nation-state, shows that repatriation involves many more sectors of the cultural and political spheres than in settler colonies. The presence of official delegations from the Namibian state in Berlin in 2011 and 2014 reveals to what extent the scope of human remains restitution encompasses to the political process of nation-building. Secondly, while the body of literature analysing the efficiency of legislation and the significance of repatriation in settler colonies is profuse, the West European response to the claims that have been voiced from different postcolonial actors has, to a certain extent, remained scarce. The centres of anatomical and anthropological knowledge in Europe (such as the Museum für Völkerkunde in Berlin or the British Museum in London) are just starting to come to terms with their own history of unethical acquisitions, and human remains are a non-negligent part of that remembering process.

Another quite difficult choice that had to be made was to construct this thesis on a thematic structure, as opposed to a structure that would be based on one or several case studies. Although I thought a thorough examination of the German-Namibian and German-Australian restitutions would be interesting, Larissa Förster has already provided ample material about the former; as for the German-Australian relations, the very supervisor of this thesis, Prof. Lars Eckstein, has already published an academic article on the matter. What is more, one of my fellow students is also interested in the subject and plans to study meticulously both of these restitution ceremonies and their aftermath in her coming Master thesis. My shoulder to the wheel is then to provide a more generic and transnational viewpoint tracing postcolonial trajectories between different acts of human remains repatriation. Since many cases of human remains repatriation share a common effect on issues of identity and remembrance, the thematic structure will also help to use those cases as illustrative examples and will thereby prevent useless repetition. Finally, this structure instils a sense of temporal flow in the argumentation which will link the past, the present and the possible future of

repatriation, and hopefully successfully assess, praise and question the work that repatriation as a whole, as a “movement,” has achieved.

This thesis will start by unveiling how human remains collectors and European colonial discourses have objectified the indigenous body up until the end of the twentieth century to justify their “scramble for skulls” (Lovisek 59). I will not dwell on this historical re-contextualisation, for it has been done by others in more thorough publications, but just identify which scientific discourses have been at play in the acquisition process, and describe how skulls and skeletons have been considered just as cultural artefacts, museums and researchers at the time having been oblivious to the now apparent grief that the absence of an ancestor’s body triggers. Having recognised the weight of objectification discourses during the colonial era, I will then provide a short overview of the repatriation movement from its beginnings in settler colonies (New Zealand, Australia and the U.S.) up until the involvement of German institutions in the international process of repatriation. While intra-national repatriation and individual cases are instances in which objectification is strongly being reworked, the expansion of repatriation to the trajectories binding Europe and its former colonies together has witnessed several complications, such as the need for multidisciplinary provenance research and the resurgence of a colonial past that had been downplayed – or even just ignored – for decades (notably in Germany). Through this descriptive section, the clear geographical framework of international repatriations of colonial human remains will be delimited. From then on, I will thereby neither concentrate on the acquisition of human remains nor on the intra-national restitutions that have occurred in settler colonies, although the latter will at times prove useful in a comparative approach.

Crucial to future possibilities in human remains restitution, legal proceedings will be under scrutiny. Although official legal texts – such as the Native American Grave Protection and Repatriation Act – or governmental institutions – such as the Advisory Committee for Indigenous Repatriation in Australia – consider remains from prehistoric times and colonial human remains repatriation under the same legal umbrella, legal understandings of repatriation will prove at times useful to unveil considerations of subjectivity in the re-discovery of this history of human objectification. Finally, in a wish to fill in the gaps identified by Kakaliouras, the chapter will close with a philosophical reflection on postcolonial subjectivity. First, I will concentrate on the body of the dead. From “commodity” to “ancestor,” numerous designations have cloaked human remains and numerous meanings have been assigned to them. I however aspire to bring a theorisation of the body that will

enable us to map subject-making processes of human remains. Secondly, because provenance research has emphasised on the individual, Achille Mbembe's theory of the African subject will offer a communal viewpoint drastically diverging from European considerations of the subject as being *per se* an individual entity.

The second part of my argumentation will offer a more analytical and qualitative viewpoint on what the repatriation movement has achieved. One often stumbles upon a sense of empowerment being expressed by indigenous actors in repatriation, thus unveiling the question of indigenous identity. Repatriation and reburial seem useful to aboriginal communities, for it allegedly reinforces their sense of belonging, reinstating kinship with ancestors and providing occasions for traditional rites and burial to be implemented. On the contrary, repatriation has shattered the image of several museums and Western institutions of knowledge, not only because some had first relinquished to handover human remains, but also because the history of those institutions, symbolised by prestigious former directors, curators and gatherers, is being severely put into question. More importantly, the underlying scientific assumptions in subjects such as anthropology, anatomy and archaeology prove unsuited to the needs of contemporary decolonial movements. If museums retaining ethnological and anthropological objects still preach their openness towards the "cultures of the world" – a phrase that is ubiquitous in the press releases of the Foundation Prussian Cultural Heritage in Berlin – the assumed preponderance of objective Western science cannot be claimed anymore, for it reinstates deprecating hierarchies between Western scientific method and other epistemologies. Finally, identity is also at stake in the postcolonial nation-state. Taking example from the African continent, I will show that ancestors' remains are the object of friction between the national and the local in their current home countries. Such observation might then qualify the potential for indigenous empowerment I underlined earlier.

The last section will delve into actual manifestations of memory culture surrounding human remains repatriation. I have it that considering the flow of remains getting back home as a broader, global "movement" has enabled connections between different ways of remembering a shared past of body snatching and colonial science. The concept of "multidirectional memory," coined by Michael Rothberg in his analysis of bonds between the Warsaw ghetto and the Gaza strip, will hopefully instil this sense of commonality in human remains repatriation that I aspire to demonstrate. Publications on this problematic often make use of a constellation of instances of repatriation to grasp the extent of colonial body snatching and the violence that has accompanied Western science during the colonial era. The

visual use of human remains is also a powerful asset that links postcolonial struggles for recognition to the aesthetics of genocide. Repatriation is a battlefield on which political stakes are discussed, and the handover of human remains sometimes partly erases any concern for human rights offenses, and therefore prevents the recognition of concomitant political rights for communities who request repatriation from being brought to the fore, such as requests for official apologies, the erection of state-funded memorials, or simply public discussion over a history of oppression. Through claims for repatriation, other issues resurface. With reburial, the graves of the ancestors also attest of this history of displacement and objectification. Coming from a Western epistemology of memory studies (e.g. Nora's study of *lieux de mémoire*), I wish to underline what lingers after repatriation and how it contributes to the gradual institutionalisation, official recognition, or even simply creation of postcolonial realms of memory. The newly dug graves for the reburial of the displaced might remind of something more than the ancestor him/herself.

PART I:

TOWARDS THE HUMAN:

OBJECTIFICATION, ACQUISITION AND REPATRIATION

I. 1. A “SCRAMBLE FOR SKULLS” GATHERING ANTHROPOLOGICAL “MATERIAL”

"I must say, gentlemen, that I am as much surprised as I am mortified at your behaviour. Of Doctor Ponnonner nothing better was to be expected. He is a poor little fat fool who knows no better. I pity and forgive him. But you, Mr. Gliddon-and you, Silk – who have travelled and resided in Egypt until one might imagine you to the manner born – you, I say who have been so much among us that you speak Egyptian fully as well, I think, as you write your mother tongue – you, whom I have always been led to regard as the firm friend of the mummies – I really did anticipate more gentlemanly conduct from you. What am I to think of your standing quietly by and seeing me thus unhandsomely used? What am I to suppose by your permitting Tom, Dick, and Harry to strip me of my coffins, and my clothes, in this wretchedly cold climate? In what light (to come to the point) am I to regard your aiding and abetting that miserable little villain, Doctor Ponnonner, in pulling me by the nose?"

Edgar Allan Poe's mummy

Edgar Allan Poe's short story *Some Words with a Mummy*, published in 1845, depicts a mummy which awakens and expresses him- or herself in these words while archaeologists are connecting the limbs with a Voltaic pile to extract knowledge about the chemicals and the decomposition state of the mummified corpse. This address offers a stark critique of the anthropological study of human remains and reminds the scientific community of the nineteenth century the paramount *human* character of a dead body. Such reflexion upon the ethics of scientific methods implementing on the dead was however rather marginal at that time. As many works of literature have done throughout history, Poe's short story mirrors a widespread practice of its contemporary society and the legacy of such anthropologists, namely the habit of objectifying the human body through scientific discourse.

Within the context of colonisation, the anthropological approach towards the colonised bodies was, if not as violent as what Poe's mummy had experienced, nonetheless embedded in practices rooted in oppression and violence. Investigating the practices of collection and acquisition of human remains by German researchers during the colonial era, Britta Lange begins her chapter with the following words: "If knowledge is power, and if such power can be said to intermingle epistemological and structural violence together, then Western scientific disciplines, as established since the Enlightenment, must be understood as an apparatus of power"⁶ (45). In a previous chapter of the same book, Laukötter emphasized the emotional and organic characteristics of what has been labelled as the "scramble for skulls" or the "collecting craze" (in German "Sammelwut") that occurred from the end of the nineteenth century up until the mid-twenties. From those two basic assumptions about the objectification of colonised bodies and the acquisition of the remains of these bodies overseas during the colonial era, several aspects should be underlined and will prove useful when linking objectification to the empowering repatriation process that is now undertaken: a) the racial and Western imperialist theories of hierarchy between humans and the task assigned to the *Rettungsanthropologie*, b) the colonial appropriation of yet another realm than the pure geographic or political space, namely the body, which appeals to philosophical analogies between the violence of colonial infrastructure (law, prison, war) on the colonised object and the violence of European museums on the acquired "material"⁷.

I. 1. A. Concrete data for racial research and the ethnologist's burden

One of the primary motivations for museums and scientists to collect anthropological data on the colonized peoples (be it human remains, religious and cultural artefacts, moulds of their physical features, photographs or voice recordings) was the need to respond to anthropological theories of the nineteenth century with concrete scientific results which had therefore to be carried on onto the body. Gobineau's *Essai sur l'inégalité des races humaines* introduced the concept of racial "degeneration", arguing that "the man of a decadent time, the *degenerate* man properly so called, is a different being, from the racial point of view, from the heroes of the great ages" (25). He stated in another chapter that races were a fixed concept

⁶ In the original German version: „Wenn Wissen Macht ist und diese Macht als Verflechtung von epistemischer und struktureller Gewalt verstanden werden kann, so müssen die Wissenschaften des Abendlandes, wie sich sich seit der Aufklärung etablierten, als Machtapparat verstanden werden“.

⁷ I could have added a third aspect: the retaining of remains as trophies, as evidence of the prevalence of Western civilisation over 'savageness.' However, given that there is not enough space in this thesis to address it, please refer to Baer and Schröter for further knowledge regarding this component in a German colonial context.

which permanently categorises the Earth's population in derivations of three "primitive" stocks, and that although "these stocks have now vanished, [...] they never succeeded in losing their characteristic features except under the powerful influence of the crossing of blood (133). These features – "the shape and the proportion of the limbs, the structure of the skull, the internal conformation of the body, the nature of the capillary system, the colour of the skin, and the like" – had therefore remained visible as tokens of his theory of the primitive stocks (ibid). A physical anthropological reading of Gobineau in the late nineteenth century would have endeavoured to support or refute his assumptions by providing anatomic research comparing such features. Gobineau himself hinted at such methods when he reviewed Morton and Carus's comparison of the sizes of different skulls from individuals of diverse skin colours, criticizing the limited application of such study due to a small amount of data (256 skulls examined) (ibid 111). On top of that, Gobineau viewed degeneration as an ineluctable result of the migrations and mixing of populations resulting from increased exchange between civilisations and miscegenation between people. Therefore, if such research were to be carried out, it had to be carried out as soon as possible on individuals that had had the least contact with other civilisations. The nineteenth century's interest in pre-contact societies was thus perversely justified by double-bind rhetoric associating the physical realm of the body and the moral/intellectual understanding of colonisation. To put it trivially, colonisation might bring civilisation to the savage, but unfortunately blur the lines between "permanent" racial categories, while contact might facilitate the anthropological study of the races, but spawn and enhance degeneration of the civilised man.

Another argument was well widespread at the time of colonial skull collection, a rather dim prophecy for the future of the colonised peoples, and especially Australian Aborigines: the belief that some races were doomed and would soon disappear. Charles Darwin himself in 1860 had noted while being in Australia that "wherever the European has trod, death seems to pursue the aboriginal [...] The varieties of man seem to act on each other; in the same way as different species of animals the stronger always extirpating the weaker" (ch. 19). This statement obviously bears two implications; the observation of deliberate genocide on the one hand, and an appeal to a potential process of natural selection on the other. Both have proved influential in shaping a British colonial consciousness embracing soft and hard Social Darwinism, and these have spread to other European countries, as illustrated by Aryan and Teutonic anthropological theories (Barkan 16-18). While Darwin has pictured the disappearance of pre-contact nations as a homogeneous process, Elder has differentiated the

discourse of natural competition to that of an impending doom, arguing that the latter was marked by “an idea of colonial innocence” and appeared as a “‘passing-away’ story, where the cause of death of Aboriginal people was not violence or ill-treatment” (23). Even though frontier violence in Australia was also the theatre for body snatching, and several instances of Aborigines having been “murdered for their bodies” are known (FAIRA, qtd in Turnbull “The Vermillion Accord” 122), the enterprise of genocidal violence has provided relatively little anthropological material in comparison to grave robbing for instance. In other parts of Australia, as well as in other parts of the British, French or German colonial Empires, this gory and abominable practice did not take place. But the belief that Aborigines – and maybe many other communities throughout the globe⁸ – would nonetheless vanish was very much present. As Weaver puts it, “colonialism has always posited indigenous societies as dying or dead” (228).

But this extinction was not to be achieved only through violence. James Clifford has identified a principle that emerged in the zeitgeist of the turn of the century, which only evokes a soft approach towards the disappearance of indigeneity and authenticity of colonised cultures. The “salvage paradigm”, in a colonial era that managed, by any means and in many disciplines, to objectify the “other” through art, political power, law and science, defines the vain attempt to “rescue ‘authenticity’ out of destructive historical change” (Clifford 121). In this sense, the physical disappearance of the people is less suggested; it is rather the ethnological interest in “otherness” which might be victim of that process of automatic assimilation to Western mores and culture. Alongside, but also colliding with, the mission of civilisation advocated forcefully by the agents of religious colonialism, authors and missionaries, the work of collectors was to generate as much knowledge as possible about these alleged ‘authentic’ indigenous cultures (Laukötter 27), in the face of a certain fading away of traditional rites, art, but also morphological features, as argued by Gobineau.

Following the argument of “Indigenous evolutionary inferiority” (Turnbull 3), a logical assumption developed in the minds of ethnologists and anthropologists at that time, which greatly pushed for expeditions and increased funding from museums and scientific institutions for the collection and recording of colonised societies. In a direct response to, and furtherance of Darwin’s declaration, the ethnologist James Richard declared that due to the colonisation process, “the aboriginal nations of most parts of the world will have ceased to exist” after a

⁸ Such extrapolation is justified, since a similar belief in the extinction theory of the colonized can be observed in North and Latin America. In the nineteenth century, North American anthropologists like Henry R. Schoolcraft and Henry Morgan foresaw an “inevitable extinction” of Native Americans (qtd in May 25).

century, and therefore wondered “whether any thing [could] be done effectually to prevent the extermination of the aboriginal tribes” (qtd in Moses 5). In Germany, museum curators following the same interrogation believed that since “these groups are reported to be in danger of extinction anyway, science must as well rescue ‘what there is to rescue’”⁹ (Lange 47). The work of ethnologists, anthropologists, curators and collectors therefore fell under the umbrella term *Rettungsanthropologie*. From the colonies to the cultural centres of the metropolises (e.g. the National History Museum, the British Museum, the Museum für Völkerkunde, and the Musée des Colonies among others), from the peripheries of the colonies to its administrative centres (e.g. the Smithsonian Institution, the Royal Ontario Museum, the South Australian Museum, the South African Museum), a one-way trade of objects, bones, photos, tape recordings of indigenous languages, moulds of the faces and physical features hence developed (MacKenzie; Edwards, Gosden and Philipps), which has only been questioned for the past two or three decades (Carpentier; Jones; Opoku). The increased demand in anthropological material thus motivated an unscrupulous scramble for skulls and skeletons.

I. 1. B. Colonisation and appropriation of the indigenous corpse

Colonisation obviously reached and still reaches out far beyond the sole geopolitical sphere: Franz Fanon developed the realm of colonial consciousness; Paulo Freire demonstrated how colonisation invaded pedagogy and shaped educational curricula; the prevalence of written forms of narration unravelled the continuity of social history, while the looting of sacred artefacts stripped down societies of tokens of their history; local modes of expression and languages were often deprecated if not forbidden; dress and appearance also created configurations of colonial hierarchy more complex than the dichotomy between settler and native; and the Atlantic Slave Trade and Slavery were undoubtedly some of the most unabashed appropriations of colonised living bodies¹⁰.

In his book *Colonizing the Body: State Medicine and Epidemic Disease in Nineteenth-Century India*, Arnold unveiled how post-mortem medicine was part of a debate between colonial presence and local opposition. He first showed that Western medicine developed a self-asserted status of universality, an idea which spread out even to the educated Indian

⁹ Original German text: “Diese Gruppen seien überhaupt vom Aussterben bedroht, weshalb nun die Wissenschaft retten müssen, „was zu retten ist”.

¹⁰ In the slave narrative *The History of Mary Prince*, Baumgartner identifies Mary Prince’s body as a “site of resistance” (262), which although qualifies the assumption that enslavement means direct appropriation, shows to what extent the bodies of the colonized and enslaved has been the theatre of struggle for possession and affirmation of one’s predominance over another.

middle-class, and highlights the help that the existing colonial rule offered to set up a medical system which would institutionally discriminate alternative forms of medicine (12-14). Aware of Foucault's theories on the body, Arnold later identifies "colonial enclaves" that facilitated the implementation of dubious medical practices, one of them being the prison:

[G]iven the extreme difficulty colonial physicians encountered in obtaining corpses for dissection and the intensity of Indian opposition to this practice, the jail was one of the few possible sources for cadavers. A researcher who had access to the corpses of Indian prisoners considered himself particularly fortunate. By the 1860s it was standard practice to conduct a post-mortem on every prisoner who died, particularly if there were suspicious circumstances or the cause of death could not otherwise be ascertained. Such a procedure was rare in the Indian Army. The dissection of prisoners was an additional punishment, a medical addendum to the sentence decreed by the courts (108).

Lange echoes that observation with her analysis of the relationship between the penal and the medical structures in German New Guinea in the beginning of the twentieth century. The work of anthropologist Rudolf Pösch elucidates how natives were perceived "as criminals through politics and objects that could be measured or collected through science"¹¹ (52). Western science through colonisation therefore significantly infringed upon the tranquillity and sacrality of the dead. The criminalization of the native population in a colonial structure and the use of their bodies for scientific tests is a fact and it has been well documented (Engle-Merry 16; Murdocca 114-5). But the intrusion of anthropological collection and museum practice within the borders of the punishing centres casts an additional awkwardness to the status of museums, anthropology and ethnology. Such examples unfortunately demonstrate that the "analogies between prison cells and places of exhibit" that appear in discourse are retained in practice (Lange 52).

The field of anthropology and ethnography has obviously made use of the colonial structures to achieve its objectives. Enjoying the status of belonging to the racial group in power in many regions of the world, anthropologists might have gathered material not for racist purposes but simply for scientific records. Nonetheless, anthropological work should always be contextualised and to be sure,

"the noting of differences between two groups is not in itself racist, but it invariably acquires such a connotation in the context of colonialism. The anthropologist who conducts fieldwork in a colonial setting provides that documentation of differences which functions to support

¹¹ In the original German text: "Als Verbrecher durch die Politik und als Mess- und Sammelobjekte durch die Wissenschaft".

continued subjugation of the group he studies” (Lewis 584).

Other publications also have investigated the close relationship between anthropology and colonialism, such as Stocking who declared that the scramble for anthropological material was everything but a “historical accident” (Stocking, qtd in Hallam 263). Fforde also shows that the acquisition of corpse is embedded in genocidal policy in Australia: “The Anthropological Institute of Great Britain and Ireland advised travelers that the heads of ‘natives’ could be readily obtained after battle or ‘other slaughter’” (26), which obviously motivated hungry searches for skulls right after the occurrence of colonial massacres.

Lewis’s article “Anthropology and Colonialism” provides an additional argument which supports the claim that anthropological work during the colonial era has, in its practice, seized the bodies of colonised subjects for its own purposes. She argues that “the anthropologist, in his concern with patterns, ethos, structures, is several levels of abstraction removed from the raw data of individual motivation, attitude, and behavior” (585). This estrangement, fuelled by an anthropologist’s belief to act as an objective scientific observer located outside the structures of oppression, enables any act of appropriation. For the sake of mapping human difference, the seizure of a skull is justified thanks to the belief in such scientific objectivity, taking no part into the genuine process of geographical colonisation. To push the argument further, this mapping has actually left visible traces of appropriation which, nowadays, cannot *not* be considered as a violation, or a wrongful requisition of the body. The inscriptions on the bone itself, made from the hand of one who considered himself as a third party in the oppression of people of colour, are the tokens of dispossession, the letters that designate remains as ‘property’ (see Appendix 1). The individual is robbed of his/her name, roughly categorised as a member of his/her social/racial group, and his/her body is physically altered by this act of deprivation. The only relevant information that must be made visible is his/her ascribed belonging to an ethnic community, some of which have been actually wrongly spelled or translated by outsiders in Western literary culture¹². Thus, objectification is complete. In a similar manner to material culture of symbolisation and branding, an individual’s remains are labelled according to precepts that are not his/her own. This corpse is denied its name, its place of belonging, which might both have been forgotten during the journey that took it to the cultural centres of colonial power, not having been deemed useful enough to be registered meticulously.

Following the developments of physiognomy and phrenology in the eighteenth and

¹² See Green, Elliot D., “Ethnicity and Nationhood in Pre-Colonial Africa” (7-8).

nineteenth centuries, anthropology took advantage of the colonial space and encroached upon the colonised body to justify its hypotheses. Sofaer notices that “observations and comparisons between ‘primitive’ bodies and European bodies were closely tied to notions of cultural evolution with understandings of national characteristics rooted in biological disparities. [...] The skeletal body provided a key source of evidence for culture history through the osteological categorization of people according to racial type” (13-14). As Twing sums it up, “the 19th-century ideology of nationhood drew upon the physiognomic coding of the body as an *unproblematic site of truth* to produce many such narratives that were important to nationalism and the legitimation of both Eurocentrism and colonialism” (74, italics mine). The belief in science’s objectivity and righteousness was key to the violent allocation of the bones of an ‘other’. Nowadays, the ignorance towards the wishes of the dead is less present, even though Western science is still widely accepted as an “unproblematic site of truth”. I have recapitulated several of the ways in which skulls and colonised bodies have been objectified during the craze for anthropological material, first theoretically and then physically. These discourses have unfortunately lingered and can still be encountered in the mouths or publications of physical scientists¹³¹⁴. Some arguments that are derived from this history of appropriation have been brilliantly refuted, such as Joyce’s deconstruction of the “spectre of infringement of academic freedom” (99-100). I will hence not dwell upon answering those arguments, since there is no need to reconstruct the debate about repatriation in a Manichean way of putting up physical scientists against indigenous voices (Fforde, Hubert, Turnbull 5). Instead, one should strive to address the power relations that have been established during the colonial era, and redress it by tackling objectification and proposing a new conceptual framework that suits repatriation theory *and* postcolonial intricacies. But before engaging in such a task, I need to present what repatriation theory is at all, and why we can now talk about a “repatriation movement” that has started about thirty years ago and is still topical and newsworthy. Prolonging the chronological model I have instigated with the previous chapter, I shall reveal which methodological avenues can be taken when one analyses human remains repatriation.

¹³ During the panel discussion from which the title is quoted, Richard Lane, former Director of Science of the Natural History Museum London, has again uttered the argument that skulls stored in museums still have the potential to help DNA research to retrace their respective communities of origin.

¹⁴ Invasive methods of provenance research on skulls and skeletons, such as 3D shape analysis, geometrical morphometrics or molecular and genetic analyses, have been deemed “relevant” to the field of repatriation by Wittwer-Backofen and Schlager (228-9, 236)

I. 2. THE ACHIEVEMENTS OF REPATRIATION

Postcolonial re-workings of colonial structures and theories are first and foremost local in their implementation, just as colonial rule has been differently put into practice in Australia than in Nigeria for instance. This is why I chose to break down this short chapter in a geopolitical way, so that human remains repatriations and reburials and their effects on local communities and local institutions can be clearly assessed depending on their nature (international or intra-national), on the actors involved in restitution (legal structures and texts, museums), on those receiving the remains (local indigenous communities or national delegations). Delimiting the repatriation ‘movement’ in categories will show how successful some of these constellations were and how difficult others can be. Consequently, patterns may become discernible, and in these patterns, different colonial histories that have resurfaced can be linked on a methodological level. At the same time, limits will surely appear, especially regarding the multitudinous histories of colonial violence and the variable openness of certain cultural and political agents.

I. 2. A. Settler colonies as precursors and models

A great amount of American cultural material and media dealing directly or indirectly with military involvement overseas pictures the post-mortem return of soldiers’ bodies home, emphasizing on the imagery of patriotism and the attachment to land (e.g. *House of Cards*, *Homeland*, American news reports). Repatriation of U.S. coffins happens regularly, no matter how far back the war is, as illustrated by the 2011 return of excavated bodies of Vietnam combatants¹⁵. U.S. soldiers have nevertheless been involved in controversial trophy-taking, the most vivid example having been the mutilation of Japanese bodies during World War II. Forty years later, those remains were repatriated to Japan, although around 60 percent of them were still missing their skulls (Quigley 249). The history of American interventionist foreign policy reveals an acute concern with the return of citizens’ bodies home. American postcolonial history has also witnessed a (relatively) early open ear towards the demands of First Nations regarding the reburial of their people, although it took years to acknowledge the problematic presence of Native American bones in national museums.

The United States’ eagerness to lay bare legal foundations before any action is undertaken is witnessed in the field of repatriation. In 1988, a first report on human remains in general was published by the American Association of Museums, listing more than 43,000

¹⁵ “Bodies of American Soldiers who fought in Vietnam to be returned to US.” *The Telegraph*, 8 Apr. 2011.

Native American skeletal remains detained in 163 museums in the United States (Gulliford 120). Nevertheless, the first text that can boast having genuinely tackled issues related to the acknowledgment of human remains as sensitive collections was a joint agreement issued by the World Archaeological Congress in 1989, binding together spokespersons from more than twenty countries, representatives of twenty-seven American Indian Nations, and indigenous people from Australia, New Zealand and South Africa: the Vermillion Accord on Human Remains. It clearly and repetitively stipulates that “respect” and “agreement” between the scientists and the communities of origin were the principles on which treatment of human remains was to be based. Even if this was mostly thought to be applicable to archaeology at first, its far-reaching guidelines have unmistakably pushed for the inclusion of indigenous people in scientific research on human remains. Zimmerman also insists on the direct aftermath of the meeting in 1989 during which many participants joined together for the reburial of the remains of the Wounded Knee Massacre victims (“A Decade After the Vermillion” 92). He also highlights how the Vermillion Accord triggered an intense debate in the public sphere and led to the creation of several institutions and code of ethics such as the National Museum of the American Indian Act in the U.S., and later the Native American Graves Protection and Repatriation Act (NAGPRA) in 1990.

It is indeed NAGPRA which has ultimately provided solid legal underpinnings for institutional respect for the dead and indigenous peoples in the United States. Among its achievements in the scientific community, NAGPRA has helped oral tradition to be acknowledged as “evidence” and pushed for financial means to include indigenous voices in anthropological science with scholarships comparable to affirmative action policy (Zimmerman “A Decade after the Vermillion” 94). Due to its legal applicability, the Society for American Anthropology also gave in to the public accountability of archaeological research and the official responsibility science bears towards Native American communities as a result of the legal pressure implemented by the act (Society for American Archaeology 1). In practice, NAGPRA is regularly called upon by Native American organisations and tribes to support their claims to cultural items. It has also pushed museums to take stock of the items of which they are in possession, undertake provenance research for their sensitive collections of skeletal remains and funerary objects, and report their inventories at the federal level. These are separated between “culturally unidentifiable” items, which include 122,736 Native American human remains and 1,110,485 associated funerary objects in 747 museums, and material that could be traced and is now “culturally affiliated,” which represents 57,448

Native American human remains and 1,227,432 associated funerary objects in 569 museums (National NAGPRA Program 10). This work exposes museums to repatriation claims, hence epitomises a radical shift in museum policy in the United States since 1990. The last 2014 update indeed reports 16,884 repatriations of individuals and 276,547 repatriations of associated funerary objects (ibid 13). This positive picture should nevertheless be a little bit qualified though, since such drastic political and legal move has also awakened advocates for science's claim of objectiveness and academic voices still embracing the "salvage paradigm"¹⁶. In spite of this marginal scientific backlash, NAGPRA remains overall successful and continues to be called upon.¹⁷

In the same manner, Australia has been giving human remains back to Aborigine and Torres Strait communities for more than two decades and can also boast of an applicable legal guideline, the Aboriginal and Torres Strait Islander Heritage Act passed in 1984, which in spite of its general aspect covers the repatriation claims for human remains (National Museum of Australia 39). The section 12 of this act stipulates that Aboriginal or Torres Strait people can make an application to the ministry for the preservation and protection of their cultural objects, including human remains. The difference that Gordon and Pickering notice with American policy lies in the clear understanding of ethics and justice associated with human remains that is tangible in Australian museums and institutions. They argue that "Australian museums return remains and secret/sacred objects because intellectual debate and engagement with Aboriginal and Torres Strait Islander peoples has convinced the industry that this is the ethical course of action" (1). To them, the American example displays "legislative controls [that] impose repatriation on an industry that is clearly not always convinced of the merits of the practice" (ibid). Wilcox as well recently confirmed that critique and stated that "while the material manifestation of NAGPRA has involved the physical transfer of materials, basic archaeological sensibilities arising from the historical accounts and sensibilities of the colonizer have remains largely unchallenged (151). In other words, Australian officials and institutions not only recognize but also incorporate indigenous voices, aiming at a returning process that is as just, respectful and efficient as possible. Corporate dialogue between museums themselves is also implemented: the Return

¹⁶ In a letter to the SAA Bulletin in 1996, Geoffrey Clarke claims wrote: "it is simply a fact that knowledge of most pre-contact aboriginal cultures of the New World would have vanished without a trace were it not for archaeology. [W]e are all the losers if for reasons of political expediency, Native Americans rebury their pasts" (qtd in Zimmerman "A Decade after the Vermillion 96).

¹⁷ The last notice of inventory completion actualising the number of human remains dates from May 22, 2015.

of Indigenous Cultural Property Program of the Cultural Ministers' Council has pushed state-funded museums to draw inventories of their Aboriginal remains and return them to their state or territory of origin in an official keeping place. In 2007, at the end of the program, 7193 items were identified as displaced remains and to be transferred to the museums of their respective original territories to finally engage in close dialogue with local communities for the ultimate reburial of some of these remains. The National Museum of Australia is the most important player active in national repatriation of indigenous human remains. Not only does it offer a place of temporary repository before reburial can be carried out, it also actively looks for matching custodians with remains in Australian museum collections.

Regarding overseas collections of Aboriginal remains, the government of Australia has been involved in repatriation through the former Department of Families, Housing, Community Services and Indigenous Affairs until 2013, and through the Attorney General's Department ever since. It has coined an International Repatriation Policy which binds the government as a key player in facilitating the return of ancestral human remains to Australia. It is the first policy directly dealing with international human remains repatriation and, as I will show later, displays great attention to the local significance of the global displacement of human remains to Aborigines and Torres Strait islanders. What is more, due to their entangled colonial histories, Australia and the United Kingdom have issued a joint statement for increased "effort" in human remains repatriation between both those countries. John Howard and Tony Blair have personally released this press statement in 2000. Since then, although it is difficult to count accurately the number of remains returned, one can however witness a steady process which culminated with the return of 138 individuals from the Natural History Museum in London to the Torres Strait Islands in 2011 (Kennedy). Museums have also evolved from a reactive behaviour to a proactive one. In other words, Australian museums had earlier dealt with repatriation only in response to "unsolicited requests from Indigenous groups" (Pickering 165), whereas the enhanced state interest and funding has enabled museums to carry out their own provenance research and operate as transitory places in international repatriation. The National Museum of Australia is for instance the depository of "collections from Edinburgh University, the Royal College of Surgeons, Manchester and Horniman Museums (UK), the Bishop Museum and Michigan University (US) and from the Museum of Ethnography in Sweden" (ibid 165).

Settler colonies are hence inclined to deal with postcolonial ethics within their borders. American legislation and Australian experience show that international repatriation also

reaches to the high spheres of legal, political and diplomatic negotiations. Human remains repatriation in New Zealand also offers an example of successful negotiations with museums and governments overseas since 1990¹⁸. Still involving a former settler colony, New Zealand provides a peculiar example of a surprisingly early and efficient repatriation process overseas. The Museum Te Papa Tongarewa in Wellington has indeed been extremely active in repatriations of skeletal remains since 1990 and has coined its own policy on repatriation in 2001, supported by the New Zealand government. It can boast of 87 ancestral remains having been internally returned, and 92 occurrences of international repatriations with 15 different countries, bringing back more than two hundred individual remains to New Zealand. Among prestigious institutions that answered Te Papa's claims are the Trinity College Dublin, the American Museum of Natural History in New York, and the Musée du Quai Branly in Paris, the latter actually still relinquishing any open dialogue regarding its collections of looted cultural artefacts (Babatunde 289; Rivière 1). This example shows that not only does the historical weight of former settler colonies seem to spark quicker action in human remains repatriation; museums from those areas also do not limit their scope to their respective territory or sphere of influence. Te Papa is an example to follow in contemporary cultural anthropology. When Australian academics involved in repatriation complain that the "museum staff engaged in repatriation can rarely dedicate the time and resources necessary to carry out pure research into the 'companion' issues associated with repatriation" (Pickering 164), Te Papa features research programmes involving foreign scholars and domestic indigenous researchers, and does not relinquish using Maori vocabulary in its publications and on its website. As illustrated by Aranui's research on the "collection and exchange of kōiwi tangata" (human remains), the museum is active on both academic and political levels. By undertaking its own provenance research on displaced remains, it manages to acquire credentials and consequently recognition in the international museum landscape, and thus negotiates directly with holders of human remains without arousing intense political debates. Te Papa also foregrounds indigenous wishes and only intervenes when its help is required. It has arranged a "consecrated repository for the storage of kōiwi tangata" in accordance with Maori and Moriori protocol and respect for the dead (The Museum of New Zealand Te Papa Tongarewa 3).

In the body of literature addressing the legacy of the repatriation 'movement', law and decrees providing an unambiguous legal framework are celebrated, even though they also

¹⁸ Museum of New Zealand – Te Papa Tongarewa, "International Repatriations".

display limits in terms of ethical justice. While NAGPRA and Australian policy offer an example of such schema, since the rights of indigenous communities are still being flouted in the neoliberal present, Te Papa shows that a joint venture binding together officials, scientists, museums and indigenous people – some of which actually belong to all of these permeable social groups – can be successful on the international scale thanks to its multidisciplinary credence and its status as spokes-institution for converging interests. Te Papa has achieved a rapprochement between modern Western science and indigenous populations. Cultural relativity, joint research, and the development of indigenous anthropology (anthropological research for which the indigenous identity of a given researcher is empowering and attest of a certain authority) are tokens of the growing ethical concern for the recognition of indigenous knowledge in mainstream institutions. This example however remains an exception. The current and future possibilities for human remains repatriation on the African continent for instance demonstrate how important status is in claiming human remains. Claims often collide with the reluctance to hand over human remains exactly because they are embedded in a history of violence that is difficult to acknowledge, or simply because of lingering questionable notions about Western science's universality.

I. 2. B. A transnational movement involving former European empires, African countries and Pacific nations

Although the deportation of human remains to the European centres of knowledge during the colonial era had already been documented, and international repatriation had already occurred many times due to the efficiency of some institutions such as Te Papa Tongarewa or the National Museum of Australia, it is only at the beginning of the twenty-first century that the United Kingdom became the first former metropolitan colonial power to officially acknowledge the presence of problematical anthropological collections in its museums and started to gauge the breadth of its collections. The first report published in 2003 investigated no less than 148 repositories, and concluded that “at least 61,000 human remains were present in the 132 English responding museums” (Giesen 7). Since then, many surveys have been conducted, and the scope of human remains from overseas in collections can be reasonably estimated between 80,000 and 113,000 individuals in English museums, plus around 2,500 in Scottish museums. 90% of these remains originally come from the UK (ibid), and therefore, around 4,000 originate from overseas. No survey has focused on colonial human remains, but reports on repatriation (or “de-accession” as guidelines for the care of

human remains in the UK specify) have identified an increase in responding to claims, the apex having been reached in 2011 with the return of 138 Torres Strait islanders (White 48).

As far as other former colonial powers are concerned, France has repatriated remains to Australia, New Zealand and South Africa, its museums sometimes willingly responding to repatriation requests, other times disputing the return of those remains. The cases of Sarah Baartman and of Maori *toi moko* (tattooed skulls) have proven that government intervention is needed when French museums refuse to hand over part of their collections¹⁹²⁰. Austria also holds a non-negligible amount of skulls, some of which it has already handed over to museums in New Zealand, Australia. A recent case has also been much written about: the repatriation in 2012 of two bodies that were exhumed in South Africa in 1909 and served as material for Austrian anthropologist Rudolf Pöch's racial research.

In the firing line of postcolonial voices in the last ten years, Germany and its museums currently under the scrutiny of governmental parties, NGOs, international press and scholars. This acknowledgment of contentious human remains collections has occurred alongside a growing recognition of Germany's colonial past in the public and educational spheres. The idiosyncratic character of the Herero and Nama genocide in Deutsch Südwestafrika between 1904 and 1908 greatly emphasizes the problematic character of human remains repatriation. Three repatriations of human remains to present-day Namibia have already taken place (in 2011 and 2014 from the Charité University in Berlin and 2011 from Freiburg). Of course, German institutions have returned skulls and skeletons to other countries as well, a repatriation movement that started with the Bremen Überseemuseum which is a cornerstone in German museum anthropology. Nonetheless, no handover ceremonies have been as expected, feared, discussed and assessed as the German-Namibian ones; for they touch upon greater issues: political and diplomatic relations between both governments and the Herero and Nama communities, including the demand for official apologies and reparations for the descendants of victims; but also the construction of national and cultural narratives, illustrated by the space granted to colonial history in German curricula or the erection of a national museum in Windhoek.

Publications concerned with human remains in England such as White's or Giesen's surprisingly fail showing genuine interest in other provenance countries than settler colonies such as Australia and New Zealand. Comparable to early repatriation processes, research on

¹⁹ For the case of Saartje Baartman, see Holmes, *The Hottentot Venus*, " 169-183.

²⁰ For the case of the Maori *toi moko* in Rouen, see Prott, 309-10.

collections and repatriation in Europe is reactive: on the one hand, provenance research lacks funding: The Charité Human Remains Project for example neither had the manpower nor the time to examine skulls other than those that had been the object of repatriation claims (Appendix 3 xiv, xix-xx). On the other hand, scholars mostly address what has been achieved and not what is to come. Even though it seems quite incongruous to predict the future in academic work, this section will unabashedly affirm that the problematic of colonial human remains will probably extend to other geographical areas than those that have been active until now. Possible avenues include a great part of the African continent. During my internship at Berlin Postcolonial e.V., I have searched for colonial human remains in the annual reports of the Royal Prussian Museum Collections, and reported acquisitions in the former African colonies of the German Empire are legion. Given that many colonial human remains have been poorly documented, one might argue that the amount of skulls from the African continent in German museum collections will surely ultimately draw the interest of local indigenous communities as well as the indignation of Western observers and decolonial activists.

Furthermore, another geographical area is repeatedly discounted in academic publications dealing with repatriation: nations from the Pacific. Apart from Hawaiian people, whose claims also fall under the NAGPRA legislation and therefore have witnessed several returns of human remains, the presence of remains from Oceania in German and British collections is rarely talked about, if mentioned. Nevertheless, several instances augur the beginning of a Polynesian repatriation movement, since France and Sweden recently agreed to Polynesian claims. In September 2014, the Muséum d'Histoire Naturelle returned two skulls, one of them being the Polynesian Kanak chief Ataï who, in 1878, had risen against the colonisers and lead a violent rebellion. In June 2015, ten skulls were returned to the organisation Te Tupuna Te Tura by the Uppsala University. Even both events were relatively ignored by the French mainstream media, local publications and alternative websites have made it visible (e.g. Chaillan).

While academic and cultural material have addressed decoloniality from almost every part of the former colonial space, political action always seems to hobble along because of lingering hierarchical structures. Nonetheless, increasing concern for colonial human remains in European centres of knowledge will surely continue to spark political engagement with former colonial powers and repatriation claims. Nations from the Pacific and African

countries are on the onset of their repatriation movements, for many ancestors still sleep in European museums, unacknowledged but not forgotten.

PART II:

THE DEAD AS SUBJECTS OF HISTORY:

REWORKING OBJECTIFICATION AND INSTILLING MEMORY PRACTICE

II. 1. PROCESSES OF SUBJECTIFICATION IN REPATRIATION

If the skulls could talk in the contemporary context of repatriation, it might be through their ability to shape the ways in which their descendants and the descendants of those who have snatched them engage in dialogue with each other. To think of the skulls as such is to ascribe onto them a kind of passive subjectivity which I want to discuss in this chapter. I would like to rethink the project of “repatriation” as a global movement by placing the skulls at the centre of it. Such thinking will challenge and overcome Eurocentric or neo-colonial schemata which might consider museums or any holder of human remains as the key agents for repatriation to be at all implemented. It will also avoid any kind of victimisation which would reproduce the structures of oppression of indigenous communities in the national context of a postcolonial nation-state. Such utilisation will be further discussed when issues of collective identity will be addressed. For the moment, questions remain hanging which need be answered, or at least discussed: in which spheres can a hundred-year-old skull be considered as a subject deserving any right to dignity, history and truth? After decades of objectification as ‘anthropological material,’ how should those bones, bodies, human remains, be reconsidered in cultural and historical narratives? And finally, in which larger conception of the self can those subjects be integrated?

Following those interrogations, and thereby providing avenues that could fill in the gap that Kakaliouras has unveiled (cf Introduction), I will first analyse to what extent human remains are legal and political subjects in institutional texts. Then, body politics will have to be laid bare to propose a conceptual framework for the philosophical recognition of the dead as actors of history in the making. For repatriation to have any impact on reconsiderations of identity and how realms of memory are built, it needs then to be inscribed in a theoretical framework defining the place of descendants in a so-called postcolonial world. Achille Mbembe and his reflections on the African subject will offer such kind of frame that will

enable collective identities of postcolonial indigenous groups to be reinforced, reshaped and rethought thanks to the repatriation and reburial of ancestors' bones.

II. 1. A. Official and legal spheres: whose remains deserve to be repatriated?

Herein, the recognition of human remains in texts that have direct legal application for repatriation will be scrutinised. I will avoid discussing code of ethics issued by biological anthropology societies or museums, such as ICOM for instance, since such kind of soft law does not compel members to actually comply with those guidelines. Apart from NAGPRA and Australia, colonial human remains do not enjoy a special legal status and are usually included in any museum or governmental policy dealing with human remains in general. Focusing on skulls gathered during the colonial era and their recognition in the legislative field, I will hopefully outline the ambiguities that arise from the combination of vague legal categorisations such as “lineage” or “cultural affiliation,” and the precise postcolonial context in which repatriation is located. I am well aware that, as a cultural studies scholar, my understanding of legal proceedings and definitions is extremely narrow and limited. Moreover, such analysis could be the object of an entire dissertation binding together law and anthropology. I find it however essential to mention legal and official recognition of human remains in this thesis, even in such a succinct section, since law is a Western institution which often disregards questions of ethics, justice or transnational concerns, and abides by rigid conceptions of property, hierarchy and borders. It also puts up parties against each other, spawning a myriad of oppositions (tradition vs. science, indigenous communities vs. museums, object vs. ancestor) which can only be circumvented after having been deconstructed. A critical textual analysis might enable to envisage a novel way of thinking about human remains in policy.

The question surrounding the compound word “human remains” has already been solved in the introduction. Therefore, I will start this section by focusing on the objectification that official texts fuel when they deal with remains. I will then underline to what extent this termination can be dodged, and which evolutions are occurring in legally recognizing the intrinsic relationship those remains have with their communities of origin, or recognizing the present rights of the dead ancestors themselves. There are however limits to that evolution: on the one hand, unaffiliated remains account for the majority of skulls and bones in museum collections; on the other hand, if no claim for repatriation comes up, museums and academic

institutions will almost always remain unwilling to take on the arduous task of implementing provenance research.

“Cultural items.” It is under this broad notion that American law places human remains, alongside funerary objects. Given that the etymology of the word ‘item’ comes from the Latin adverb meaning ‘in addition’ and was introduced in the English language in the sixteenth century especially to indicate articles put up in a list, there emanates out of the NAGPR Act a acute desire to ‘keep track of’ museum collections. Such connotation becomes clear in the section about museum responsibility, called “inventory for human remains and associated funerary objects” (*italics mine*, 25 USC Ch. 32 §3003). Always associated with “culture,” human remains thus belong to the realm of social groups, and not to the universal world’s patrimony. They are rooted in community belonging, traditional rituals and diversity, but this root has been severed after their displacement to museums.

In order to build up a strong support to Native American and Hawaiian indigenous communities, NAGPRA exposes the case of repatriation as contingent on the notion of ownership. This concept applies to all remains that are excavated, namely that any Native American skeleton that is found in the ground as a result of archaeology or construction should first be assumed to belong to the respective Native American community. Archaeological finds are therefore the property of local communities. This is not the case for cultural anthropological material and that is where the shoe pinches. Indeed, ownership seems to be differently applicable to museum collections:

Each Federal agency and each museum which has possession or control over holdings or collections of Native American human remains and associated funerary objects shall compile an inventory of such items and, to the extent possible based on information possessed by such museum or Federal agency, identify the geographical and cultural affiliation of such item (25 USC Ch. 32 §3003)

Human remains in US museum collections are not theoretically owned by Native American communities as excavated ancestors are; they are under the “control” of those centres of knowledge. A new connotation is thereby added to the term “cultural items”: if human remains have to be indexed, listed and then linked to a given cultural group, they are nonetheless in the thrall of cultural institutions such as museums and academic establishments, for which the meaning of culture is sometimes longer ingrained in diversity, but in exhibiting otherness (Karp 15). Museum theory has been much influenced by Clifford’s concept of “contact zone” which highlights how museums are spaces enabling “contentious and collaborative relations and interaction,” that address the lingering hierarchical

relationships inherited from the colonial era and instil dynamics of experience and performance which contribute to a continuous self-reflexivity and an adaptation to the needs of their contemporary contexts (Scorch 69-70). Yet, recognising cultural institutions as the practical and theoretical legal holders of colonial human remains goes against this dynamic of intercultural exchange; for it implies that the museum's agreement is compulsory to lead to repatriation.

What is more, it retrieves subjectivity from the legal claims for repatriation that are voiced. As one of the most influential contributors to Marxist legal theory, Pashukanis has discussed the legal subject in relation to the capitalist system. He states that, "at the same time [...] that the product of labour becomes a commodity and a bearer of value, man acquires the capacity to be a legal subject and a bearer of rights" (Pashukanis 112). The 'juridic subject' arises from ownership. Although in Marxist theory, economic and cultural relations are dominated by objects since things define the social relation of exchange, in law, it is humans that enjoy control and agency: thanks to their "capacity as possessor and proprietor," they are "the personification of the abstract, impersonal, legal subject, the pure product of social relations" (ibid 113). In opposition, those who cannot act as proprietors will not find legal recognition of their rights. If one follows that conceptual framework of legal subjectivity, claiming ownership of human remains becomes central in defining who can claim rights over these "cultural items" and who cannot. As a positive example, the Australian Government Policy on Indigenous Repatriation declares that "the communities of origin are the rightful custodians of their ancestral remains, and should be consulted prior to any return" (5).

The United Kingdom has dodged the issue of property in the care of human remains. Falling under the Human Tissue Act signed in 2004, curating human remains in collections has been later more precisely delimited thanks to the support of the Guidance for the Care of Human Remains in Museums published in 2005 which clearly states that "the holding and use of human remains and the handling of claims in relation to them have presented legal difficulties in practice. The laws of England and Wales do not recognise the concept of property in human bodies or tissue" (DCMS 12). However, the guidance somehow contradicts this assertion when it comes to de-accession (read "repatriation"), since it considers museums as "the current guardians of the remains [which] will have the responsibility of making the decision over their future and this will make the process one-sided. It is hoped that, through time and a continuing open and constructive dialogue between museums and claimant groups, the process will become more equal" (ibid 24). The use of the term "de-accession" also quite

qualifies the strength of indigenous groups to bring about repatriation. In British policy, the museum is the key partner on which the liability for or against repatriation is bestowed. The scientific potential of human remains is also very often reiterated, downplaying the cultural and emotional value of ancestors for their communities of origin and putting up the greater good for universal knowledge against the community-based decisions for reburial (ibid 23). Because this guidance is aimed at orienting museum policy towards transparency and dialogue with indigenous communities, the critique seems ruthless. To give back some reward to the British guidance, it lists the steps that can be undertaken by claimants, operating as a practical helpful handbook for repatriation, and actually forces museums to conform to procedural responsibilities enunciated in this text and to apply its principles.

Museums in the United States must comply with similar inventorial guidelines for their anthropological collections. They should provide information about human remains that are culturally affiliated and those which are unidentifiable, and therefore need to work in partnership with Native American and Hawaiian communities to complete provenance research. However, repatriation can occur only if the museum is called upon by an indigenous party certain of the cultural affiliation that links them to their ancestor (25 USC Ch. 32 §3005 (a)). In other words, if not claimed by one of their lineal descendants or one of the current members of a given community, the remains (even those identified as affiliated to a given Native American tribe) do not need to be repatriated. What is more, if scientific research is being conducted while the claimant utters his/her wish to see the remains repatriated, the museum or the academic institution has the right to finish its study before giving back the bones (25 USC Ch. 32 §3005 (b)). Indigenous claimants are always considered as being the legal subjects of the NAGPR Act, since it is their interpretation and own action which can appeal to NAGPRA's application and lead to human remains repatriation. Nevertheless, this subjectivity seems to be bounded. Due to the status of governmental institutions as responsible stakeholders and the ambiguity in 'cultural item,' museums enjoy a double-status of legal object and subject, i.e. of being the recipients of the law's requirements and at the same time of being able to restrict its implementability.

The skulls and bones are, in NAGPRA, solely regarded as legal objects. They are not endowed with any capability of questioning the law's interpretation. They are the stakes over which legal, political and cultural discourses discuss, collide and agree. Adopt a viewpoint centered on these objects, and the vision becomes slanted. Inflexible concepts such as "cultural affiliation" can be challenged. The introductory definitions stipulate that "cultural

affiliation’ means that there is a relationship of shared group identity which can be reasonably traced historically or prehistorically between a present day Indian tribe or Native Hawaiian organization and an identifiable earlier group” (25 USC Ch. 32 §3001 (2)). Identity, as I will later develop, is socially constructed and claimed by present indigenous groups. Indigenous identity has greatly evolved from the times of acquisition of the skulls and the present. Some might argue that a focus on the past and traditional beliefs might be more trouble than focusing on a future enmeshed with modernity. The ancestors themselves might question the kinship claimed by descendants based on a “cultural affiliation” that is reconstructed. In a similar manner, in a case of scientific study blocking any move towards repatriation, the ancestors themselves, if one believes in the spirits of the dead, would surely rise just as Poe’s mummy did and, if no invasive medicine was involved, would still maybe inquire about the cultural discourses that are at play in provenance research and ask to be treated as human. Or directly take flight towards their original land, breaking the course of any scientific project and agreeing to immediate repatriation. The repatriation of colonial human remains in law seems to stand aloof from the skulls’ central position as individuals. Legal understandings of repatriation in the US have only focused on the indigenous communities’ rights in, and museums’ adaptability to, postcolonial contexts. It is in no way *decolonial*, namely reversing the hierarchies that were at play during the time of skull acquisition. In contemporary law, dead things are traded, owned and argued about. I know that these thoughts might be far-fetched in their practical applicability. The Western judiciary system is a well-oiled machine based on reasonable interpretation by the living for the living. They are nevertheless relevant in philosophical questions of legal ethics and historical justice.

In Germany, the notion of “Unrechtskontext” (context of injustice) is repeatedly associated with repatriation, and remains quite pivotal in the psyches of physical anthropologists and political actors to decide whether a skull or a sacred object can be repatriated. To root the corpse in its context of acquisition is an attitude that should indeed be adopted, since it keeps a trace of the human life that used to inhabit that skull prior to its death and its displacement. It asks for a reconstruction of the colonial context. This concept is nonetheless flawed. Holger Stoecker, research associate in the Charité Human Remains Project criticizes it, arguing that, if there is an “unjust” context, it implies a “just” context of acquisition which, in the case of colonial human remains, is hardly conceivable (Appendix 3 xvi). Moreover – and this is why I do not address it in detail – it is endowed with a juridical connotation which gives the illusion of a legal credence (ibid). While “Unrechtskontext”

pushes for a thorough remembrance of the conditions of colonial oppression and racial discrimination, it draws lines between ancestors that have been killed during the Herero and Nama genocide, corpses that have been dug up, and skulls that were given to anthropologists at the turn of the twentieth century by, say, psychiatric hospitals. It abides by a logic of inclusion/exclusion that eludes the common denominator: the racist “scramble for skulls.”

More recent official texts on colonial human remains and their repatriation have provided a vision that incorporates in a greater manner the skulls’ humanity. NAGPRA and the Vermillion Accord are now more than thirty years old, and new policies on repatriation have constantly been rethought, especially in other postcolonial landscapes such as Australia. Even though practically less mighty in imposing repatriation to the illegitimate owners of skulls than written law, governmental guidelines such as the Australian Government Policy on Indigenous Repatriation clearly places the ancestors at the core of the repatriation process:

Repatriation is also a vehicle for healing and justice in Australian society. For Aboriginal and Torres Strait Islander peoples, the return of ancestral remains back ‘to country’ is the first step towards recognising their dignity. It restores their rightful place as Elders, mothers, fathers, grandmothers, grandfathers, uncles, aunts, brothers and sisters. It acknowledges the wrong done to them and allows the ancestors to finally rest in peace in their homelands. It recognises the unbreakable bond, customary obligations and traditional practices between the living, the land and the dead. (Australian Government Attorney General’s Department 4)

Herein affiliation is not contingent on assessable evidence of group belonging, lineage, or kinship; it is already foregrounded and presupposed, implying that the displacement of the remains also disrupted the social and genealogical order of things. To use this viewpoint is to understand that repatriation is not only a postcolonial project but analogue to some kind of reparation, not in the sense of retribution, but as sewing up together the holes in the fabric and restoring threads that have been damaged. In addition, it demonstrates that some official policies that have sprouted from colonial administration can finally integrate *in theory* the diverse beliefs that form the abstract notion of nation. The fluidity of ethics and justice can be translated in the dry language of administration.

Australian human remains therefore belong *de jure* to Australian Aborigines. Other remains that can be identified as coming originally from a precise community should also be able to enjoy such an acknowledgment of their “rightful place,” of their essential right to be repatriated. Remains that are provenanced can be envisaged as possible future repatriations. Unaffiliated remains for their part are trapped in forgotten cardboard coffins. In the international context of repatriation claims, there is already much fish to fry and conflicts to

be negotiated before taking on the arduous task of referencing and clearly identifying the provenance of unknown skulls. It is also often impossible to be achieved due to the poor indications provided by the collector or the museum itself. What is more, if no claim is voiced, no legal interest is witnessed. NAGPRA makes it clear that it is only “upon request” from a pursuant that skulls can be repatriated. It also opens up the notion of affiliation when it is difficult to be proven or established: they “shall be expeditiously returned where the requesting Indian tribe or Native Hawaiian organization can show cultural affiliation by a preponderance of the evidence based upon geographical, kinship, biological, archaeological, anthropological, linguistic, folkloric, oral traditional, historical, or other relevant information or expert opinion” (25 USC Ch. 32 §3005 (a)). It is up to the indigenous descendants to get hold of their legal subjectivity and claim their remains. Museums are not compelled to find out themselves where their collections come from. Even code of ethics do not advise museums to engage in costly provenance research. The ICOM only preaches for respect of the “interests and beliefs” of communities of origin, “*where these are known*” (emphasis mine, 3, 7). There is no legal or professional basis on which unaffiliated human remains can be considered. Sleeping in boxes, in the dusty storage rooms of museum collections, some ancestors wait in vain for a voice, for a claim.

In this section, the particular status of colonial human remains in legal texts has shown that law has divided the anthropological collections in two parts: on the one hand, “cultural items,” i.e. human remains whose legal guardians are museums but whose cultural affiliation has been established and thus offers a bond with a given community of origin which grants a latent opportunity for repatriation. On the other hand, the “unaffiliated,” who are legion but ignored, disregarded even by code of ethics, since they are not contingent to issues of respect of postcolonial indigenous voices in the present. Still, objectification is being questioned, and the relevant and influential Australian policy has challenged the Western paradigm of commodification of legal claims. The skulls are no longer legal objects and the hub of the matter is no longer the conflict of ownership; they are ancestors, solidly anchored into the genealogies, the histories and the traditions of their respective communities of origin.

II. 1. B. “Inanimate”, “commodities”, “cadavers”, or “subjects”: which epithet to human remains?

If legal texts cannot provide a solid base for the recognition of all colonial human remains, regardless of an established affiliation, anthropology and philosophy might do.

Starting from theoretical groundwork on the body and the corpse, I will here try to show how human remains, though having been objectified, separated from the living body in theory and usually deemed to be inanimate, can retrieve part of their human and subject character in the field of cultural anthropology.

Human remains are not only biological, they are cultural (they have been buried): they have “cultural significance and cultural impact” (Joyce 101). Readings of the body usually focus on the living for the obvious reason that modern philosophy, denuded of spiritual or religious influence, has understood death as *integrate part of* the subject condition in life. Bataille and Kojève both read Hegel as a “philosophy of death”, therefore of Atheism. Hegel’s process of “becoming subject,” the differentiation between the animal state and the human, occurs exactly when the subject negates its animal nature by constantly putting him/herself at risk and accepting the fatality of death. Through this negativity, the subject is “absorbed in his future disappearance,” conscious of his/her uniqueness which is mostly expressed in language through individual naming (Bataille 16) ²¹. This section will rather conceive death as a new realm of subjectivity based on memory and constantly mirroring the previous state of subjectivity, namely life. This paradigm will be reused in the next section when I will address the postcolonial importance of wounded histories. For now, I will concentrate on the body as it is the most apparent feature present in both living and dead subjectivities. I am here greatly indebted to some writers, starting with Joanna Sofaer who binds together the constructivist perspective that considers the body as a product of discourse, as well as a social and cultural construct, and the objectified considerations of the body in archaeology. In the same disciplinary field, Liv Nilsson Stutz, has also contributed to novel approaches of the dead in archaeology. I am therefore neither concerned with theories of the phenomenological living body, subject to emotional responses such as pain, nor with cultural and anthropological approaches which concentrate on the alteration and performative staging of human bodies, such as Judith Butler’s “Gender Constitution” or Margo DeMello’s *Body Studies*, for those do not qualify as solid theoretical bases applicable to the dead body.

Sofaer mostly theorises the body in archaeology, and not cultural anthropology. Yet, her introduction and the chapter focusing of material bodies offer much methodological possibility for academic fields such as cultural studies. In the first pages, she states:

²¹ Bataille however criticizes Hegel and the following modern conceptions of the living subject influenced by his work on the principle that death has wrongly always been viewed as negative and dreadful in modern philosophy. He illustrates that with the examples of the Irish and Welsh customs of the “wake” and the Mexican aesthetics of amusing death, demonstrating that the frightened gaze at death can also be enhanced through oxymoronic exposure combining gaiety and anguish (25).

“The human body is material and historical. Together, these two aspects lend it to archaeological investigation. Yet within the discipline, with regard to the study of human remains, these two aspects rarely seem to meet. Archaeological bodies are studied through two contrasting approaches that sit on different sides of a disciplinary divide. On one side lie science-based osteological approaches that focus on the skeleton as the material remain of the body. [...] On the other side lie approaches to the body situated in recent developments in social theory. These increasingly view the body as a social construction that is contextually and historically produced, but hardly touch on the human remains themselves. (xiii)

In acknowledging the discrepancy between materiality and socio-historical construction, Sofaer posits a problematic between two approaches in archaeology reminiscent of the usual divide constructed in repatriation, namely physical anthropologists vs. indigenous groups. Delving deeper in this intellectual ditch, she points out what exactly tends to reinforce the clash:

Osteological studies recognize and study variation between individual bodies but osteological conceptualizations of the body itself are necessarily fixed, universal and transhistorical in order that the body may be subject to scientific analysis and comparisons between bodies made. By contrast, those who identify the body as a social construction perceive it as fluid and culturally specific. (2)

To be sure, the osteological perspective remains incompatible with any kind of postcolonial thinking. It is not surprising then that research on colonial human remains, binding together multidisciplinary experts, has proved to be shocking for some participants (Eckstein 9). Stoecker for instance has had to work with physical anthropologists in provenance research, and has stated that some of the texts, “which stemmed from the beginnings of physical anthropology, or from the beginning of the twentieth century – that is the apex of racial anthropology – were quoted just as they were at that time, and obviously carried not only methodological knowledge, but also a mentality in dealing with the material which has never been critically reflected” from the part of physical anthropologists and anatomists²². Sofaer aspires to clear the gap that has existed between both understandings of the material continuity of the body and its dependency on social construction and historical contexts.

²² In the original interview: „Da sind hier Standardwerke von Leuten, die ich aus einem anderen Kontext kenne, die immer wieder benutzt und zitiert worden sind, die am Anfang der physischen Anthropologie standen, oder vom Anfang des zwanzigsten Jahrhunderts kommen, also der Hochzeit der Rassenanthropologie, die nach wie vor als Standardwerke zitiert werden, und die natürlich nicht nur ein methodisches Wissen mittransportieren, sondern auch eine Mentalität im Umgang mit dem Material, die nie mal kritisch reflektiert worden ist.“ (Appendix 3 xiii).

Still there seems to remain boundaries within which reconciliation is possible. She observes that, “at its most extreme, [for some people] bodies are historically bound individuals whose very subjectivity precludes even the prospect of science as an appropriate methodology for study” (2). This is a belief that I myself want to foreground, and I would never qualify it as “extreme,” for this choice of words marginalises individuals and populations who question the time-honoured conviction that Western science is objective and universal. Sofaer definitely preaches for more interaction in archaeology and not in every field related to the study of human remains. I would however rather not aim for reconciliation between the scientific ‘potential’ of skeletal remains and the claims for respect and reburial. It cannot be productive in the field of human remains repatriation because thinking of bodies as being only material reproduces exactly the knowledge system that was used to justify practices of unethical collection of bones and crania. Instead I argue that the material physicality of human remains cannot be divided from its historicity. It is because the skulls as ‘material’ could contribute to greater scientific input that they were dug up, snatched and sent away; it is thanks to their physical ability to attract attention, to remind us of ancestors but also of our own mortality, that human remains can be at the centre of cultural and political debates; furthermore, it is because of the loaded history behind these skulls that current anthropological research on human remains takes greater care in using invasive techniques of corporal research, and that applied science needs to work alongside the humanities.

Sofaer’s chapter “Material Bodies” attacks the long-established discrepancy between animate and inanimate which has regarded death as an “ontological shift” (62). In contrast, different histories of commodification of human bodies have questioned that clear-cut shift and supported “continuity on either sides of death” (ibid). Sofaer lists grave robbing for dissection, corpses as trophies of war, and colonization of the “other,” among others, as examples of commodification processes, (64). Those processes hence challenge the absolute materiality of dead bodies because they still retain symbolic, cultural and ideological significance. Repatriation exactly achieves such continuity. The material character of the body is what triggers its post-mortem acknowledgment, for the simple reason that the body does not disappear entirely: it has to be disposed of, it is sometimes exhibited, sometimes stored, sometimes used as a tool. Commodification processes strip down the body from its former subject identity (although sometimes a name can be retained in the case of trophies) and bestow new meanings onto it.

Is it possible to conceive human remains as sensitive commodities? Their assigned meanings are not inherent; they have varied throughout the years, and are now multitudinous. They are now endowed with a layer of colonial, scientific, sacred, and postcolonial values, as illustrated by the historical assessment I laid out in the first two chapters. Following Appadurai's methodological posit that "it is the things-in-motion that illuminate their human and social context" (5), the reversal of trajectories in the case of human remains throws a quite optimistic beam onto the future handle of colonial bones. They were brought from the *geographical* and *ethical* peripheries of the colonial empires – given that digging up graves and claiming the bodies of the dead were actually carried out without being proudly reported in logbooks, diaries, and even sometimes escaped being meticulously reported in administrative bureaucracy. They were then stored, exhibited for the sake of Western science, labeled, and left sleeping in cardboard boxes for more than a century. They are being re-acknowledged, re-discovered, retraced, reclaimed, handed over, re-buried, remembered and after that empowering period, might be then laid to rest in peace.

Atkinson, speaking about repatriation of remains from his community the Yorta Yorta Nation, is "moved to say what value can you put on our ancestors? There is no dollar value and no words that can really describe the value of our ancestors" (15). Indigenous voices have thus strongly attacked the ascription of any commodity value onto their ancestors. The term "commodity" in itself, however, presupposes some kind of value, as the title of Appadurai's book clearly states. The only value which Atkinson recognizes is the emotional one, which seems to be different from one person to another since Western voices might relate emotionally to colonial human remains only through the "immoral way in which Indigenous people were exploited," and are therefore aloof from kinship or belonging for example (ibid). What is more, Western Christian culture has historically used the dead body as a commodity of trade, especially in the form of sacred relics, or in Western modern medicine with Jeremy Bentham's famous act of self-donation for dissection in the name of the advancement of modern medicine (Brooks and Rumsey 262). Consequently, not anyone seems to have the right or the ability to ascribe value onto human remains, a premise that will be problematic when I will talk about shared wounded histories and multidirectional memory.

What is more, "commodity" hardly conveys the physicality and the corporeality of human remains. In trying to bind together materiality and meaning, Sofaer is left with a quandary since processes of commodification tend to abstract the body from its tangible humanness. In becoming trophies, skulls come closer to wall-hanging animal heads than to

ancestors. What is remembered is the act of acquisition, such as the hunt, and not the life of the victims. Of course, there is continuity after death. It is just that such kind of objectification should actually be challenged rather than be reproduced.

I thought about replacing “commodities” by the term “entities” to qualify human remains, enabling remains to be both the objects of emotional value and the subjects of their afterlife: the etymology of the word (from *entitatem*, *esse*, “a thing”, “that which is”), binding the verb “to be” and the inanimate character renders the complexity of dealing with unburied, dug up or re-buried individuals. They are present, living through the claims of the living while being physically dead. For sure remains are dead things, bones, objects of trade that have been stolen, given and taken back, but then more than that, since they remind of the living. Human remains are originally *human*, and this origin stemming from the human body cannot be discounted. “Entity” has unfortunately not been historically linked to the body but to the object in ontological philosophy and is hitherto subject to loose interpretation. Moreover, the contemporary use of the term has drifted away from its rationale. It is thereby also not suited for the present context of human remains repatriation.

Coming back to the body then, after this short digression, in search towards an adequate theory that could unfold “subject-making processes,” as Kakaliouras has called for, I shall discuss the intrinsic *physicality* of the body, a component that has somehow been overlooked in Sofaer’s theory of material bodies, probably because of the assumption that materiality and physicality are anyway linked. Nevertheless, the physicality of the body encompasses its living character, therefore closer to an individual, while materiality implies a probable merge with the realm of objects.

Regretting the prominence of abstractness in academic studies of the body, Nilsson Stutz argues that “bodies are more than metaphors. They are flesh and blood, organs, ligaments and bones, gases and fluids” (Nilsson Stutz, “More than Metaphor” 19). To her, scientists concentrate more on what bodies might mean than what they genuinely are. Of course, she does not question the fact that the body is constructed through social or cultural practice; she rather brings forth the notion of “cadaver” as a possible source of insight in studying physicality. The cadaver is a second state of the body coming after the shifting moment of death, very much reminiscent of the animate/inanimate discrepancy: “a social being disappears and a cadaver emerges” (22). She emphasises on the emerging character of the cadaver, which is subject to numerous phases of decomposition. So far, it seems that the notion of cadaver might not be productive for colonial human remains, since it appears hardly

applicable to bones which have long been denied this process of decomposition: skulls have been severed from the rest of the cadaver, actually questioning the notion of cadaver in itself by separating its entirety. Can a skull be considered as a cadaver? What about a metatarsus? Yet, she argues that such fundamental problems can in fact prove useful in the approach of the dead through the physical cadaver:

It is a body incapable of communication and practices. The duality of the mindful body and the embodied mind has broken down, and it can no longer conform to social and cultural norms. Those have to be imposed from the outside through the mortuary treatment of the cadaver. From having been nature and culture, subject and object, it is now suddenly neither. Still, for a time, it remains recognizable as the person it used to embody. Thus, through the emergence of the cadaver, that person is neither present nor absent. Being no longer subject nor object (sic), it qualifies into the category of the abject, as proposed by Julia Kristeva. [...] As the natural processes of decay proceed, the cadaver will become less and less like the person it used to embody, and in response, the living – the survivors – act to control the transformation (23).

The idea of recognition is therefore central. Thereby, any human remain can qualify as cadaver, since provenance research can always endeavour to find out and give back this link of recognition. Furthermore, the liveliness of the cadaver is both present in its physical process of decomposition – which in the case of colonial bones is materialised as the reversal need to keep those bones away from decomposition – and in the ritualistic and post-mortem phase of parting with the dead individual – such as erecting named graves, or claiming kinship. The notion of cadaver is both anchored in corporeality and mortuary practice, and somehow avoids talking about materiality, being embedded in its relationship to the former living individual. It also defies Western dualisms (nature/culture, subject/object, mind/body), a move that is very welcome in postcolonial theory. It also leaves open the possibility of forgetting, an abstract process that occurs alongside the process of decomposition. Thus, as long as the cadaver is physically present, the survivors still have a chance to renew the bond between the physical cadaver and its former life as individual. This is what has occurred in the last twenty years with the increasing demands for the repatriation of remains within settler colonies and between countries.

An intricate point still lingers. The notion of cadaver assumes that any corpse has been previously able to communicate and cannot do so presently. According to the theory of cadaver as abject, skulls cannot talk. To be sure, cadavers (mostly skulls) are physically incapable of claiming their rights to be repatriated or reburied on the basis of their belonging, and need to wait for demands of repatriation coming from their descendants. Their presence in

Western collections is however haunting, “threatening” and “abject”, if one is to use Kristeva’s terms for corpses. Most of them are kept hidden from the gaze of the visitors, for getting a glance to gauge the number of skulls that have been collected during the colonial era might be psychologically distressing. But when the glass or the doors that hold the distance between the onlooker and the skull are no longer there, as it is the case in scientific research, human remains seem to trigger “emotional response” (Balachandran 201).

This emotional involvement has already been experienced by a broader public in the context of the remains of one particular individual endowed with a name and a widely known history of oppression: Saartjie Baartman. To have a name is to be partly intelligible. Fforde, Hubert and Turbull highlight the significance of naming in repatriation:

Named individuals, or those who have known descendants, are frequently the first ‘types’ of remains to be returned by institutions. There is no scientific basis for this distinction. It may be that those in charge of museums in fact agree with the indigenous perception of named remains as ‘dead people,’ and thus believe that burial is an appropriate course of action. On the other hand, refusal to return ‘anonymous’ bones implies that unnamed remains are not similarly considered, despite cultural beliefs that state otherwise. It may be that the anonymity of remains-as-data is central to their positioning as ‘objects’ (12).

Human remains with names, no matter how constructed and artificial the names might be (for the case of Saartjie Sarah Baartman see Qureshi 233, and Holmes xiii), have been the products of heated debates, enjoyed far-reaching interest^{23 24}, and been the product of research that has resulted in publications and sometimes quick repatriation²⁵. The French publication *Témoins de l’Histoire* (“History’s Witnesses”) illustrates that point, for, although having been published in 2011, it only mentions three cases of human remains repatriation: the Tehuelche chief Inakayal in Patagonia in 1994, Saartjie Baartman in 2002, and the first of a series of *toi moko* (tattooed Maori heads) repatriated from France to New Zealand in 2011 (Prott 302-9). Albeit a non-negligible juridical section listing the ethical and deontological stakes of keeping

²³ I am nevertheless well aware that Sarah Baartman’s story is neither embedded in the widespread practice of skull gathering, nor does it stand for the whole history of colonial oppression, since the exhibition of her body and the scientific interest for her physical features was rather the result of perverse curiosity for the freak that a proper analysis of the bodies of the colonial “other,” as proven by the refusal of the Liverpool Museum director to exhibit Baartman next to giraffes and other animals on grounds that he was not “the keeper of a freak show” (Holmes *The Hottentot Venus* 59). This example is however relevant to the history of human remains repatriation, since the return of Baartman’s bones to South African has been much subject to discussion in the field of cultural anthropology and museum practice (see Morris 153).

²⁴ Baartman’s history has been widely discussed and re-enacted in academic and cultural publications, such as Abdellatif Kechiche’s *Venus Noire*, Diana Awerbuck’s novel *Home Remedies* or Suzan Lori-Parks’ play *Venus*.

²⁵ The recent case of a skull named Jim Crow in the Museum Victoria examined by Alexandra Roginski lead to the publication of the book *The Hanged Man and the Body Thief* in June 2015 and sparked a process of intranational repatriation in Australia (Roginski 77).

human remains in museums collections, obviously drawing from NAGPRA as well as Australian and British policy, the three case studies that were chosen to feature in this chapter dealing with human remains are manifestly individual cases, remote from the broad range of remains that were given back to Native Americans or Aborigines. Given that two of these case studies are actually clearly identifiable thanks to the presence of an acknowledged name, it seems that the authors/editors have discounted the vast amount of “unknown” individuals whose bones have been reburied in the last three decades. Linking that gap to the title of the academic publication, it appears that those who are deemed to deserve the label of “witness,”²⁶ are those who tally with the Western epistemological model of an identifiable subject, idiosyncratic because nominal. Turnbull also observes that the Australian Archaeological Association, although having earlier advocated for the retaining of human remains, by 1984 “agreed that repatriation was justified in the case of known individuals” (4). Nowadays it supports repatriation unconditionally. A recent book has also proved that names can draw attention to provenance research. Stumbling upon a skull named “Jim Crow” kept in the Museum Victoria in Melbourne, Roginski launched a personal process of historical research²⁷ (Roginski viii). Her findings on the life and death of Jim Crow have greatly influenced a repatriation process which started in June 2015 (Smith 1). On the contrary anonymous skulls seem usually to disappear under the umbrella term ‘remains,’ and are referred to as allegedly belonging to a geographical or social space (country or population). Names obviously shatter the glass that has separated human remains to the public in museums for decades. Subjectification in these cases is then nothing greater than a simple re-individualisation of the cadaver whose antecedent life is foregrounded.

If some can achieve partial status as subjects in human remains repatriation, other individuals must endure a lingering state of being unknown and unclaimed. Studying the response of Aymara people to the exhibition of unidentified remains in Bolivian museums, Cordova emphasizes on a phrase used by them to refer to those bones: “Nobody’s dead” (71-72). Seeing both readings ‘nobody’s dead’ and ‘*nobody*’s dead’ in that phrase, Balachandran reinterprets it, pointing out that the dead “can continue to play an active or living role” and argues “that this requires a broadening of the conceptual framework of contemporary

²⁶ Agamben retraces the multiple etymologies of “witness” in his book *remnants of Auschwitz*. The term both encompasses the Latin roots *testis* (offering legal testimony that matters as evidence in a trial) and *superstes* (he/she who underwent an experience), as well as the Greek *martis* (the martyr bearing witness to his/her fate, “who cannot not remember”) (17-26). Human remains can be linked to at least two of these connotations, but this belongs to the realm of memory and will therefore be discussed in the second part of this thesis.

²⁷ Roginski is currently writing a PhD thesis about phrenology practice in Australia.

conservation” (202). However rickety that reading might be, it offers a stark critique of Western secularity in conservation and museum practice that rests upon the not-so-far-fetched agency of human remains. It is additionally supported by other accounts on the cultural significance of ancestors’ bodies. In 1993, cultural anthropologist Thomas King held a dialogue with Jan Hammil, leader of the group American Indians Against Desecration. In praising the need to balance the interests of scientists with that of indigenous communities, she asked him: “What about the interests of the dead?” (qtd in King 63). King was then lectured on “the rights of the dead themselves, toward whom the living bear responsibility” (ibid), a conversation which has influenced him in his research about the pueblo peoples (Zuni and Hopi tribes). He concluded that “the dead [are] often seen not as being really ‘dead’ but as transformed, and still powerful” (ibid). Even though both Balachandran and King are Western outsiders, aloof from the actual manifestations of such beliefs in subjectivity of the dead and therefore translating them in an English academic language that cannot even come close to articulating those epistemologies in words that do not convey a sense of ‘otherness,’ their accounts are still food for thought in exploring processes of present subjectification of the dead bodies from the past.

Because secularity in science and academic language cannot conceive and express beliefs in the after-life, conservators, and by extension everyone dealing with human remains in one’s work, should engage in constant self-reflexivity and adapt their behaviour in relation to the sensitivity of the material they are working on. Curtis also seems to embrace that position. He states that “in a Western secular tradition that does not see the dead as being active agents in the world today, it is difficult to see how they can be offered any respect. What we can do is to acknowledge that our ethical decisions are constantly being reassessed and renegotiated in the changing contexts of the present” (27). The question of direct agency and intelligibility cannot thus be solved; it must be thought as contingent on the epistemologies that are at play in repatriation. To put it plainly, if a community asking for colonial human remains genuinely believes those remains to have retained ways of being articulate in the world of the living, those remains deserve to be treated as potential individuals. If another community deems crucial that its ancestors should be reburied in a specific place that will enable their spirits to break free, those remains should be treated as entrapped subjects and hence be released. In asserting that, I obviously circumscribe the difficulty of talking of a universal process of subjectification taking place in repatriation; it is the particular that takes primacy over generalisation. If these skulls could talk, they would

obviously talk in their respective languages, with their respective systems of knowledge, in defense of their respective values.

It seems impossible to conceive the skulls gathered during the colonial era as full subjects of history, due to their inability of being fully intelligible. It is neither imaginable to treat them as commodities, since they cannot be thus regarded by their descendants or by members of their communities. This section has tried to provide an overview of the subject-making processes that could be applied to the skulls themselves. The result is mostly pertinent for the Western academic sphere: caution and reliance on the context of repatriation is to be adopted when one studies human remains. In practice, this should be manifested with a high regard for the beliefs of the community in question, and for the context of acquisition including the particular experience of colonisation. As an example, the skulls that have been lately repatriated from Germany to Namibia are embedded in a tremendously traumatic history of violence and genocide which covers further debates such as the claims for official apologies. Any provenance research implemented on such human remains should be aware of the deadly fate that these ancestors met more than a hundred years ago and therefore consider them as victims, a term which entails a whole knowledge and method of retrieving historical facts: finding names, photographs, biographies as complete as possible, perpetrators and redemption from their part. Skulls that have been gathered from grave robbing in Australia for instance are rooted in a different epistemology²⁸, emphasizing maybe much more on the importance of place, of a return to the land. As Atkinson states, these can be regarded as “spirits” tormented by the inability for them to “rest at last” (16). For the bulk of unclaimed human remains stored and stacked, forgotten and maybe never becoming ‘repatriables,’ no other conceptual term can be added to the use of ‘human remains.’ As legal subjectivity has underlined, only a will to repatriate or to undertake provenance research can pull those remains out of their objectified status as ‘anthropological material.’

²⁸ In the following section, I will often draw a contrast between Western and indigenous epistemologies. This is far from assuming that indigenous cultures and systems of knowledge are homogeneous. I am well aware that Aboriginal Australians have different conceptions and different traditions of passing than say Ovahereros in Namibia. Given that this thesis is mainly theoretical and supported by various examples (and therefore is not anchored in a precise case study), and because I myself belong to the Western postcolonial tradition of critical theory, my task is to challenge and indict the pursuance of colonial imposition of Western science and philosophy onto communities whose genealogical structures and communal history have been severely damaged due to the displacement of their dead. My argumentation should not be understood as a binary structure binding all indigenous epistemologies together; instead, let us consider it as an Empire being attacked from a multitude of fronts, within the boundaries of its territory.

II. 1. C. Achille Mbembe and present postcolonial subjectivities

To finalise our reflection on subject-making processes, it is now crucial to turn to postcolonial voices that have used repatriation as a ground on which they base their claims for kinship, respect, and recognition of their rights and their histories. The legal intricacies of repatriation concentrating on questions of kinship and descent tend to eclipse the central characteristic of human remains repatriation: the full story of colonial human remains that leads to restitution and subject-making processes after repatriation is above all a tale of violence, racial discrimination, and objectification. It also touches upon displacement, the unknown/unspoken, and entrapment. The bodies that have been sent to Europe for the sake of physical anthropology have lost their voices for more than a century, during which only speculation from their local descendants have kept alive the memory of the journey they underwent. Issues of post-repatriation subjectification are hence issues that touch upon the philosophical understanding of a gap in a history punctuated by violent moments, and the need to close this gap by repairing the fractured connections generated by oppression and objectification. In practical terms, this gap is the result of scientific colonial endeavour in anthropological research, and can be partly filled by the return of the bones and their reburial. In philosophical theory, the presence of a gap is a bit more complex.

As a means to repair that gap, repatriation is often described as a reuniting process (Thornton 18; Cast, Gonzalez and Perttula 7) between the remains and their graves, between the forefathers and the descendants, but also, in some cases, pragmatically between the skull and its jaw, when they were erroneously mismatched by their collectors (Thornton 17; Stoecker and Teßmann 214). The traceable travels that human remains have done in the past twenty years bear witness to a general mood of “giving back”, a wish to reunite, and a historical narrative of returning home, at loggerheads with the magnet-like trajectories that human remains have followed towards European metropolises until the beginning of the twentieth century. Between reunion and reconciliation, there is, to my mind, a great amount of acknowledgment of wrongdoings that should be considered, made and accepted. Regardless of the difficulty, Thornton seems to quickly bridge both together, arguing that repatriation offers an opportunity for descendants of victims to “reconcile themselves as peoples with these [violent] histories” (23). Not only does he forget to describe in detail how the re-acquisition of objects or bodies manifestly achieves this reconciliation; he even states it without according any thought as to how the alleged easiness of reconciliation processes has been challenged in South Africa, Argentina or Chile for example. Before even showing how

repatriation helps to come to terms with violent collective ‘traumata of history,’ to employ Duran’s terms, one should first reveal how fragile individual and collective postcolonial subjectivities are, and therefore in which ways could people and communities efficiently articulate their claims to ancestors’ remains.

Away from European conceptions of the reasonable, individual, perspectivist, *différential* or ideological subject emitted from the seventeenth century onwards²⁹, Achille Mbembe provides a theory of postcolonial and posttraumatic *collective* subjectivity focused on the African continent, its population and its diaspora. It will lay bare understandings of place, of belonging, and explain how the fragmentation of self-evident categories in group identity (geography, common history) can be dealt with in a process of re-subjectification. In *African Modes of Self-Writing*, reflecting on the (re-)construction of the African subject in African literature, Mbembe lists two ways in which African criticism has responded to the dehumanization of African people in colonial discourse: the Marxist and the Nativist self.

The former is based on a history of oppression whose pillars are slavery, colonisation and apartheid. According to African Marxist thinking, the self has become alienated, objectified and therefore, “not only is the self no longer recognized by the Other; the self no longer recognizes itself” (Mbembe 241). Ultimately, such paradigm eats its tail in a “closed universe,” and collective subjectivity is continuously thought as, if not revenge, then rectification of the oppressive structure that is manifested in a “hatred of the world” and towards the descendants of the former colonial oppressors (252). It also repeatedly brings to the fore narratives of victimisation of the self which cannot find their place in the

²⁹ Here I discount most of the canonized European philosophers (Descartes, Nietzsche, Derrida, Althusser among others) for the simple reason that few of them have distinctively thought the subject as an entity probably burdened by the weight of its history. Some, such as Badiou, Žižek or Laclau, propose a focus on the emergence of subjectivity in action, in a perspectivist framework in which a gap between universality of subjectivity and the particular manifestations of this universality enables a new subject to arise. If this conception might prove useful, it still accepts a Western framework of universality somehow problematic. Mbembe has actually discussed it and rejected it, as I will show. Finally, only the psychoanalytic model has addressed the way in which trauma can exert influence on the conception of the self. Freud describes the conception of the Ego as twofold: the moral and ethical restraint imposed by a Super-Ego and satisfaction of latent and repressed desires that emerge from the influential unconscious realm of the Id. Nevertheless, even if the unconscious might encompass deep dug traumata generated by a direct or indirect history of violence, the psychoanalytical model proves inadequate in several cases which are in fact crucial for exploration the effects of human remains repatriation. First, as Smith and Schaffer have argued, “the psychoanalytic model privileges stories suffused with traumatic remembering and suffering, and silences other kinds of stories that may not unfold through the Western trope of trauma” (22). Developing a notion of post-traumatic subjectivity through psychoanalysis will prove devastating, especially as far as postcolonial re-workings are not individual and introspective enterprises, but collective and public attempts aimed at reconciliation between constructed ethnic or national groups. Then, Smith and Schaffer also add that “the psychoanalytic model of trauma cannot adequately address the genealogies and architectures of cultural memory”, hinting at the international trajectories sprouting out not only from the historical recognition of oppression, but also from diverse, local memory practices remembering these modes of oppression.

contemporary world and are likely to remain unheard. Such conception cannot bring about any discussion or productive contact and therefore should be immediately jettisoned in our case, for repatriation of colonial human remains has been one of the products of postcolonial dialogue.

The latter (i.e. nativist criticism) can be broken down in two currents of thought. On the one hand, postcolonial theorists and African philosophers have advocated a “universalistic position,” that is the *inclusion* of the African people under the umbrella term “human”³⁰. The understanding of subjectivity is here therefore still bonded to the history of Western modern philosophy and pertains to a “discourse of rehabilitation” which rubs out the way in which race has been constructed alongside the historical objectification of Africans developed before and during the colonial era, and how race still governs the politics of institutional discrimination perpetuated not only in education and business, but also in anthropological representations (Mbembe 254). On the other hand, the “particularistic position” emphasizes on the exceptionality of African history and demonstrates that African “race, traditions, and customs have a specific character” which testifies to the humanity of Africans (ibid). This entails a re-establishment of racial identification which claims that the African identity is a continental and a black identity, creating autochthonous identification through a unified mix of the “spatial,” “racial,” and “civic” body (ibid 256). Those two theoretical avenues can be quickly put into perspective with the field of human remains repatriation.

An acceptance of the colonised bodies under the umbrella term “human” is rooted in Fanon’s writings, especially *Black Skin, White Masks*. In it, Fanon links the philosophical status of being ‘human’ to the physical characteristic of being white, or recognised as white (8). To put it shortly, in Fanon’s philosophy, black subjects can strive towards the recognition of their humanity by those who already qualify as ‘human’, namely the coloniser or his/her peers. Furthermore, even though science had recognised black bodies as “human beings” for a long time, “on certain points the white man remained intractable” (ibid 90). One of these points was obviously miscegenation. Another one is found in the treatment of the dead. In the department of anatomy of the Charité University, the remains of a German anatomist Wilhelm Waldmeyer are on display. No doubt that he himself agreed beforehand that his remains be used in scientific purposes, abiding by Western principles of modernity that hold utmost

³⁰ This position has also been discussed for gender and queer studies. Judith Butler precisely tackles this problematic thinking of a universal, fixed category “human” with regard to the right for LGBT to mourn their dead. Instead, she conceptualizes subjectivity as the realm of the possible; that is, as a future prospect of being first recognized as a former victim, then heard, and then included.

respect to scientific knowledge in comparison to religious or social rituals in the afterlife. In contrast, anthropologists did not grant colonised individuals the privilege of making that choice. Their behaviour towards the dead suggests a double standard in which the colonised is denied any free will to dignity and respect in the afterlife.

To circumvent such objectification and to promote a novel universalistic position towards indigenous and colonised bodies, repatriation has unveiled these double standards and kindled a discourse of comparison which effectively appeals to Western, and especially Christian, traditions of mourning and burial. The Guidance for the Care of Human Remains in Museums issued by the British Museum in 2005 lists a number of ethical principles which evidently evoke a universalistic position of inclusion. After “non-maleficence,” “respect for diversity or belief,” and “respect for the value of science” appear principles of “solidarity” and “beneficence” (14-15). The paragraphs are quite telling:

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

Beneficence would dictate that your actions have good outcomes wherever possible. This could include advancing knowledge that is of benefit to humanity (for example, by using human remains for scientific research) or respecting the wishes of an individual (for example, by returning the remains of their relative for burial). (15).

Although these ethical guidelines might seem benevolent in their aims, awkwardness wafts out of these lines. The human rights agenda is indeed one that is based on a post-Enlightenment Western perspective and it has many times been criticised for its failure to genuinely accept difference and cultural relativism (Donnelly 402-3; Smith and Schaffer 41). I believe that in the case of human remains, consensus is not the ethical principle to promote, neither can one ‘rise above differences,’ even though those differences have been utilised as lawful reasons so that those skulls could be unethically brought to Europe. What is more, how is it possible to claim that everyone “share” a common “humanity” that can “benefit” from research, when 1) this homogeneity of the human has excluded colonised bodies for centuries, 2) scientific research on human remains has historically *accentuated* physical difference in the name of knowledge, and 3) Western science had already deemed some indigenous cultures to

be dead or doomed, so that research was not implemented to “further common goals” but to keep record of ethnic groups that would anyway disappear, or that belonged to a bygone age. In this light, the universalistic conception of the human is inapplicable to the colonised ancestors, for they live in multiple temporalities which clash with each other: their context of acquisition as objects for scientific study, and the present context of a universal humanism applicable to anyone. The status of descendants is also tied to this collision. The principle of beneficence assumes that their claims for repatriation are to be deemed equal to the scientists’ claims for scientific potential (*Guidelines...* 14). The whole colonial background of objectification is in any case not being reworked, admitted, subject to discussion, or even presupposed. It is unacceptable to flatten bare this historical context and believe that every negotiation can be pursued from a blank surface denuded of historical contextualisation. To push for such equalisation is to mistake the purpose of those negotiations for repatriation. In this frame, the skull is again regarded as an object, i.e. a thing that is sharable, that can be analysed, and onto which one has the right to claim possession.

The universalistic position can now be definitely abandoned. Let me address hence the particularistic one. Mbembe defines this other side of nativist positions towards African subjectivity as one dependent on the relationship between “race and geography,” meaning that “racial and territorial authenticity are conflated” (256). In other words, for such panafricanistic considerations of the self, the attachment to land and by extension the return to the continent is paramount. “[B]lack do not become citizens because they are human beings endowed with political rights, but because of two particularistic factors: their color and a privileged autochtony” (ibid). A first issue that arises from this statement is the problematic use of race and skin colour in nativist theories of the African self. This is hardly applicable to the repatriation movement, since one should overcome this arbitrary categorisation that has generated interest in colonial human remains in the first place. Although one might replace ‘race’ with ‘otherness’, such move is dangerous. I shall therefore concentrate on the more productive part of nativist theory of the colonial subject: territoriality. Which brings us to the second problem: distance. To what extent is distance incompatible with subjectivity? Does the African diaspora – encompassing individuals that have been victims of the slave trade, as well as those that were taken for their potential in becoming museum ‘curiosities’ – has the right to claim such particular subjectivity despite their spatial aloofness to Africa? Mbembe unfortunately only leaves that question unanswered. I hope that the following analysis will

provide partial solution, since I will draw a parallel between the compulsory return to the land and the articulation of kinship.

From 1984 to 1988 Michael Aird participated in the repatriation and reburial of Aboriginal human remains in Brombeach, Queensland. While the presence of a blood link between the current Aboriginal community and its ancestors seemed to be compulsory for repatriation to occur, his report on the case shows that it could be circumscribed: “We claimed a relationship to the remains on the basis of our relationship to the land [and] were then faced with having to prove that we had a relationship to the remains. Because my relatives had maintained a relationship to the region that we lived in, and because we were recognized by other Aboriginal groups as being the original people from that region, we were able to make this claim without being challenged” (303). Albeit being a case pertaining to intra-national repatriation and therefore subject to precise official guidelines for answering repatriation claims, this example sheds some light as to how land and kinship can be combined. Part of its success was due to the recognition by their peers, i.e. other indigenous voices, of the community’s truthfulness in their territorial claims. Postcolonial agency is therefore something that sometimes should be shared to achieve one’s means, a conclusion that tallies with territorial African subjectivity.

Another element comes into play when one touches upon the problematic of kinship. Up until now, I have assumed that kin is a bond recognized by both institutional discourses (such as repatriation policy) and indigenous epistemologies in a similar manner. However, the last example demonstrates to what extent this notion can be stretched, played out and claimed. Wilcox has deftly compared the Western anthropological understanding of generational connection thanks to DNA passing with the complex system of Cherokee belongingness. In his essay “Colonizing the genome,” he draws a chart (cf Appendix 2) of the Cherokee kinship system (Wilcox 127). Although Wilcox fails to decipher it for his readers, or at least comment on it, it is observable that the status of relatives *vis-à-vis* the ego (the individual) are extremely contingent on their respective particular places in the family. In other words, unlike mitochondrial (maternal) and Y chromosomal (paternal) transmission of genetic information, the Cherokee system emphasizes on the cultural denomination of family relatives. This means that the same word can be used for a grand aunt and a cousin, whereas different terms will define sisters or brothers. Wilcox emphasizes that this complexity is reflected in “many non-Western societies” (ibid). Once again, more concrete information is lacking, but it is supported by the work of culturally sensible anthropologists in Aboriginal Australian

communities who have unveiled the family ties that not only attach people in complex cultural practices and ways of addressing each other, but also reach out to family bonds with the environment and the dead (Bell 18; Rose 71). If, as stated earlier, indigenous epistemologies are diverse and multifarious, the fact remains that this diversity challenges (allegedly universal) Western conceptions of concepts that are said to be exclusively science-based, such as generation, kinship and family, leaving out connections that, in fact, may be essential and thereby deserve to be taken into account. Closeness and aloofness in defining attachment are indeed epistemologically and culturally specific.

In the celebration of African uniqueness emanating from particularistic and nativist positions on the African subject, territoriality conveys a sense of identity that disregards any connections such as kinship or common history. Mbembe himself discards a subjectivity that is based on historical suffering, stating that such sense of self cannot be Panafrican since the experiences of northern Africans, Sub-Saharan Africans and say African-Americans in this regard strongly differ (261, 265). It is however relevant to the case of the repatriation movement, for different histories of diverse indigenous groups are entangled in this process, just as the histories of the coloniser and the colonised are bound together. The simple fact that some of the anthropological snatchers have travelled in different colonial regions creates a link that should be brought to the fore. Additionally, kinship seems to offer an opened avenue that for a common sense of the self. To Mbembe, the “idioms of kinship” – that is “filiation, genealogy and heritage” – spawn a strategy that is productive in receiving recognition, acceptance and understanding, a strategy he labels as the “wounded identity” (266). This construction emphasises the particularity of local claims for rights, underlining a “deprivation” that needs to be “recovered” (ibid).

In *The Long Way Home*, Atkinson’s chapter provides an emotional account of what he designates as “The Meaning and Values of Repatriation”. As a member of the Yorta Yorta nation, he speaks on behalf of his community but is also endowed with insight concerning other Aborigine communities. His chapter begins with a welcoming and thankful address to the people who have been active in bringing about human remains repatriation. Among them, the dead ancestors: “I also want to pay my respects to the ancestral spirits and to the spirits of those who are not yet home in the land of birth” (Atkinson 15). In bridging the gap between the living and the dead, not matter what their indigenous group of belonging might be, asserts a indelible generational bond, not only through kinship (namely between direct descendants and their proven ancestors) but also across boundaries of community (between the Yorta

Yorta and the Ngunnawal communities in this case). Atkinson articulates a novel way of shaping kinship and subjectivity. On the one hand, the ancestors are viewed as a flowing bloodline which sparks emotional investment in repatriation. On the other hand, ancestors, through their common history of violence, oppression and exile, through a strong territorial attachment to the land, are the threads that connect indigenous communities together in their enterprise of repatriation. Addressing directly members of the Western scientific community, (and by extension me and you who might be reading this thesis), he states: “For you, they have no emotional value – except in the immoral way in which Indigenous people were exploited. To me, my people and other Indigenous groups around the world, it is an entirely different matter. These skeletal remains belong to me and I belong to them” (ibid). Perhaps is subjectification in repatriation a process of accepting both the biological and the historical floating presence of ancestors in the contemporary world. The “wounded identity” is achieved through processes of remembrance of the colonial past, assertions of kinship, and processes of collective and empowering verbalisations of the territorial identity. Voicing the claims for repatriation in such a multi-oriented manner ties in with Mbembe’s support for “disparate” and “intersecting practices” of subjective conduct (272-3). Atkinson constructs a common historical space – the respective territories of indigenous communities around the world whose ancestors have been denied the right to be buried. The homogeneity of this construct lies in the comparable history of colonial contempt. He also draws lines – the temporal vectors of heredity and family bonds, and the spiritual attachment to a territorial origin. In repatriation, a new kind of postcolonial subjectivity whose nucleus are the skulls and remains of ancestors is thus fashioned. As tangible and highly emotion-laden proofs of the oppression of the colonised bodies, skulls and skeletons and their places of belonging move away from a universalistic position of the human in which the dead have no say. In highlighting the importance of nativity, kinship and experience, repatriation claims emanating from various places around the world’s postcolonial regions are members of a greater joint project that aims at the acknowledgment of their “wounded identities”.

In the legal and political spheres, repatriation remains broadly short of any official directives that could help international contact between the countries of origin of the ancestors and the current places of storage of the remains. Even though NAGPRA in the United States, the Aboriginal Heritage Act in Australia and the GCHRM in the United Kingdom provide legislative bases for collections of such sensitivity, the legal subjects in repatriation are

national subjects, and the multinational scope of colonial human remains does reach beyond national legislation. For this reason, colonial human remains that were brought to Europe from overseas travels lack any kind of legal recognition. They are objects submitted to issues of property, potentially useful for global DNA research, and not considered as ancestors in theory. In practice, political intervention in the field of repatriation somehow reminds of the gap between the law and the concept of justice. If the ICOM code of ethics fails to tip the scales in favour of increased consultation with indigenous communities and does not really provoke a drastic shift regarding museums' self-reflexivity on their past, the appeal to that code from descendants or third-parties such as NGOs obviously has had an impact onto the emotional involvement of political actors in human remains repatriation and the language used to talk about the ancestors whose skulls and bones are trapped in cardboard coffins. Such text therefore has helped to re-humanise the bones, even though it still falls short in promoting provenance research and giving back to those forgotten ancestors their respective histories.

Subjectivity can only be achieved after a claim to repatriation is voiced. Thereby, thinking of legal processes of subjectification remains unproductive since it forces us to place the forgotten skulls in a state of latent subjectivity, always trapped in the realm of the possible. Making use of theories of the body opens up a new area of subjectification which emphasizes the proper human character of those bones. In post-processual archaeology, reconciliation between theories of objectification and the understanding of the body as a social construct has occurred. In a similar manner, I propose to reconstruct human remains as individuals, less defined by their ethnic population, but more by their social practices, by their aloofness to their land of origin, and by their belonging to a shared geographical space and a shared historical period. In this process of reconstruction, the first step is to jettison the idea of human remains as commodities and embrace other terminologies. 'Ancestors' seems appropriate to me, and ancestors, remains can retrieve their lost voices. They remind of the violent, unethical treatment that the individuals themselves as well as their kin have underwent since the first occurrence of colonial contact. This new subjectivity highlights bonds of kinship in a nativist move that includes the attachment to territory and place, but excludes any use of racial subjectification, inadequate because exactly reproducing colonial constructs. Thanks to Mbembe's critique of postcolonial subjectivities, it is also possible to add another parameter to our conceptual framework: the common historical denominator. Postcolonial understandings of the self have always accentuated the particularities of local experience; these should however be also thought in relation with the shared experiences of

different populations around the globe. In this way, subjectivity in repatriation is achieved when histories of body snatching enter in dialogue with each other, and when ancestors from different communities that have lain for more than a century in boxes that were placed next to each other in a European museum are remembered as *both* victims of the same colonial oppression and postcolonial actors of memory that attest of the “wounded identity” of their kin. In the same manner as the body links the living past and the dead present, experience of oppression is also transmitted from the one to the other. However, this history is articulated in a different manner, being subject to numerous discourses on identity and recognition.

II. 2. POSTCOLONIAL TRAJECTORIES OF IDENTITY

Fforde, Hubert and Turnbull state that “issues of identity permeate the whole concept of repatriation” (11). The desire for cultural anthropologists and phrenologists during the colonial era to gather, measure, and compare bones and skulls was designed to prove the modern assumption that ethnic groups are anatomically homogeneous, but such research also fuelled cultural conceptions of the “other”, thus establishing a Western anatomical and cultural identity in opposition or in differentiation to other ‘unusual’ anatomical features allegedly characteristic to certain nations or populations. Today, indigenous communities stress on the homogeneity of their traditions and of their collective identity to tip the scales in favour of repatriation of their ancestors or sacred objects. The question of group distinctiveness has been hence utterly present from the onset of human remains collection to debates about their restitution. In the future, the global challenge that repatriation is currently offering might draw together those different conceptions of ethnicity, indigeneity, community belonging, and intrusive notions of national identity in a postcolonial context. The hope lies in the newly built entanglements of a shared colonial past.

Passing from a subject-focused perspective discussed in the previous chapter to a communal viewpoint, I will now try to show how group identities are affected by repatriation. This is fundamental before tackling any problematic related to the realm of memory, for memory practice is rooted in a certain kind of identification to a given history. Through repatriation, pre-contact tradition and modernity are joined again in postcolonial encounters, but in a context of indemnity: the former colonial power making amends, acknowledging unethical treatment, and engaging in self-reflexion; the former colonised trying to make use of this space to articulate their claims and shape their contemporary identities. It is with the latter that I will start this section, providing a critical reading of some academic indigenous writings

that have followed human remains repatriation. The Western history of museums and the compulsory inward thinking that they need to take on will be then discussed in relation to the related issue of looted artefacts. It will help the transition towards a national perspective which should be taken into account in repatriation, given that this thesis concentrates on international negotiations, and that nation-states play a major role not only in spurning or accepting repatriation, but also in receiving the remains of the ancestors.

II. 2. A. “Articulating”, “strengthening” and “constructing” collective indigenous identity

Although the anthropological “gatherers” might have believed that any cultural identity was fixed and homogeneous from one individual member to another, cultural anthropologists nowadays agree with sociologists on the premise that any collective identity is processual, that is constructed upon, and dependent on, a system of “collective action,” a “network of active relationships,” and a “degree of emotional investment” (Melucci 44-45). In this light, while legal regulations such as NAGPRA call for an assessment of “cultural affiliation” to decide whether the ancestors and their claiming descendants share a credible “group identity” which will trigger subsequent repatriation (NAGPRA 166), human remains repatriation is at the same time part of the process of shaping and strengthening the collective identity of a given indigenous group. Repatriation and reburial should not be thought as finalities, a point that is widely taken on by the detractors of restitution who argue that reburial goes against the potential for anthropological research since it shuts down any access to the remains. They are empowering moments directed as much towards the future of a community as towards its past.

In his account of the return of Tambo’s human remains from Cleveland, OH, to Palm Island, Australia, in 1994, Walter Palm Island describes how significance the reburial of the remains was for a current member of the Manbarra people:

Tambo’s return [reburial] strongly established the Manbarra identity, and, at the same time, it confirmed my sense of belonging to my traditional country. I feel that, because of Tambo’s return, Manbarra links to our traditional country have been strongly established. Tambo’s return showed that our language and our stories are important to us and that our belief system is still strong. Tambo embodies our link to a time before European contact. His return accorded a renewed respect to the Bwgaman elders and traditional forms of authority on the island. (225-6)

In many different cultures (if not all), burial mingles religious beliefs, social structure, and kinship in highly suggestive rituals and ceremonies. Protocol reinstates for a while the social

structure of traditional communities, and such performative act is an opportunity for hierarchical structures to be acknowledged and respected, reminding the agency of certain people (in that case the Bwgaman elders) within the community. Collective identity is recreated and strengthened through recognition of these structures and rituals, as well as the force of “collective action”, and the degree of “emotional investment” involved, to quote Melucci once more.

Herein Walter Palm Island also links his own perception of Manbarra identity to the pre-contact era of his people through the story of Tambo, therefore alluding to an indigenous identity that is unquestionably inherited from one generation to another. This is reminiscent of the issue of Aborigine and indigenous authenticity when it comes to repatriation claims. Fforde observes that “many of the Aborigines who have been the most visible in the requesting and receiving of ancestral remains from institutions in the 1980s and 1990s have been those who are perceived as ‘non-traditional’ or ‘urban’ people,” meaning that “they may not conform to common outside perceptions of the culturally ‘pristine’ Australian Aborigine” (“Collection Repatriation and Identity” 37). Although it is undeniable that many traditions stemming from a pre-contact era have disappeared due to the violent oppression and assimilation of indigenous cultures in mainstream society, repatriation of human remains enables such traditions to be again located at the centre of the collective identity formation of those groups. And if, for many cases, reburials are not performed and skulls are still stored in museum facilities (either overseas still, or closer to home), collective claims of kinship and lineage already contribute to relocate ancestors at the basis of the social structure of indigenous groups who might have been fragmented in their understanding of cultural identity and therefore viewed as non-traditional. Therefore, “death rituals may serve to reaffirm cultural beliefs, but they may also be, or form part of, a display by the living of their own standing and aspirations in society,” a society which should accept multifarious ways of expressing indigeneity and social belonging (Fforde, Hubert, Turnbull 2). For Aborigines who have been viewed as ‘usurpers’ by institutions or legal documents asking for indisputable direct lines of descent, the sense of close bond to the fate of their ancestors that may arise through reburial practice, and the recognition of this bond by public opinion, cultural institutions, and political and legal actors is all the more empowering.

It has been argued that reburial and repatriation has spawned a so-called “cultural revival” (Creamer 57; Friedman 126), embedded in a continuity or an evolution between pre- and postcolonial history. However, I rather agree with Fforde when she argues that this term

“ignores the frequent conjunction of modern and traditional concern that occurs in reburial ceremonies” (39). I would add that considering reburial as part of a ‘revival’ might present an understanding of cultural identity that somehow minimizes the weight of colonial oppression on, and the continuing discrimination of, indigenous populations. Interestingly enough, Fforde’s critique and the example of Palm Island clearly describing a renewed respect for indigenous social structures and “traditional forms of authority” seem to be conflicting at first glance, although they stem from the same publication. However, Walter Palm Island writes that the return of remains “established the Manbarra identity,” and not ‘re-established’ (Palm Island 225). Thereby, he alludes to a new collective indigenous identity in-the-making in which tradition and modern notions of indigenous identity are mixed. He discounts a direct succession between pre- and postcolonial Manbarra identity. The long history of oppression, displacement, and discrimination of Aborigines has indeed generated a fracture which can hardly be repaired.

Through reclaiming their collective identity, indigenous actors involved in human remains repatriation have also acquired a degree of hindsight towards Western modern science. If it is understandable that they cannot forgive the colonial violence and the Eurocentric thinking that have surrounded the acquisition of anthropological material, some voices have reflected upon the repeated arguments of contemporary physical anthropologists advocating against the restitution of colonial human remains in the name of scientific potential. For instance, Halealoha and Kawika venture that “those who see these objects as ‘precious artifacts’ that need to be preserved for future generations are, like us, seeking to reclaim their own identities” (185). Again Fforde supports this assertion from a more broad-spectrum vantage point:

“As the definition of remains as ‘ancestors’ may be seen as central to Aboriginal identity, so too was the definition of remains as ‘scientific data’ central to the identity of those whose research was threatened by the loss of their primary data. For many scientists remains were primarily viewed as important specimens, the collecting and study of which affirmed and authenticated their own group identity as the authority which produced knowledge about the past. (“Collection Repatriation and Identity” 40)

This may explain why resistance against the return of anthropological collections was so vehement when the first wave of repatriation claims hit physical anthropologists in the nineties.

Nevertheless, putting up clear-cut divisions between two sides is problematic. Joyce argues that “much discussion of the impact of repatriation has centred on a false polarity

pitting native people against scientists, as if either category were a real unity” (qtd in Hubert and Fforde 5). In order to avoid considering both groups as homogeneous and automatically incompatible, it is important to show how the collective identity of physical anthropology as a group of academics has evolved thanks to the development of repatriation. The view that Western modern science be the most reliable, if not the only, epistemological frame to study the body in relation to its environment has been challenged, even within the practitioners. Repatriation has shattered an assumed uniformity in modern science, bringing up ethics as a core issue, and confronting alleged scientific objectivity to the omnipresent human subjectivity and the narratives of indigenous histories. A tangible proof of such change in the academic spheres is the development of indigenous archaeology, which has shown reconciliation between those apparently conflicting beliefs. Dorothy Lippert, who is both Native American and an archaeologist, has witnessed the shift from a “social system privileging the perspectives of non-Indigenous people” in “evaluating and defining cultural heritage,” towards a “practice that is centered in social justice” and an approach that attempts “to refocus our work around ethical concerns” (152-3). While her position as an in-betweener sometimes may generate an internal identity conflict, she recognizes how empowering it can be when “this dichotomous situation affords [indigenous archaeologists] a challenging yet more personally enriching experience when conducting research” (154). In addition, Holger Stoecker has also uttered his will to witness the growth of shared projects in which Western scientists and indigenous communities could work together for provenance research (Appendix 3 xix).

The assumed position of domination on knowledge-production which had driven Western modern science towards a monopolization of anthropological material from the nineteenth to the end of the twentieth century has vanished. The aperture towards indigenous participation and ethics is an opportunity for indigenous identity to be part of the production of ‘truths’ and historical narratives about their respective cultures, even though such instances still rarely occur given that financial and human resources deployed for anthropology in the West are clearly mismatched to those given to academics in former colonies.

II. 2. B. The museum and restitution: colonial continuity, de-colonial endeavour

Indigenous empowerment through repatriation is also revealed by the symbolic struggle between diverse knowledge bearers: the institutional data-based museum and the diffuse social epistemologies of communities. Repatriation has helped hybrid forms of knowledge to

appear and thereby Western modern science and its practitioners have had to adapt to a post-disciplinary era in anthropology and the development of partnerships with local and indigenous knowledge. In a triumphant manner, the construction of collective indigenous identity has been vitalized by the loss experienced on the side of European institutions. The rare use of the term ‘restitution,’ often replaced by ‘handover’ in governmental and academic discourse, is somewhat telling, emphasizing on a narrative of passing than of looting or unjust acquisition. The now dwindling, but earlier vehement, resistance of physical anthropologists against restitution has shown to what extent reburial has been considered as jeopardy to the assumption that human history is universal, an argument in which ‘universal’ also appears problematic for it usually only bestows credence onto Western science in comparison to other modes of constructing and telling history. Because of indigenous claims of ownership, the status of Western museums as knowledge-bearing buildings has been critically challenged. Halealoha and Kawika argue that “the notion that culture and identity is [sic] only to be learned in the museum and in school is one that perpetuates our colonization by reifying the idea that our culture is a thing of the past” (185). Indeed, the massive documentation of Aborigines and indigenous groups by anthropologists was partly motivated by the erroneous belief that natural selection would soon lead those communities to disappearance, as stated in the first chapter. Their approach towards collection and curatorial work considers that the place of disposal is part of what Appadurai and Kopytoff have called “the social life of things,” namely the inscription of a certain value onto a “thing” (object or living entity) through judgemental discourse. To them, human remains and cultural artefacts kept in state-supported museums in the West are displayed as relics of an ancient past, seldom emphasizing the actual liveliness of indigenous cultures, and pinning them down to times of pre-colonial contact.

Cultural artefacts retrieve their liveliness, and human remains their sense of belonging to a community, when they stop sitting eternally on museum plinths or in collecting boxes, and can be accordingly incorporated in the process of constructing another collective identity than the one portrayed by Western cultural institutions. This does not mean that museums do not have a participatory role in shaping indigenous identity, as the following critique of Nilsson Stutz’s analysis of contemporary debates in archaeology will show. It simply challenges the dominant position of ethnological institutions in determining the politics of cultural representation and cultural belonging. In a decolonising move located outside Western epistemological structures, repatriation has enabled communities to somewhat rewrite the

history of their people, parallel to the museum narratives which have frozen their existence, and therefore inscribing politics of collective identity in a promising mouldable future.

Nilsson Stutz avows that “the colonialist and nationalist projects differed in many significant ways [...] however, they both shared a process of history production that was dominated by a political structure that monopolized the right to define the roles of different peoples and cultures”, a process in which the museum proved to be a crucial asset serving both colonialist and nationalist agendas (“Caught in the Middle” 86). But since the appearance of postcolonial critique in the Western academic sphere for about forty years, knowledge-bearers seem to have taken a rather insightful course towards self-reflexivity and the acknowledgment of their former nationalistic and colonialist discourses. She demonstrates that new methods in archaeology and anthropology have “embrac[ed] the perspectives of previously marginalized groups”, such as the use of multivocality in knowledge production and the rise of gender archaeology. She still regrets that this decolonial course not be productively conveyed to the popular and political spheres, for she claims that the academic hub generally agrees that new models of knowledge production have greatly contributed to shift the portrayal of indigenous peoples from an exoticising and dumbing perspective to a participatory and sharing enterprise (87). But questions of indigenous identity are not only to be fought inside the walls of the museums. The claims for repatriation occurring most often within a national and legal framework and the recognition of those claims by museums, anthropologists and national actors testify of a potential right to self-definition for local communities.

Not only has the museum a revisionist move to undertake in depicting and narrating the histories of the communities it exhibits; it also operates as a core actor in what Taylor has called “the politics of recognition”. In answering, discarding or ignoring repatriation claims, museums (and by extension archaeologists and anthropologists) contribute directly to the shaping of indigenous identities: when they launch direct negotiation with local communities, as the examples of the settler colonies have shown, state museums tend to support local discourses of self-definition through official recognition of their positions as interlocutors; when they bequeath responsibility over returned human remains to national actors, as the German-Namibian handlings have shown, museums smother local claims for self-definition and reinstate positions of power within the national context, acknowledging indigenous communities as minority groups; when they ignore restitution claims, museums perpetuate a long-established history of Eurocentric ideology in which both the objectification of the

indigenous bodies (and thus, their remains) and the refusal to hear colonial subaltern voices claiming the right to get a grip on the writing of their history are devastating for the process of constructing indigenous group identity. The latter attitude also reflects an unawareness of the oppressive role museums have played in nationalistic and colonialistic narratives. Nilsson Stutz nonetheless argues that repatriation may sometimes serve another oppressive agenda, namely that of nationalist discourses on the side of the claimants. She illustrates that point with the example of Sami people in Sweden whose claims over archaeological remains are often rejected due to the ghostlike legacy of Sweden's national socialist past during which prehistorical remains were used to justify and celebrate the ethnic specificity of Aryan populations. Nevertheless, I would argue that this example belongs to a debate over archaeology and not postcolonial anthropology. Hence I would still affirm that the deliberate retention of colonial human remains and artefacts subject to restitution claims represents a clear colonial continuity in a museum's attitude towards a people that seeks to construct a radical postcolonial identity.

Yet, as Fforde, Hubert and Turnbull have pointed out, "those in control of collections deny this accusation [of colonial continuity], and assert that they are not responsible for the actions of early collectors, even though they now curate items collected during the colonial period" (6). This position is justified, for it clearly overcomes the generational guilt for which social and political spheres take a long time to get through. One needs to grant that museums have done a great deal to accommodate repatriation claims and that what seemed an exception a decade ago is now quite common practice. Nevertheless, as the authors mention, the problematic of human remains repatriation is closely linked to the retainment of cultural artefacts, though this thesis has shown how processes of re-subjectification manifestly differentiates these areas. When one touches upon the re-working of colonisation in Western societies, one cannot put aside the evidence that the restitution of cultural artefacts is still marginal and the object of heated controversy.

In this cultural can of worms, involving relatively frozen viewpoints and arguments, the voice of an indigenous curator is all the more relevant to unknot the matter. In "Partnership in Museums, A Tribal Maori Response to Repatriation," Tapsell argues for a shift in language, from 'repatriation' to 'partnership'. He declares:

I normally circumvent the subject of repatriation because, in my experience as a curator, most elders consider the majority of 'Maori' demands for the return of ancestral treasures, or taonga and human remains a red herring that distracts from the need to address other partnership initiatives. During the many

returns of museum-held taonga to my tribal homelands the word 'repatriation' seldom finds context or currency as it can invoke reactive rather than proactive interactions (284).

Such shattering move is needed. In complete agreement with Tapsell, I would even add that colonial history should only be *jointly* retrieved and reworked. In other words, instead of pursuing the model of international repatriation that is currently being used (i.e. official claims → provenance research by Western scholars → handover ceremony to communities), I believe that provenance research offers a common ground where the symbolic descendants of skull collectors and the direct descendants of victims or persons whose bodies were collected or unearthed can meet. Such cooperative endeavour could spawn a memory of colonialism whose historicity is multifaceted, being the product of a clash of inherited epistemologies and collaboration between different methods of writing historical narratives.

To be sure, in practice, partnership in research is dependent on national interest and economic investment, and hence quite utopian in many cases. Holger Stoecker would welcome such a process of action (Appendix 3 xix, xxiii). He nonetheless keeps his feet firmly on the ground and asserts that this is realistically quasi impossible to achieve due to the lack of academic manpower in countries such as Namibia for instance, as well as the need for massive financial support which obviously cannot be released by former colonies who already struggle with economic discrimination in global markets (ibid). This does not mean that one should fatalistically jettison its implementation. It can still remain an unspoken principle one can strive for, in the same manner as the International Council Of Museums's ethical guidelines stands as a text whose actual application is (unfortunately) far away from being widespread. From the existence of general principles does not depend their execution, but it might trigger rapprochements and short-term joint ventures. Tapsell underlines how very similar the actual intentions of museums and original communities are, when it comes to human remains. He unveils a common goal: "the dynamic perpetuation of culture and identity," which, when acknowledged, can help shape "options regarding the future of such items [which] can be properly negotiated at the required kinship-office leadership level that ancestral items symbolically represent" (290). However, intentions more often differ, and human remains, just as cultural artifacts, are frequently subject to numerous national and communal discourses which construct the body of ancestors as an asset to build a biased imposed identity, and therefore complicate the process of joint provenance research by adding up political stakes to their repatriation.

II. 2. C. National identity: bones and ancestors as a historical driving force

As Joost Fontein has demonstrated, bones have played a great role in the Zimbabwean imaginary after the postcolonial struggle for independence during the second *Chimurenga*³¹. In literature (Chenjerai Hove and Yvonne Vera), in spirituality (the belief that the dead who are still lying in Mozambique call for their return to their land continues to haunt some Zimbabwean people), as well as in national discourse (the patriotic history of the Zimbabwe African Peoples' Union and the erection of the Heroes' Acre), the dead and their remains have been time and again represented as one of the driving forces pushing the effort of national liberation from the first to the third *chimurenga* (201-9). Fontein's chapter is less inscribed in the study of repatriation than the analysis of national memory. He demonstrates to what extent the exhumation of bones of national Zimbabwean heroes in Mozambique and their reburial in Zimbabwe have enabled memory practices of "heritage" and "commemoration" to come closer to one another, thus binding together two problematic narratives: the personal and spiritual connection to ancestors and the imposition of a national state-driven memory (212-3).

In this case, repatriation seems to strengthen a relatively homogeneous national heritage, giving grist to the mill of nation-building. In addition, international repatriation has exposed other intricacies between the recipients of human remains, as the example of Namibia illustrates. Larissa Förster, who actively works on the memory of colonialism in Namibia, has extensively reported on the handover ceremonies and the repatriation of Namibian skulls from Berlin to Windhoek. In her writings, a sense of unease as to who has the right to claim, keep and dispose of the skulls is discernible. For instance, she quotes Kazenambo Kazenambo, the Namibian Minister of Culture at the time of the first restitution in 2011, who argues, on the occasion of the arrival of the skulls in Windhoek, that his government is "moulding one Namibia, one nation. So whatever colour: these are our ancestors! Even for German Namibian – these are their ancestors" (qtd in Förster "*You are giving us the skulls*" 424). Although I believe that the emphasis on the bond that connects the settlers' descendants and the Herero and Nama genocide victims is constructive, for it touches upon a cooperative effort of coming

³¹ *Chimurenga*, a Shona word for "fight" or "struggle," is the term used to describe the phases of the Zimbabwean decolonisation. The first *chimurenga* represents the uprising of 1896 in South Rhodesia against the British for land ownership and agricultural opportunities. The second fight is the guerilla war which broke out in 1966 and ultimately led to the independence of modern Zimbabwe. In the beginning of the twenty-first century, the term was again taken on to describe the successive land reforms aimed at giving back land ownership to indigenous people and thus confiscating and redistributing the large colonial acquisition. The former repartition had enabled white farmers in 1979 to own about 70% of fertile lands while representing only about 5% of the population.

to terms with the past, Förster uses this quote to reveal how the restitution of remains, supposed to bring together Herero, Nama and San communities (which constitute ethnic minorities in present-day Namibia) and German institutions, is pervaded by the national recuperation from the Namibian government. Due to its active participation in the diplomatic process of repatriation, it has a grip on what is to be done with the remains. The return of the skulls was accompanied by a ceremony at the Heroes' Acre memorial, a site dedicated to the Namibian independence leaders and participants. On top of that, the remains have been transferred to the National Museum in Windhoek, where they are still kept today.

Herero demands have advocated a direct return of the skulls in their hands. Even though it has not occurred, Förster indicates that the process of *nation building* is also visible "from the bottom". She shows how such terminology can also be used for the construction of the minorities' collective identity in present-day Namibia. If the national discourse has associated the history of colonial genocide with the struggle of freedom fighters during the apartheid and the war of independence, traditional leaders and prominent activists of the Herero and Nama communities have "stressed on the distinct historical contribution of their groups in Namibian history" (ibid 431)³².

In a settler colony context, constructing group identity after a history of colonisation collides with an ongoing state of inequality in which former oppression and ignorance of indigenous rights has to be put right. In the case of many independent former colonies, the lingering borders of colonisation have spawned internal intricacies, despite the relative disappearance of the colonial institutional structures. In Nigeria for instance, the Edo State of Benin had repeatedly voiced its claims for the return of the Benin Bronzes by the end of the twentieth century, but these claims were made without clear support the Nigerian government at that time. The stakes for the Benin State were to retrieve its past, shedding light upon the history of colonial violence and massacre. However, such empowering restitution during the dictatorship of Abacha might have kindled a struggle for autonomous political power in the military nation-state.

Nowadays, the Nigerian government supports the restitution of the Benin Bronzes, and, in a similar manner to Namibia, the history of Benin is deemed an integral part of Nigerian history. In Namibia, however disputed the fate of the skulls may be, the return of human remains seems to have unveiled a move towards relative unity in the recognition of national

³² Original quote by Förster: „[H]erero- und namasprachigen *traditional leaders* und Aktivisten, die den speziellen historischen Beitrag ihrer Gruppe zur namibischen Geschichte herausstrichen“.

history, from both national and local levels. In the context of democratic former colonies, restitution therefore seems to invigorate nation building processes: on the one hand, it helps national governments to include colonial history as a national narrative, even if it blurs how violence in colonial oppression was sometimes particular to some communities and actually beneficiary for other ethnic groups who capitalised on colonial occupation to increase their local power. On the other hand, local communities are allowed to make their history visible again, remembered, and to carve their traumatic past in the official national history. In consequence, the process of constructing collective local identity is now concomitant to shaping national identity, a postcolonial irony when one considers the borders in Africa to be the geographic scars left by colonial oppression onto this continent.

As I have underlined with the analysis of Mbembe's blueprint of postcolonial subjectivity, the recovery that is taken for granted in repatriation collides with the gap between the pre-colonial or colonial understanding of the colonized subject and the postcolonial struggle to reclaim ownership over one's body, culture, and land. Those have indeed been fragmented by the colonial and postcolonial experience, and, as Mbembe puts it, "only the disparate, and sometimes intersecting, practices through which Africans *stylize* their conduct and life can account for the thickness of which the African present is made" (272-3). As this chapter has underlined, fragmented identities in human remains repatriation are subject to conflicting forms of traditional (which includes religious) discourse, national (read political) agendas, but also exposed to problems in clearly defining the aim and the essence of restitution and what further aims may be achieved through restitution. Even if it might be too demanding, I have for instance argued that cultural partnership between those-who-hand-over and those-who-get-back should be a *conditio sine qua non* to any repatriation act.

While the spatial reunion of ancestors and descendants is unquestioned, the core of the matter is to assess how narratives of displacement, violence, colonialism, collective traumata, but also of healing, working through and remembering are shaped, depending in which form of discourse they are contextualised. Addressing German-Australian repatriations, Eckstein states that the "traumatic injustice [of colonial oppression] exceeds Australian responsibilities," and that human remains repatriation "testifies to the fact that the Australian trauma is also a German one" (17). To pursue the discussion about postcolonial memory practice in human remains repatriation, modern conceptions of identity sometimes need to be challenged by ways of remembering that connect histories that are factually identical but told

in subjective modes of expression that have evolved separately, but that now clash in contexts of postcolonial encounters.

II. 3. THE OTHER “POTENTIAL” OF HUMAN REMAINS: INSPIRING MEMORY

PRACTICES

In the last section, I have unveiled to what extent repatriation has spawned reflections upon collective identities. In the following pages, I would like to move further towards a recognition of the macrolevel of human remains repatriation and hence bring forward an optimistic view on what the international repatriation movement as a whole has generated³³. To undertake that task, the field of memory studies will probably enable a productive assessment that will bind together the present time of repatriations and reburials and the still lingering traces of the past. A problem arises when one observes that ways to deal with colonial human remains after repatriation are multifarious. In order to propose a comprehensive analysis of this international movement, one needs to compare the forms that remembering and disposing take after the return of the remains to their communities of origin.

Fortunately Michael Rothberg has produced a “productive, intercultural” theoretical framework that links different memory practices dealing with “different social groups’ histories of victimization” (Rothberg, *Multidirectional Memory* 2-3). Multidirectional memory indeed proposes to compare how different histories “confront each other in the public sphere,” and this comparison is to be done in acceptance of the indiosyncracies of these histories. In other words, multidirectionality does not imply that histories will be put on a scale of equality, or that any specific historical context will be undermined. Rothberg explores mostly the connections between laden pasts that collide in the present, starting with the Holocaust and colonialism. I will use this framework to show how, when remembered, practices of gathering human remains during the colonial era offer an aperture towards diverse and more broaden collective memories of colonial occupation and the Holocaust as well. In French overseas territories such as Polynesia, the memory of violent colonialism and skull trophies is linked to the later use of colonial manpower for the war and the present discrimination of these overseas territories in comparison to the metropole. In Germany, discourse on repatriation is inextricably tainted with remembrance of racial research and theories that extended to the Holocaust. The context of repatriations to Namibia has obviously

³³ This chapter is obviously less dense than the preceding ones, since I am here taking paths that are currently being drawn and groomed. There is still a lack of comprehensive analysis of the memory work that has arisen from human remains repatriation and reburial even though the movement has started long ago.

touched upon problems highlighting the “other” genocide perpetrated by the German military. Finally Margalit’s concept of shared memory will offer a potential future for repatriation. Every experience of remembrance of this dark colonial past within the field of decolonial cultural anthropology is part of a network of historical trajectories which can be connected and re-activated. Shared memory is contingent on communication and dialogue. I will try to provide a language through which memory of colonial anthropology and oppression becomes “shared,” intercultural, international.

The second section of this chapter will move to places which already enjoy relative experience in the field human remains repatriation, such as settler colonies. Following the relationship between memory and space, I will use Pierre Nora's concept of *lieux de mémoire* to assess how keeping places and graves have acted as solid and durable sites of remembrance, and how these material traces of repatriation processes are rooted in *milieux de mémoire*, environments within which memory is fluid, the past being still submitted to negotiation and definition, but instilling a promising, dynamic memory of colonialism.

II. 3. A. Collective and multidirectional memory in repatriation

*The battle for the past is for the future
Must be the winners of the memory war*
Asian Dub Foundation

Maurice Halbwachs has argued that acts of remembrance are both individual and collective. To him, collective memory arises when individual memory is relocated within social frameworks (*cadres sociaux*) but can also “realize and manifest itself in individual memories” (40). In other words, on the one hand the individual participates in building or strengthening collective memory when she/he adopts a certain subjective position towards memory in accordance to social groups or classes (ibid 9). On the other hand, collective memory exists in the multitude of memories of the individuals comprised within a given social group (ibid). In this reciprocal relationship, “collective frameworks are [...] the instruments used by the collective memory to reconstruct an image of the past which is in accord, in each epoch, with the predominant thoughts of the society” (ibid 40). Jan Assman responded to Halbwachs’ work by identifying the realm of *cultural memory* which arises when “collective experience crystallizes,” distances itself from the everyday life, and is maintained by the cultural formation of texts, rites, and monuments (e.g. museums participate

in keeping and fuelling a given cultural memory) (129). Another theoretical avenue in collective memory opened with the work of Avishai Margalit who distinguishes two kinds of collective memory: a common memory, which “aggregates the memories of all those people who remember a certain episode which each of them experienced individually” (Margalit 51); and a shared memory, which takes form in communication and “integrates and calibrates the different perspectives of those who remember the episode” and mould it into “one version” (ibid 52).

This argumentation is mostly concerned with cultural and shared collective memories since the construction of the colonial past into present discourses in the public sphere draws less on the individual experience of recollection, than on the communal claims for representation. In repatriation, justice does not take the form of a trial, finding culprits, asking for apologies or reparations for the invasive anthropological work that has been done onto human remains without consent. Justice is called upon through the politics of representation of indigenous communities in national policies and narratives, and reconciliation over the colonial past.

The underlying issue that Rothberg identifies as problematic is the fact that, due to the politics of representation, memory is contested and competitive in the public sphere. Any attempt to draw parallels between diverse traumatic histories seems motivated by the wish to shed light upon the greater importance of one over the other, as witnessed in struggles in the U.S. for state-funded memorials of the slave trade vs. the actual existence of state-funded memorials of the Holocaust. Collective memory, i.e. “the relationship that [...] groups establish between their past and their present circumstances,” when it occupies the public sphere, is subject to a “logic of scarcity,” in other words a memory war between collective interests (Rothberg, *Multidirectional Memory* 2). In order to overcome this defective pattern, understanding collective memory as multidirectional precisely erases any discourse of importance and replaces it by much more neutral conceptions of resemblance and difference.

Let me first take the example of the repatriation of Chief Ataï’s skull to Polynesia in September 2014. The Kanak community had long before the process of identification of the skull in the Musée de l’Homme asked for the return of Kanak remains to Polynesia, which were stonewalled by the French government. The intervention of Dider Daeninckx, a French novelist, launched the repatriation process, proving that the voices of Polynesian peoples are still powerless in metropolitan politics. Nevertheless, the restitution ceremony gave the floor to Bergé Kawa, who, as chief of the Kawa community, did not limit himself to the history of

Ataï. Kawa indeed reminded the French Minister of the Overseas Territories (former Minister of the Colonies) that the return of this prominent ancestor was inscribed in a broader generational context. His father indeed fought with the French forces during the World War II landing on Provence, Operation Dragoon, and despite receiving acknowledgements and a military medal from the French government, Kawa emphasized the disdain that is still commonplace towards communities from the French overseas territories³⁴. Kawa's speech reveals that such a significant restitution for the Kanak community is a step in the process for recognition and representation. It offers an opportunity for them to link the colonial violence of the French government to the present-day ignorance of, or at least apathy towards, the demands of indigenous communities for self-governance and education. In this light, the remembrance of the Kanak insurrection of 1878 revived by the repatriation process traces ramifications which, though rooted in a past that cannot be undone, extend to other generations which have experienced colonial injustice in different forms and degrees. The remembering process in this case is multidirectional on a linear timeline, i.e. concerned with the same geographical space but with different epochs and events. The repatriation of Chief Ataï's skull not only has enabled Kawa to gather three generational events that have challenged the subordinate position of Kanak people to France; it binds them together in a historical narrative that is defined, controlled and told by the Kanak community.

The case of Namibian remains in Germany operates quite differently. Due to the mandatory participation of the national Namibian government, the grasp that Herero and Nama communities get onto their history within national borders stays regrettably partial. Nonetheless, repatriation of Namibian remains has occurred alongside, and participated in, an increased awakening of the memory of colonisation in Germany which has reached a fresh apex in July 2015 with the official recognition by the German government that the 1904-07 violence perpetuated by German colonial forces can be labelled as "genocide" (in German Völkermord)³⁵. Larissa Förster has argued that "repatriation processes can offer a platform for a pluralistic forum in the public sphere which can lead to controversial debates regarding practices of remembrance and memorialisation of the past. In the present example, Namibian NGOs have indeed perceived the return of remains less as a closure than as the beginning of a

³⁴ See Genies, Bernard, "Le crâne du grand chef Ataï van (enfin) rentrer chez lui," *Le Nouvel Observateur*. 27 Aug. 2014. Web. 20 Jul. 2015.

³⁵ *Die Zeit*. „Bundestagspräsident Lammert nennt Massaker an Herero Völkermord.“ 8 Jul. 2015. Web. 15 Aug. 2015.

new way of negotiating German-Namibian history”³⁶ (444). The visits of Namibian delegations in 2011 and 2014 on the occasion of handover ceremonies have revealed that there is no disconnecting the colonial acquisition of, and anthropological research on, human remains from Namibia with the heavily loaded political issue of the recognition of the Herero and Nama genocide. To historian Holger Stoecker, who actively participated in the provenance research undertaken by the Charité Human Remains Project, “the fears” displayed on the German side before the handover ceremonies were not quite understandable, “because it was clearly evident that this return did not occur due to personal interest in the skulls themselves, but because something was connected to these skulls, because they have political significance, and because they are evidence of a [...] past history that is not yet over”³⁷. Contact between the descendants of the victims and the owners that inherited these historical remains participates in a remembering process that shows how little understanding there still is between the two nations. If any psychoanalytic term can be used for nations, repatriation is hence integrate part of a binational process of “working through” colonial history.

German colonial history has also been naturally linked and opposed to the Third Reich and the Holocaust. Human remains and their repatriation has revived the memory of the Shark Island concentration camps and the question of anthropological theory of the early twentieth century. The formers are the first German ones of their kind, before dozens of others, and the latter evidently echoes theories on the Aryan race. The documentary *Namibia: Genocide and the Second Reich* has a point in highlighting the threads that connect both histories of violence. The first minutes of the documentary superpose striking symbols of genocide from both geographical spaces: visual symbols, such as Auschwitz and the Omaheke Desert, or the presence of skulls and bones, but also epistemological notions that are applicable to both instances such as *Lebensraum*. The documentary, although published before any repatriation had taken place at all, strongly supports a multidirectional memory of the Herero and Nama genocide. In other words, going back and forth and linking the context of German South-West Africa to the Third Reich is inescapable. It also shows to what extent histories can be

³⁶ Original text: „Repatriierungsprozesse können dadurch zu einer Plattform werden, auf der sich eine pluralistische Öffentlichkeit formiert und Kontroversen über die Erinnerung und Memorialisierung der Vergangenheit – in und zwischen den beteiligten Ländern – führt. So haben im vorliegenden Beispiel namibische NGOs die Rückgabe nicht als Abschluss, sondern als Beginn einer Neuverhandlung von deutsch-namibischer Geschichte verstanden.“

³⁷ In the original interview: „ich habe diese Ängste nicht so richtig verstanden, weil es war natürlich völlig klar, dass so eine Übergabe nicht stattfindet, weil man Interesse an die Schädel hat, sondern weil etwas mit den Schädeln verbunden worden ist, dass die politisch aufgeladen sind, und dass die Zeugnisse sind für eine Vergangenheit, die nicht zu Ende ist“.

compared without pushing any zero-sum agenda that would emphasise on the different treatment of both those traumatic experiences. The narrator declares that Germany has just started “coming to terms” with this genocide and its legacy. The repatriation of Herero and Nama skulls to present-day Namibia is part of this process. Some Herero descendants themselves have understood that drawing up a conflicting viewpoint between memory of the Holocaust and memory of colonial history will remain unproductive, and that recognition and apology from the German government will come, no matter how long they have to wait³⁸. Instead of focusing on the unequal means for memory that those histories dispose of, associating them in discourse will show how “negotiation, cross-referencing, and borrowing” might prove “productive, and not privative” (Rothberg *Multidirectional Memory* 3). There should be no “logic of scarcity” between both histories of genocide in German memory discourses. Instead, these commonalities between the Second and the Third Reich’s deeds, when recognized in the cultural memory of museums and media, might help transform the fear that is still displayed by political actors.

From a present perspective of anxiety in Germany towards the past, because matters of generational guilt thwart any productive memory work, the influence of multidirectional memory might push for a perspective focused on the victims and their descendants. Handing over human remains and attempting to retrace the lives of these ancestors is a step in reconstructing a climate of confidence. A joint project of remembrance, binding together emotional and rational means of coming to terms with the genocide, may ultimately lead to a process “shared memory,” i.e. to a common historical narrative for both nations, a patchwork of those different perspectives which have finally allowed themselves to merge (Margalit 52). Shared memory could also materialise through the linked histories of those communities across the globe whose dead ancestors have been deprecated and amassed in museum collections. While there is still little international dialogue between communities who have been successfully repatriating human remains and others who experience difficulties, the connections are there, starting with the names of skulls gatherers whose travels across the globe leave traces of their scramble like ink stains on a map.

³⁸ See the testimony of Israel Kaunatijke in the documentary *Deutsch Südwas? – Erinnerung an einen deutschen Völkermord*.

II. 3. C. Keeping Places, graves and rituals:

the emergence of *lieux* and *milieux de mémoire*

If the process of repatriation reaches out overseas for mutual understanding and working collectively through a common traumatic colonial history, reburial might bring something else to the ways in which this history is remembered. Sarmiento has already addressed “re-membering in burial,” and describes it as “stitching together,” surely narratives, generations, and identity. To her, this “act of assemblage, burial and sacred ritual is a transmission, and an assertion, that I am here, we are here – rather that we are still here and you have not yet disposed of us” (104). It is therefore anchored *in situ*: it gathers and renders the presence of ancestors tangible and challenging. Memory on site occurs, giving space for the past to stand in the present world, to be stumbled upon, acknowledged, negotiated, admired or feared. Pierre Nora has extensively explored how nation-states tend to engrave memory physically in the public space. His concept *lieux de mémoire*, rooted in the French national context, analyses how places become ‘sites’ when they are regarded and used as embodiments of history, emerging when “there are no longer *milieu de mémoire*” (7). Nora differentiates *lieux* and *milieux de mémoire*, the former appearing to “crystallise” and “secrete” memory, the latter being “real environments of memory” (ibid), which include traditions and performative acts of remembrance. In a burial, both those notions are present. This last chapter will put forward a few examples of these instances that sprouted out of human remains repatriation and examine how these places and rituals of memory instil remembrance of the colonial era in postcolonial contexts. Winter has proven that *lieux de mémoire* can sometimes be a fruitful concept for the multitudinous contexts of colonial and postcolonial memory (Winter 167). Aleida Assman has additionally demonstrated how postcolonial *lieux de mémoire* are less fixed than say national memorials. They are contested spaces which include conflicting narratives – “imperial,” dominant narrative vs. “subversive and liberation counter-narratives” (Assman A. 161). I aspire to show how those *lieux* enable conflicting Western and indigenous traditions of memory to merge in institutionalised processes of remembrance, and a reconciliation over how history is told in cultural memory. In addition I will analyse to what extent reburial attests of the ancestors’ individual humanity and subject position.

In Australia, repatriated human remains are first and foremost handed over to the custody of museums, who will participate in erecting official Keeping Places³⁹ whenever the names of the ancestors cannot be retrieved, or when the concerned Aboriginal community opts for a conservation role rather than a traditional reburial. Out of respect to the dead and their communities, the conservation is not coupled with the open display of the remains or the sacred objects. According to Simpson, Keeping Places aim at “maintaining the secrecy of the objects and so restrict access rather than widening it. In this they differ fundamentally from the classic European model which has at its heart, public education and the dissemination of information” (159). On the other hand, I would argue that building mausoleums to keep the bodies of the dead, such as the Iningai Keeping Place in Central Queensland (see Appendix 4), reminds more of the Western ways of disposing of the dead than of Aboriginal ones, since many Aboriginal tribes actually bury their dead in the ground, sometimes in secret places, for the body to return to the earth and nature. Therefore, Australian Keeping Places operate as places that are epistemological contact zones, just as museums. In the case of the Iningai Keeping Places, what differs is that while European mausoleums were usually erected to glorify a precise soldier, general, emperor, the Keeping Place shelters unknown remains. What is more, not all Keeping Places for unprovenanced remains are mausoleums or buildings; some, as the Towra Point Keeping Place, are just pieces of land in ‘country’. Remains that have been identified are most often reburied within the community and do not rest in a Keeping Place, since this structure is very often considered as a temporary step in the process of repatriation. Some communities are less inclined towards conservation and thus prefer burying the bones following the traditions of secret tracks. The sites of burial are therefore unknown to outsiders and the memory of the ancestor is communicated through this voyage to lay the bones at rest. What is crucial to understand in all those different ways of disposing of colonial human remains is the return of the body to its original place, i.e. the renewed bond that had been severed by colonial history.

The reclusion of the remains, the epistemic hybridity of the funerary structure, and the close ties between the individual and the territory all remind the visitor of the multiplicity of

³⁹ Let us not forget that a number of indigenous and non-indigenous people have argued against Keeping Places, “because of the difficulties in acquiring and managing appropriate buildings and employing appropriately skilled people” (Hanchant 316). They have it that “until indigenous communities have sufficient funds and facilities then museums should remain as the custodians” (ibid). In my opinion, although the question of management and looking after these edifices question their actual existence, Keeping Places act as memorials of the dead and guarantors of the culture and are an opportunity to leave the curation work to members of Aboriginal communities who might not be able to integrate state museums.

meanings ascribed to Keeping Places. Like Aleida Assman's study of contested postcolonial environments of memory⁴⁰, Keeping Places in Australia appeal to both Aboriginal and Western traditions of disposal. They are postcolonial places where, in the reworking of colonial precepts – such as the dominance of Western science and the utilisation of the indigenous corpse – the Western model of institutionalised knowledge and the Aboriginal model of secret knowledge meet and join together. Most Keeping Places are indeed endowed with permanent exhibitions and clearly emphasise on the cultural memory character of their existence. The presence of colonial human remains alongside cultural artefacts, video material, language recordings, art, and historical research bestow a significance to these places which goes beyond the simple act of conservation. While a museum is etymologically closer to the 'muses' and therefore to the exhibition of art, a Keeping Place warrants the preservation of culture, knowledge and memory. They are not individual *lieux de souvenir*, although they provide immense resources for descendants about their ancestors. They are sanctuaries of collective and cultural memory of colonisation and participate actively in postcolonial struggles for acknowledgment and representation.

Australia is by large a space of postcolonial fusion and proactive conflict negotiation, while African critical theory embraces more drastic decolonial considerations of the self, and the African continent is the theatre of struggles for representation between the nation-state and the minorities within it. In Namibia, the national narrative has to a certain extent hoarded the repatriation of human remains to integrate it in a state-based celebration of Namibian history and its heroes. The Windhoek National Museum, where the human remains of Herero and Nama victims are now stored, is for this reason hardly conceivable as a *lieu de mémoire*, since it has not emerged from a remembrance process or from a community-based effort. To take up Nora's definition again, this place's existence is not the result of disappearing *milieux de mémoire*. It is a fixed national monument, newly built, and not subjected to a superposition of histories or memories.

To circumvent the absence of a place that would respect the wishes of the Herero minority, the Herero community has turned towards performative acts instead of memorials. Förster has described how members of the Herero Community in Okahandja performed what has been labelled as a "mock ritual," a reburial without bones, which attests of the need for a sort of ritualistic welcome which was discounted by the Namibian government in 2011

⁴⁰ Aleida Assman has studied how colonial buildings such as the Antigua Library are fraught with superimposed layers of colonial and postcolonial histories, be they collective and national narratives or personal experiences (Assman A. 163)

(Förster 430) (Appendix 5). She observes that the ritual was criticised due to the absence of known genealogical bonds between the skulls and the Herero community: “without knowledge of the skulls’ individual identities, and therefore of the respective original clans of the victims, no appropriate rituals should have been carried out”⁴¹ (ibid). Nevertheless, the ritual was accompanied with social gatherings during which the experience of the handover ceremony in Berlin was shared, an action plan to bring the German government to recognise the genocide was laid. The burial without bones was hence part of a greater communal effort to assert ritually, as Sarmiento has declared, that “you have not yet disposed of us” – Namibians have not yet disposed of their ancestors, and Germany has not yet disposed of their responsibilities towards the Herero and Nama communities (104). It is embedded in a Herero context and constitutes a vivid environment of memory that reaches in the past to give back part of their dignity to the unknown ancestors, assesses and passes judgement on the present time of repatriation, and builds up future perspectives of political action.

A last, another telling example of the achievements of repatriation for cultural memory is found in the extended aftermath of Saartje Baartman’s return to South Africa. Her grave on Vergaderingkop in Hankey has been declared a national heritage site, tallying with Nora’s original understanding of *lieux de mémoire* in the context of national history. Furthermore, her return has influenced the erection of “a Sarah Baartman Centre of Memory, planned to become a national heritage institution, that will provide public education, heritage interpretation, and visitor management” (Rassool 137). To Rassool, the “symbolism of Baartman’s return and reburial served to obscure wider legacies of gendered racial science in South Africa, as well as of human remains collections from South Africa in museum collections at home and overseas” (ibid). To be sure, national consideration for her grave and her eponymous status in post-apartheid South African psyche prove once again the importance of named individuals in repatriation. Nevertheless, it also provides an example of a multidirectional, subject-making and memory-centred project which has directly followed the repatriation and reburial of colonial human remains, and may incorporate national and particular Khoisan interests. This undertaking is rooted in past colonial injustice, has been triggered by a twentieth-century repatriation and is aimed at future prospects, such as a wish for further repatriation claims, and development of an education focused on the colonial past, and the acknowledgment of a shared memory of colonialism in ‘new’ South Africa. While her

⁴¹ „Nach dieser Lesart konnten und sollten ohne Kenntnis der individuellen Identität der Schädel, und damit ohne Kenntnis der Herkunftslande der Verstorbenen, auch keine adäquaten Ritualen durchgeführt werden.“

grave operates as a strict *lieu de mémoire*, the idea of the Sarah Baartman Centre of Memory binds together the crystallising character of symbolic places and the processual, continuous and fluid virtue of a *milieu de mémoire*, a flourishing environment of remembrance which also incorporates aspirations for proactive communal impetuses.

CONCLUSION

Initiated around 1990, the repatriation “movement” is far from its end. While repatriation of colonial human remains inside settler colonies such as Australia or the United States is being done on a regular basis thanks to the support of legislation and official institutions which seriously take into account the wishes of indigenous communities, many skulls and skeletons still lie in cardboard coffins, stored and forgotten in European museums notably, and cannot rely on a proactive and decolonial endeavour from their ‘owners’ to envisage a possible return to their respective lands of origin.

This thesis has addressed both the present status of those human remains and their possible future, drawing on examples of more or less successful repatriation processes. But it has first reminded that the history of Western anthropology is embedded in colonialism and consequently tainted with theories of racial objectification. Nowadays, these are being reworked, remembered, and to a certain extent overhauled. Nevertheless, the lingering presence of colonial human remains in European anthropological collections, the terms used to qualify those remains, and the difficulties repatriation requests encounter before any return and reburial can occur attest of a postcolonial situation which has not yet undertaken a decolonial path.

Ancestors whose bones have been displaced are indeed still the *objects* of conflicts of interest. They still lack any strong acknowledgment of their humanity since human remains are still often considered as “cultural items” or “anthropological material.” Under these labels, human remains are property of museums. NAGPRA asks museums for inventories of their anthropological collections; but indexing and listing human remains does not entail special treatment. In addition, the legal status of skulls in official texts is closely related to the notion of ownership, and therefore builds up a two-sided struggle (curators and governmental institutions vs. indigenous communities) that denies any venture to understand the tangible presence of a central third-party (the ancestor), and eclipses questions regarding the distress of displacement and the various colonial contexts of oppression and violence. New official museum guidelines and revised versions of procedural texts for repatriation have luckily re-emphasised the sensibility of dealing with human remains, not only because of their inherent humanness but also because of their emotional significance for their descendants. The Australian Government Policy on Indigenous Repatriation insists on the intrinsic bond

between the ancestors and the present community, and thus bypasses the intricacy of *ownership* by highlighting *community belonging*.

When Kakaliouras called for an assessment of the “subject-making processes” that arise in repatriation, she probably mostly meant how former oppressed peoples could get back a relative grasp onto their right to map their histories, to bury their dead, and to express their knowledge in public, thanks to the return of the skulls. I have herein suggested another facet of subjectification by putting forward a philosophical and cultural reflection centred on the skulls and the bodies themselves, i.e. a direct decolonial mirror of anthropological objectification. The substantial presence of human remains enables us to confront and assess Western epistemological understandings of death and the corpse. Indigenous requests for reburial also spark such reflections.

For current osteological and anthropological sciences, the body is utterly material, but also historical and cultural. The meanings ascribed onto bodies and remains are contingent on processual analysis. This therefore reminds of the concept of a “commodity” whose life is dependent on the values attached to it. However, this term loses the material side of bodies, their humanity (as *human* remains). The notion of “cadaver,” which extends to the complete decomposition of a body, covers both the precedent of the corpse (namely its life as an individual) and the abject in it. In other words, skeletons are incompatible with ready-made terms, categories and notions, and the difficulty we humans have in dealing with corpses creates its philosophical idiosyncrasy. It also highlights the individual character of a skull, its ‘belonging’ to a person whose has lived and whose life becomes more and more difficult to be retrieved as his/her human remains get forgotten, lost, timeworn. In repatriation, the ability to give back its life and its name to a skull or a skeleton is non-negligible. I have shown that human remains that are clearly identified and can be named are treated with greater interest in publications but also in the public sphere. Are colonial human remains then subjects, commodities, abjects? Labelling is always problematic. Despite being the objects of conflicting discourses and the politics of value and representation, actors in repatriation should be reminded that they are haggling over, talking about, and reporting on dead individuals who, no matter how lost in oblivion their respective life histories are, belong to a multitude of spiritual realms with emotional connections that should be respected and taken into account.

This discussion on subject-making processes would not have been comprehensive enough without unveiling what repatriation offers former colonised peoples. I have chosen

Achille Mbembe's text on African subjectivity as a backdrop, so that several features of postcolonial subjectivities can be revealed. Concentrating on Africanness and group subjectivity might also prove fruitful in the foreseeable future of human remains repatriation in Germany⁴². "The African Subject" is a critique of universalistic positions regarding the place of African subjectivities in critical theory. The lingering paradigm that still contributes to exclude indigenous and particular epistemologies in philosophical thought is the one which paradoxically aspires to include them. Under the pink umbrella of universal rights and universal science hides a long-lasting history of discrimination upon which Mbembe sheds light. In repatriation as well, this position is often encountered, especially when pondering the pros and cons of repatriation. Museum guidelines, although recognising the aforementioned emotional and spiritual importance of ancestors, sometimes also include paragraphs appealing for an understanding of the universal character of Western science and the potential that this anthropological material might provide to humankind. This position obviously posits a Manichean structure which is not representative of struggles for repatriation of human remains: the particular needs of a given community vs. the interest of mankind. Mbembe's reflection later examines how the emphasis on an empowered particular self allows novel conceptions of the African subject to arise. Panafricanism for instance regards territoriality and autochtony as paramount characteristics of subjectivity and belonging. It also highlights skin colour distinction as a vital compound of Panafrikan subjectivity. This has been jettisoned herein because any reliance on physical features for the construction of postcolonial subjectivity in repatriation would mean reproducing the very same kind of classification that motivated the gathering of skulls in European institutions of knowledge in the first place. The first two compounds of Mbembe's deconstruction of Panafricanism are nonetheless productive. More self-determining than the perspective of recognition from an Other, the attachment to land is a feature that has been very often called upon in repatriation to justify claims for returns and reburial, while autochtony binds together the experience of living on a given land and bearing kin to a given group or community. It opens doors for other conceptions of kinship than the maternal/paternal structures, which in turn should be considered whenever repatriation claims for ancestors' remains are voiced. After more than a

⁴² Since this thesis is framed in a political and cultural context of postcolonial re-acknowledgment of Germany's colonial past in Berlin, and given that many skulls detained by the former Foundation Prussian Cultural Heritage stem from former German colonies on the African continent, my choice for Mbembe's text is not anodyne, and might be helpful for forthcoming observations on possible repatriation of skulls to African nations and indigenous groups.

century, the generational model is neither relevant nor applicable to official texts that demand proof of “affiliation.” For this reason, postcolonial understandings of group subjectivity in repatriation processes should draw on both territoriality and autochtony as described by Mbembe.

The other gap identified by Kakaliouras that I have endeavoured to address was “the work that ‘repatriable’ materials do before and after their return” (212). Since the ongoing debates about colonial human remains involve a multitude of actors from different fields (often restrained to governments, anthropologists and other researchers, and indigenous communities), one can observe how requests for repatriation and actual returns have modified their own perception of their respective group identities. I have already insinuated that successful repatriation and reburial empower indigenous communities in the public and political sphere. According to testimonials and concrete reports of indigenous people active in repatriation, the return of ancestors also bears an impact on the community itself, and seems to strengthen the bonds that link its members. It would be however inadequate to think that repatriation and reburial stimulate the revival of traditional culture. Even though autochtony (as understood by Mbembe) can clearly be used to connect members that might actually live far away from each other, repatriation occurs in a postcolonial context where there should be no differentiation between “pristine” indigenous people and “modern” ones. Thinking of a “cultural revival” (Creamer 57; Friedman 126) eclipses the construction of indigenous identity in the modern world and projects a celebration of pre-contact era, although the descendants’ current sense of community derives from a processual evolution and constant modification of their respective indigenous identities. In other words, what is reinforced through repatriation is a sense of contemporary collectiveness and a bridge linking older and new generations; not the initial traditions, norms and values of a forsaken pristine identity that opponents to repatriation use as an erroneous basis on which they question the bonds between present-day claimants and their ancestors.

Not only has repatriation spawned an empowerment of collective indigenous identities; it has also questioned and challenged the role of museums and Western cultural players in the postcolonial world. The dusty cardboard coffins that withhold colonial human remains and the exposure of cultural objects on inanimate plinths miles away from their actual users and cultural contexts convey the belief that indigenous culture belongs to a remote past, at loggerheads with the genuine processual evolution of indigenous identities and their adaptation to imperialist modernity. What is more, museums can no longer afford to consider

themselves as the warrantors and guardians of knowledge. They even often do not possess the required information to bring about repatriation and have to rely on indigenous research or narratives which have progressively entered the “politics of recognition” (Taylor), and are being progressively integrated as accepted systems of knowledge. Ultimately, this could lead to growing partnerships between indigenous communities and museums. Because provenance research often hits a dead-end due to the surprising lack of thoroughness in acquisition (Stoecker Appendix 3 xvi), oral history and the participation of researchers and communities in retrieving a shared history with the museum narratives would be productive. It remains nevertheless a utopian thought in a global cultural industry contingent on corporate and financial support.

The confluence of Western and indigenous actors in handover ceremonies has shown to what extent colonial history is told differently in the former metropolis and by the former colonised people. In Berlin and in Paris, empowered delegations who had come to receive the skulls of their ancestors have unveiled power connections and historical trajectories that are often discarded in mainstream narratives taking a look back towards the era of colonialism. By bridging the acquisition of Kanak skulls to the military engagement of Kanak men for France during the Second World War and then further to the contemporary denigration of education programmes for Kanak people, the community has coined constellations which, added up, summarise the condition of Kanak people under French rule. They have linked periods of history that have been fragmented and separated in the French narrative. Cultural material has even gone further when documentaries about the genocide of Herero and Nama people in 1904-07 start to put these atrocities in perspective with the Holocaust, demonstrating the analogies, the dissimilarities, but more importantly, the continuity that exist between both historical occurrences. Repatriation has thereby influenced the construction of memory of the colonial era, drawing horizontal (geographical) and vertical (temporal, generational, historical) trajectories. When diverse “histories of victimization” meet without clashing (Rothberg, *Multidirectional Memory* 2-3), when comparisons are drawn without judgement or zero-sum competition, multidirectional memory is at play: an intercultural framework that also productively helps objectification and racial anthropological research to be remembered in a broader context of genocide (Namibia) and genocidal violence (Australia), perverse construction of otherness (Saartje Baartman), land-robbing and discrimination. This challenging multidirectionality – which often makes Holocaust specialists’ hair stand on end – appeals for a new model of memory in the case of colonialism

which allows remembrance to be shared and compared, The return of remains to their original land has generated a second issue which appears after the first conflict for repatriation has been solved: what are local communities to do with the bones? Due to several intricacies in recovering the specific local origins of ancestors, Australian museums and Aboriginal communities have erected Keeping Places which mostly act as temporary accommodation for the skulls and sacred objects. They are kept away from the gaze of tourists and other onlookers, in respect of Aboriginal traditions of secrecy and protection of knowledge. While the largest Keeping Places resemble museums for Aboriginal culture and knowledge, others are rather analogue to mausoleums, since their sole purpose is to hold human remains whose unknown provenance cannot be retrieved. Both these kinds of places are endowed with historical narratives that remind of the colonial oppression and the violent gathering of skulls for anthropology and anatomy and thereby function as what Nora has labelled *lieux de mémoire*. Because the environments (*milieux*) of memory cannot be performed (burial, remembrance of the individual lives of the ancestors, searching for names and stories that attest of colonial injustice and discrimination), Keeping Places, themselves embody the work of memory that is being invested in human remains repatriation.

International repatriation of colonial human remains has already accomplished great decolonial work in reworking the legacy of colonial objectification, giving larger space to indigenous voices, increasing credence to indigenous systems of knowledge and epistemologies (e.g. the assertion of kinship) and renewing a respectful interest in the dead and their antecedent lives. Rothberg demonstrates that “the public articulation of collective memory by marginalized and oppositional social groups provides resources for other groups to articulate their own claims for recognition and justice” (*Form Gaza to Warsaw* 524). If this holds true, not only will international repatriations continue, moving towards the African continent and the numerous remains from African colonies that are sleeping in Britain, France and Germany; it might as well help future indigenous communities in their future struggles for acknowledgment. One of the Center for Political Beauty’s provocative performances perfectly illustrates this point. In 2015, the artists-activists removed the white crosses commemorating victims of the Berlin Wall and gave them (or copies of them, but this is irrelevant) to refugees from the African continent waiting in Morocco to embark to Europe, i.e. possible future victims of Fortress Europe and the barbed wire walls erected against their coming. This multidirectional way of linking histories is productive and, used in repatriation processes, might bring about new methods of remembering colonialism and indicting the

detainment of human remains and sacred objects in Europe when no restitution claim is voiced.

Repatriation has challenged the expression of collective identities in a postcolonial context of negotiation, showing that the clear-cut opposition between Western actors and indigenous ones is erroneous and ineffective. Thanks to the agreed return of their ancestors, indigenous communities across the globe engage in historical research and reveal the pernicious connections that link the era of skull gathering in the nineteenth and twentieth centuries to the present discrimination of their people and a future dependent on the politics of recognition and reconciliation. The multidirectional character of memory enables those connections to be made and claimed, an empowering move for groups that have experienced marginalisation for decades.

Remembrance is a “temporal manoeuvre,” meaning that “when we remember we simultaneously occupy both everyday time and the temporality of remembering” (Healy 225). Explicitly, the time that repatriation takes to be implemented includes the timespan of the anthropological collection of human remains in the colonial era. Repatriation is hence a prolonged temporal process, which stretches even longer when provenance research bumps into dead-ends and dives into the entangled histories of anatomy, phrenology, anthropology and colonialism. It is an arduous mission for descendants looking for their exiled ancestors. For this reason, it should become a cooperative venture, joining Western (read European) and indigenous (and Western-indigenous) actors in a common undertaking that retraces paths and lives, that cements the shared histories in a shared memory, and that calls for further mutual understanding and listening. These skulls cannot talk; it is our task to find out who they are and retrieve their stories, a task that might, somehow, lead to reconciliations.

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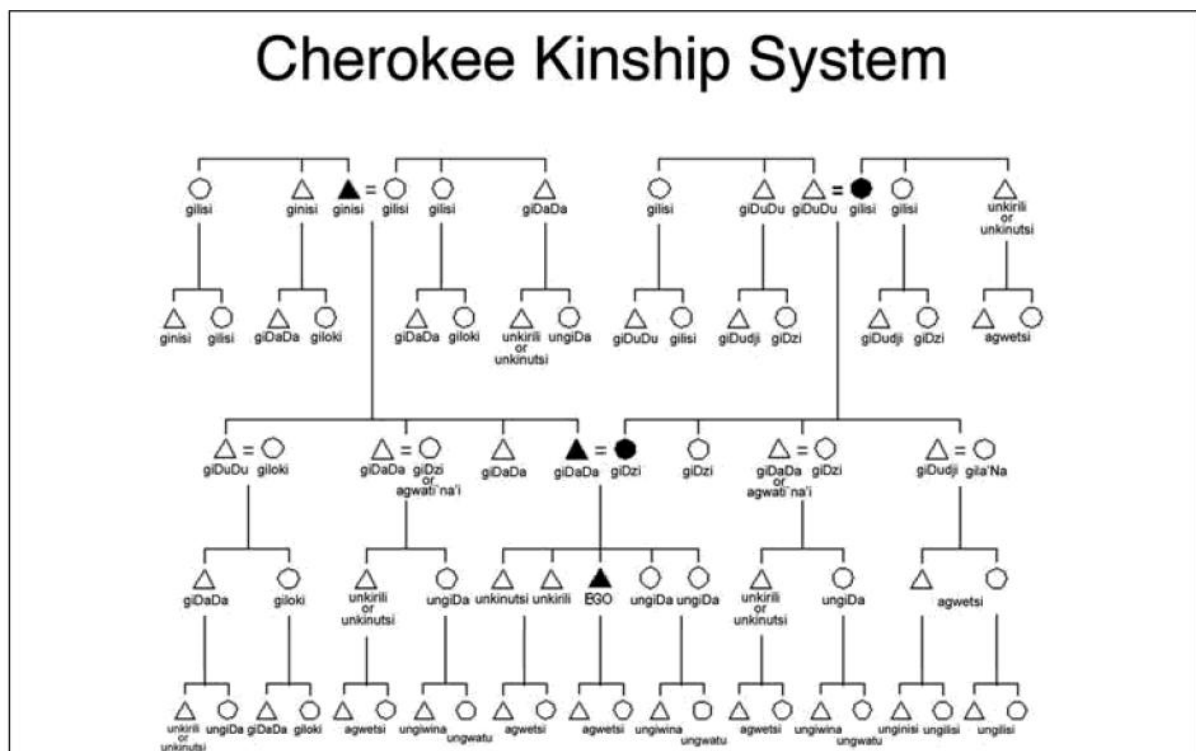
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APPENDICES

Appendix 1

I previously wanted to display two photos of skulls, one showing the skull of a Herero that had been detained by the Charité Museum in Berlin until its repatriation in 2011, another one from *Sammeln, Erforschen, Zurückgeben?* showing the profile and front pictures of the skull A819 from the Charité collection, probably that of an Ovambo individual. I chose to retract those photos, since I do not know whether the ancestor in question, his/her descendants or the members of the Herero and Ovambo communities would agree to display those remains. The first one can be seen online in several of the German media articles. The second one was only published in *Sammeln. Erforschen, Zurückgeben?*. Many publications and even activists have made use of the shocking effect of skulls in the public sphere to bring interest to the cause for repatriation. I do not think this would be of any use here.

Appendix 2



Source: Wilcox, Michael, "Colonizing the Genome," 127. All apologies for the poor quality of the scan.

Appendix 3

Interview with Dr. Holger Stoecker

21 January 2015

Conducted by Master Students Anna-Lena Stahl and Yann Le Gall in German language

0‘00“

Vorstellung der Studenten, ihrer Interessen und ihrer Hintergründe.

2‘55“

Wie haben Sie persönlich die Restitutionszeremonien erlebt, und welche Bedeutung hatten sie für Sie?

Die erste Übergabe und Veranstaltung war total aufregend, also für alle Beteiligten, weil keiner so richtig wusste, was auf einen zukommt, und die Kommunikationsdichte im Vorfeld war auch nicht so groß und [...] es gab total verschiedene Perspektive von namibischer Seite und von der Charité-Seite aus und es gab auch verschiedene Akteure, die da noch mit da hinein agiert haben: die Bundesregierung in Gestalt des Auswärtigen Amtes, die Charité als solche und dann noch verschiedene NGOs, die sich dann beteiligt haben. Man wusste gar nicht so richtig, was will eigentlich die namibische Seite; wie stellen sie sich vor, wie die Übergabe ablaufen soll. Ich war nicht in einer Verantwortungsposition beteiligt, aber nur einer von denen, die das praktisch mit vorbereitet hatten. [...] Meine Beobachtung war die, dass man auf deutscher Seite immer wie so Kaninchen vor einer Schlange gegessen hat, und die namibische Seite hat irgendwie auch die Sprache der Diplomatie benutzt. Das ist natürlich eine andere als die, die wir in der Akademie und im Kontext der Sammlung gewohnt sind. Es gab sehr viele Missverständnisse oder auch Vorbehalte, mehr Projektion auf die andere Seite als tatsächliches Wissen über deren Interesse und Anliegen und Perspektiven. Das war letztendlich natürlich Teil eines Prozesses, der inzwischen viel weitergegangen ist. Die Akteure kennen sich jetzt persönlich. [...]

Und da ist auch alles schief gegangen, bei der ersten Übergabe jedenfalls. Was zum Teil auch lag an den völlig übersteigerten Vorstellungen oder Erwartungen an so eine Übergabe, weil man sich verbunden damit fühlt und zu tun hat mit Ängsten, dass es doch eher für die politischen Anliegen benutzt wird. Ich habe diese Ängste nicht so richtig verstanden, weil es war natürlich völlig klar, dass so eine Übergabe nicht stattfindet, weil man Interesse an den Schädeln hat, sondern weil etwas mit den Schädeln verbunden worden ist, dass die politisch aufgeladen sind, und dass die Zeugnisse sind für eine Vergangenheit, die nicht zu Ende ist. Und es war vielen nicht so klar, oder stand nicht so im Vordergrund insofern... Also ich war

nur ein Beobachter und zum Teil ein stiller Akteur. Die erste Übergabe war total entspannt. Die zweite dann war schon mehr... man kannte sich, man wusste, wie die Anderen agieren. Das war jetzt im März letzten Jahres. Wobei, da war die Konfliktlinie zwischen der namibischen Seite und der Botschaft auf einer Seite, und auf der anderen Seite die Bunderegierung, die Angst hatte, dass die Übergabe wieder zu einer Gelegenheit des Konfliktes wird, wo sich im Nachgang erhebliche Probleme auf deutsch-namibischer Ebene niederschlagen. Und nach der ersten Übergabe war es tatsächlich so, dass die Beziehung auf der diplomatischen Ebene sich massiv verschlechtert hatte. [...]

12‘12“

Gab es in der Arbeitsgruppe eine Spaltung zwischen den Leuten, die sich auf die Geschichte fokussiert haben, und denen, die sich auf das Material fokussiert haben?

Ja, ja.

Wie haben sie das gespürt, oder haben Sie es vielleicht gelöst?

Gelöst haben wir's nicht. Kann man auch, glaube ich, gar nicht lösen. Man kann nur versuchen, damit umzugehen. Das ist einer der Punkte, wo ich tatsächlich gelernt habe in dem Projekt, und zwar gelernt habe über die Perspektive von Naturwissenschaft und insbesondere Anthropologie, in Deutschland. Ich habe auch zum Teil erschreckende Erfahrungen gemacht, nämlich bin ich der Meinung, dass die Anthropologie in Deutschland sich nicht methodisch und kritisch mit ihrer eigenen Geschichte befasst hat. Da sind hier Standardwerke von Leuten, die ich aus einem anderen Kontext kenne, die immer wieder benutzt und zitiert worden sind, die am Anfang der physischen Anthropologie standen, oder vom Anfang des zwanzigsten Jahrhunderts kommen, also der Hochzeit der Rassenanthropologie, die nach wie vor als Standardwerke zitiert werden, und die natürlich nicht nur ein methodisches Wissen mittransportieren, sondern auch eine Mentalität im Umgang mit dem Material, die nie mal kritisch reflektiert worden ist. Das war für mich eigentlich erschreckend. Darum haben wir heftige Diskussionen gehabt, wo ich versucht habe, klar zu machen, dass so ein methodisches anthropologisches Wissen natürlich immer in einem historischen Kontext drinsteht, und dass diese Kontexte sich aber verändern, dass diese Bestimmung vom Anfang des 20. Jahrhunderts nicht in jetzige Zeit transportiert werden kann, ohne eine kritische Reflexion darüber. Es gab so fast Annahmen am Anfang, dass es um ein „Herero-Gen“ geht, das einen Herero naturwissenschaftlich abgrenzen kann von einem Nama. Es ist vielleicht ein bisschen zu spitz formuliert, aber so in die Richtung ging es. Darüber haben wir viel Diskussion gehabt, oder auch Konflikte, die sind aber nicht bis ins letzte ausgestanden.

15‘44“

Wie wurde Ihre Perspektive von der anderen Seite aufgenommen?

Als jemand, der einfach politisch korrekt wirkt, und letztlich jemand ist, der die wertvollen Ressourcen für anthropologische Fragestellungen in Frage stellt. Also letztlich die Sammlung damit ja gefährdet. Es gab auch natürlich immer die Haltung, möglichst wenig zurückzugeben. Dann tendenziell auch eher weniger Informationen öffentlich machen als mehr. [...] Also überhaupt der Umgang mit transparenten Informationen, mit Transparenzmachen von Informationen über die Sammlung, das war ein ganz schwieriges Feld.

16‘56“

Ist es auch einer der Gründe, warum das nur ein Projekt war und nicht dauerhaft weitergeht?

Ne, das glaub ich nicht. Dieses Projekt ist aufgrund von Forderungen entstanden, die Anfang der Zweitausender Jahre in die Öffentlichkeit gerieten. Dann hatte man auf einmal ein Problem, mit dem man nicht umgehen konnte: was macht man, man gründet eine Kommission. Das war ein zeitlich begrenztes Projekt, und dann, wenn das Problem nicht mehr da ist, dann braucht die Kommission nicht mehr weiterzubestimmen. So eine dauerhafte Geschichte kostet natürlich viel Geld und dann muss man gucken, wo das Geld dafür herkommen soll. Es gibt im Moment wenig Bereitschaft zudem auf der politischen Ebene, da wirklich Geld hineinzunehmen. Also anders als im Kontext von NS und Raubkunst usw.. Da ist eine andere Drucksituation. Hier ist auch ein Druck, aber es ist weniger Druck, und der fokussiert sich auch auf Namibia. Es gibt natürlich auch andere problematische Bestände in diesen Sammlungen; da ist aber der Druck im Moment nicht da.

18‘30“

Denken Sie, dass dieser Druck über die Aufarbeitung der Kolonialgeschichte vielleicht größer wird?

Der Druck kommt aber von außen. Er kommt nicht aus Deutschland selber, sondern von den Herkunftsgemeinschaften.

19‘23“

Was ist mit den NGOs in Deutschland?

Sie sind ja Transmissionsriemen für Forderungen aus westafrikanischen Ländern. Die selber haben jetzt keine Legitimität aus ihrer eigenen Kraft heraus. Die Erinnerungskulturen in Deutschland beziehen sich schon sehr auf das Dritte Reich. Da ist auch viel möglich, aber alles, was davor geht, dann ist da eher so die Haltung: „oh, jetzt, das noch! Wir machen jetzt so viel in Richtung NS, Entschädigung und Reparationen, und Gedenken hier und Gedenken

da, und Aufarbeitung. Jetzt kommen sie auch noch mit dieser Kolonialgeschichte. Gab es mit Deutschland überhaupt Kolonien?“ [...]

In den letzten zehn bis fünfzehn Jahren in der Wissenschaft, in der Geschichtswissenschaft, in der Ethnologie wahrscheinlich auch, hat es jedenfalls einen großen Schwung gegeben in Bezug auf Kolonialthematiken. Inwieweit es in die Öffentlichkeit getragen wird, da mach ich ein Fragezeichen. [...] Jedenfalls würde ich es begrüßen, wenn was ankommt, natürlich, aber ob das so sein wird, da wäre ich ein bisschen zurückhaltend in meinem Optimismus.

[...]

23‘48“

Haben Sie Feedback bekommen darüber, was an die Öffentlichkeit gelangt ist über das Projekt und die Restitutionen?

Aus dem Leserbereich gab es schon ein paar Sachen, aber die waren noch sehr durchwachsen, waren aber in der Regel harmlos. Es spielte sich da gar nichts ab. Andreas Winkelmann, einmal alleine und einmal mit mir zusammen; wir haben dann Artikel gemacht im Ärzteblatt, das in Deutschland an alle Ärzte verteilt wird, und dann kamen damals mehr oder weniger unqualifizierte Rückmeldungen, von irgendwelchen Ärzten, die dachten, die müssen noch was dazusagen. Also das war sehr merkwürdig. Aber, dass wir direkt angefeindet würden, nein. [...]

25‘48“

Sie haben ja Restitutionsforderungen von der offiziellen namibischen Seite bekommen. Haben Sie sich von politischer Seite gefördert gefühlt, die Fragen der Erinnerungskultur, Reparationen und Entschuldigungen im politischen Rahmen weiter zu thematisieren?

Es sind alles Fragen, die in einem größeren Rahmen erfolgen. Die Charité und dieses Projekt kann nur ein Teil machen, und zwar diese Schädelgeschichte, und auch nur die Schädel aus ihrer Sammlung, und nur da können sie etwas machen. Dieses Projekt und diese Forderung der Restitution zu erwarten und zu überfrachten mit Erwartungen daran, dass da eine Entschuldigung passiert, dass da die ganze Kolonialgeschichte damit erledigt wird, ist eine Übersteigerung. Das war auch Teil der Problematik dieses Vorgangs, dass es zum Teil schief gelaufen ist. Also ursprünglich war es so gedacht, dass dieses DFG-Projekt installiert wird, und dass die Forscher in drei Jahren ihre Berichte zu jedem einzelnen Stück oder gruppenweise machen, und dann auf Grundlagen dieser Berichte entscheiden, welche Schädel und welche Bestände zurückgegeben werden sollen, und welche bleiben werden. Das ist natürlich da durch die politische Vorgänge und auch Erwartungen aus Namibia an bestimmte Zeitabläufe komplett durcheinander geraten, und darunter hat die Arbeit sehr gelitten. Ständig

irgendwelche politischen, oder nicht politischen Fahrplänen, die von außen an uns herankamen, denen wir hinterher hecheln mussten [...]. Darunter hat es sehr gelitten. Es war keine ruhige Forschung in dem Sinne, dass man zum nächsten Termin wieder etwas fertig kriegen müsste. Man muss manche Dinge einfach ausprobieren, und manchmal braucht man ein bisschen mehr Zeit, um im Archiv zu suchen und geht dann nicht ins Archiv und weiß schon, was man findet, sondern kann erst gehen mit dem, was man rausgeholt hat. Da braucht man einfach ein bisschen länger Zeit, und hat andere zeitliche Erfordernisse als ein politischer Fahrplan, der in Windhoek gesteckt worden ist. Die letzte Übergabe war komplett verrückt, weil dann kam Ende Januar aus Windhoek über die Botschaft, die Mitteilung, dass im März eine Übergabe stattfinden würde. Dann muss man die Berichte fertig machen, das ist echt viel Arbeit.

30‘30“

Hat das Projekt nur die geforderten Schädel untersucht?

Zuerst gab’s die Anfrage: habt ihr namibische Schädel? Ja. Und könnt ihr diese Schädel in der Sammlung identifizieren? Die Dokumentation, die Materialien, Unterlagen zu der Sammlung waren sehr schlecht, fragmentarisch, lückenhaft, ungenau. [...] Die Schädel mussten in der Sammlung konkret identifiziert werden. Das war schon der erste Schritt, der ziemlich lange gedauert hat. Zumal weder an den Schädeln selber noch in der Verzeichnung „Namibia“ als Suchwort steht. Da stehen schon eine ethnische Bezeichnung oder der Name vom Sammler oder nur eine Nummer, und dann muss man Informationen bekommen. Es ist ein langer Prozess, der auch verschränkt ist. Der nächste Schritt war dann, die Geschichte herauszubekommen, und es war, in meinem Fall, eine Archivarbeit. Ich war in Berlin in den Archiven, im Bundesarchiv, im Ethnologischen Museum, in der Charité, und auch in Windhoek im Nationalarchiv, und wieder hat es Zeit gebraucht. Und die Namibier und auch andere dachten „die Deutschen haben immer alles akkurat verzeichnet, da sollte doch in einem Griff – und man hat die Informationen. Was macht ihr eigentlich noch? Warum braucht ihr so lange?“ Insofern konnte man nicht einen Schädel nehmen, den beforschen, und wie die Naturanthropologen untersuchen, und dann fertig, kommt der nächste.

33‘30“

Sie haben geschrieben im Schluss des Kapitels mit Barbara Tessman: „Jetzt können wir beweisen, dass dieser Schädel aus einem Unrechtskontext erworben wurde, und dann können wir ihn zurückgeben.“ Können Sie mehr über den Begriff Unrechtskontext erzählen?

Faktisch ist der Unrechtskontext ein zentraler Begriff in den Empfehlungen des deutschen Museumsbundes. Der ist da zu den entscheidenden Kriterien gemacht worden: „Rückgabe ja

oder nicht?“ Ich halte den Begriff für höchst problematisch aus verschiedenen Gründen: wenn es einen Unrechtskontext gibt, dann gibt es auch einen Rechtskontext. Der ist nirgendwo definiert worden, also ein rechtmäßiger Erwerb. Dann gaukelt dieser Begriff vor, eine juristische Sicherheit wegen „*Unrecht*“ und wegen „*Recht*“. Aber tatsächlich ist er kein Rechtsbegriff. So wird er auch geschrieben. Er verspricht etwas, was er nicht hält. In der Praxis war es so, dass im Projekt für die Rückgabe nach Namibia, wir den Begriff gar nicht verwendet haben. Wir haben nicht geguckt: ist er unrechtmäßig erworben oder nicht? Sondern wir haben geguckt: ist er überhaupt aus Namibia oder nicht? Oder ist er vielleicht aus Südafrika? Die Namibier haben sich um diesen Begriff auch nicht geschert, fanden das uninteressant. Sie wollten ihre Gebeine wieder, und nicht die Gebeine, die nur im Unrecht erworben worden sind.

35‘52“

Sie haben das aber geschrieben und veröffentlicht.

Es war am Anfang als Verfahren formuliert, dass man die Schädel und die Herkunftsgeschichte erforscht, und dann stellt man fest: Unrechtskontext ja oder nein, und dann Rückgabe. Und so war es aber nicht. Es heißt nicht, dass es keinen Unrechtskontext gegeben hat. Gerade die zwanzig aus der ersten Rückgabe, die zuerst zurückgegeben wurden, stammten alle aus dem Internierungslager in der Lüderitzbucht auf der Haifischinsel. Es ist ganz klar: Unrechtskontext. Sie sind hier gestorben als Internierte. Aber es gab auch davor und danach Erwerbungen, und dann musste man gucken. Wenn ein Soldat patrouilliert, reitet und eine verstorbene Person in der Wüste findet, und da den Schädel mitnimmt, ist das ein Unrechtskontext oder nicht? Tatsächlich sind das viele Fragen, die aber nicht zur Grundlage gemacht wurden für eine Entscheidung über eine Rückgabe oder nicht.

37‘30“

Ist es problematisch, dass es einen Unterschied gibt zwischen der offiziellen Benutzung des Begriffs und der Praxis?

Die Empfehlungen, die den Begriff nach vorne geschoben haben, sind von der Kommission des deutschen Museumbunds gemacht. Da wird ein ganz breites Spektrum abgebildet. Und dieser Begriff ist für alle; jeder kann sich damit identifizieren, aber wenn es konkret wird, wird es schwierig. Letztlich hat der Begriff „Unrechtskontext“ auch eine legitimierende Funktion für die Sammlungsverantwortlichen. Wenn sie etwas herausgeben, können sie sagen: „dieses Objekt ist in einem Unrechtskontext erworben worden, und deswegen muss man es auch zurückgeben.“ Sie müssen sich in ihren Gremien rechtfertigen. Und dazu noch die normale Aufgabe, die Sammlung zu bewahren, zu pflegen, zu halten, zu lehren, und dann

ist das komplett das Gegenteil von dem, was sie eigentlich zu tun haben. Man merkt, wenn man mit Sammlungskuratoren zu tun hat, dass eine sehr hohe Hemmschwelle überschritten werden musste, um sich bereit zu machen, sich an Restitutionen heranzuwagen. Für die in diesem Vorgang hat vielleicht der Begriff eine Funktion.

40‘08“

In ihrem Kapitel stand: „[D]ie Re-individualisierung ist ein wichtiges Element von Restitutionsprozessen, und zwar sowohl im Hinblick auf die Erinnerung an individuelle Schicksale als auch für das Anliegen von Herkunftsgemeinschaften, gegenüber der im Kolonialismus praktizierten „wissenschaftlichen und herrschaftspraktischen Kollektivierung als geschichtslose Stämme“ wieder „eigene Erinnerungskulturen und interner Wissensordnungen zu behaupten“ (Stoecker & Teßmann 199-200). Zu welchem Grad denken Sie, dass Herkunftsgesellschaften in dem Kontext der Rückgaben wieder eine Subjektposition in ihrer Geschichte einnehmen können?

Ich habe da Gesine Krüger zitiert, weil, was sie sagt, sehr gut auf eine Erfahrung traf, die ich gemacht habe, als ich in Namibia war. Eine Frau hat mir da berichtet, wie wichtig diese Schädel für sie sind. Es ist vielleicht spezifisch Namibia. Namibia war bis 1989 Teil von Südafrika, und bis dahin war Apartheid. Die Schwarzen, die Mehrheit, sind ausgeschlossen worden vom Zugang zu historischem Wissen. Sie hatten keinen Zugang zu den Archiven. Und wenn es Zugang gab, dann war es natürlich die weiße Geschichte, in den Archiven, die zu Tage trat. Die Geschichte von ihren Gemeinschaften ist oft nur mündlich tradiert worden, und von daher kannten sie auch diese Schädelgeschichte – den Transfer von Schädeln vom Kolonialkrieg nach Berlin – aber sie ist nie anerkannt worden, von der Verwaltung, also vom dominanten Narrativ. Sie sind immer damit konfrontiert worden, dass sie keine Geschichte haben, dass, was sie erzählen, nicht stimmt. Und dann kamen diese Schädel heutzutage in den Blick der Öffentlichkeit. Und da waren die Beweise für ihre Opfergeschichte im Kolonialkrieg, die auf dem Tisch lagen. Insofern sind sie Teil einer historischen Selbstbemächtigung, einer Aneignung von ihrer eigenen Geschichte. Damit haben sie auch eine Funktion in der Identitätsbildung derer Gemeinschaften und im unabhängigen Namibia. Die Schädel, die zurückgegeben worden sind, sind zum größten Teil nicht re-individualisiert worden, weil man die Namen nicht feststellen konnte. Auch nicht, welche Gemeinschaften sich dahinter verbergen, auch bei denen, deren Namen feststellbar waren, denn es waren nur die christlichen oder europäischen Namen, die ihnen gegeben wurden. [...] Deswegen sind sie nicht in die Gemeinschaften zurückgegeben worden, sondern sind jetzt in den Nationalmuseen bewahrt. [...]

47'27"

Wie betrachten Sie Ihre Rolle als Geschichtswissenschaftler im Prozess der Aneignung der Geschichte für Herkunftsgesellschaften?

Meine Rolle ist einfach, für Transparenz zu sorgen, Information zu beschaffen, zu kontextualisieren, in einen historischen Zusammenhang zu stellen, aber zunächst mal einfach die Vorgänge als solche zu beleuchten und eine Art von Grundlagenwissen bereit zu stellen, auf dem man aufbauen kann.

48'40

Ist es nicht ironisch, dass Provenienzforschung fast exklusiv in Deutschland gemacht wurde? Wäre es möglich, Partnerschaften mit den Herkunftsgesellschaften und Wissenschaftlern vor Ort zu schaffen?

Jeder Zeit, kann ich mir sofort vorstellen. Wenn es die Leute gibt, und das Geld dafür, von meiner Seite aus sofort. Es ist aber eine Wunschvorstellung. Dieses Charité-Projekt hat aber 300.000 Euro gekostet. Das ist für den namibischen Staat viel. Das ist ein rein praktisches Problem von Ressourcen. Wir hatten mit einem Anthropologen zu tun, der im National Museum beschäftigt war. Es ist natürlich ein Problem. Erstens, weil sie ohnehin wenig Ressourcen haben, auch personelle. Zum anderen, weil viele Dinge damals von der Geschichte her von Südafrika aus bespielt worden sind. Es ist einfach eine Frage der Kapazitäten.

Jetzt was die Charité macht, gibt es auch in vielen anderen Sammlungen, ähnlich gelagerte Objekte und Fälle, und ich finde, es gehört zur Aufgabe dieser Sammlungen, sich um die Geschichte zu kümmern, und von sich aus ihre eigenen Kompetenzen einzubringen, und Ressourcen, um diese Sache aufzuarbeiten, und nicht durch Andere machen zu lassen. [...] Im Prinzip ist es, nach meinem Verständnis, Teil der Aufgaben der Sammlungen, sich von sich aus um so einen problematischen Erwerb zu kümmern. Im Fall von Australien ist natürlich die Sache anders. Was die akademische Landschaft angeht, die machen auch eine Menge, auch Spezialstudien, anthropologische und historische Studien. Da ist natürlich ein anderer akademischer Hintergrund.

53'00"

Wäre es nicht hilfreicher, wenn das Projekt jemanden vorgeschlagen hätte? Wir laden einen Forscher aus Sydney ein, der sich daran beteiligen könnte.

Es gab auch Kontakte nach Australien. Andreas Winkelmann war auch selber in Australien und hatte Kontakte mit Leuten vor Ort. Es gab eine Kooperation. Um einen Forscher zu bringen, müsste man ein gemeinsames Projekt irgendwie stricken, dann müsste man wieder

die Geldgeber dazu überreden, dass sie bereit wären, dazu eine Struktur zu finanzieren. Da sind auch ein paar andere Fragen zu behandeln. Es ist natürlich immer eine Frage: wie viel stellt man zur Verfügung und wer gibt das? Da scheitert es dran.

54‘43“

War diese Kooperation ein Plus?

Ja, klar, auf jeden Fall. Es ist ein Zuwachs an Wissen erstmal. Ich habe es aus der Perspektive eines Kollegen mitbekommen, dass es auch bei Tasmanien – da gab’s einen Fall, wo die Person bekannt war, und es gab eine Geschichte einer Person, zu der hätte dieser Schädel passen können. Das war nicht ganz klar. Diese Parallelgeschichte ist von dieser Gemeinschaft halt in den Vordergrund geschoben worden und auch erforscht worden. Es gab so eine Parallelbemühung und natürlich eine Verschränkung. Letztlich gab es keine Einigkeit auf allen Ebenen, das waren dann so Details. Aber so eine Art von Kommunikation kann ich nur begrüßen. Letztlich geht es darum, sich auf diesem Weg eine Geschichte anzueignen, oder auch zu erzählen.

56‘35“

Macht es das auch für die Sammlung einfacher, die Gebeine sozusagen loszulassen?

Weiß ich nicht, ich bin kein Sammlungsverantwortlicher. Die Frage ist nie wirklich mal durchdacht worden, was eine Sammlung durch Restitution gewinnt. Die Sammlungsorte sind noch nicht so weit, an so eine Frage überhaupt zu denken. Es gibt natürlich auch Ausnahmen, ganz sicher, aber die Meisten reagieren auf Druck.

[...]

62‘20“

NGOs und kleine Strukturen suchen solche Partnerschaften im Ausland, und finden sie auch. Aber die nationalen Sammlungen...

Die sind auch große Tanker, die sich schwer bewegen. Diese Stiftung [SPK] ist ein Riesentanker. Es braucht einen Präzedenzcharakter. Da sind natürlich kleine Einrichtungen viel präziser.

63‘10“

Obwohl das Projekt „Charité Human Remains“ schon zu Ende ist, gibt es trotzdem einen Willen in der Forschung in Deutschland, solche Projekte weiterzutragen?

Im Prinzip ja. Das Projekt hat 2013 geendet, und im Jahr 2014 gab es noch ein paar kleine Projekte, die mit anderen Institutionen – Greifswald, Jena, Wittenhausen – einzelne Objekte beforscht haben. Aber schon mit dieser Kompetenz, die wir innerhalb dieser drei Jahre gesammelt haben, wird es Zeit, dass der politische Prozess noch weiter geht, auch in Namibia.

Es ist auch relativ hartnäckig, was den Willen angeht, alle namibische Remains zurückzuführen aus deutschen Sammlungen. Und die Kooperationsbereitschaft der einzelnen Einrichtungen in Deutschland ist sehr verschieden. Es läuft wahrscheinlich weiter. Die Einen machen es selber, die Anderen kaufen ein wie wir. Und es wird noch eine weitere Rückgabe geben, dieses Jahr wahrscheinlich. Dann ist natürlich die Frage, wie weit sich die anderen Gemeinschaften auf den Weg machen, ob sie ihre Remains zurückhaben wollen. Das hängt dann vor allem von Prozessen in deren Ländern ab, dass da spezifische Konstellationen oft die Sache vorantreiben. Es gab verschiedene Bemühungen oder Ideen, eine Provenienzforschung in Bezug auf koloniale Erwerbung, spezifisch auf menschliche Gebeine, einzurichten. Es gab auch die Idee von einem Kompetenzzentrum als Ansprechpartner für Anfragen aus dem Ausland und auch von Seiten der Sammlungen, die Objekte in ihren Beständen finden und dann nicht wissen, wie sie damit umgehen sollen. Die Idee ging nicht, wahrscheinlich weil keiner sich diese Verantwortung an die Backe kleben würde. Da müsste man ja irgendwie eine Zentralverantwortung installieren, am besten auf der Bundesebene. Da gibt es keine Bereitschaft. Sie fokussieren sich auf NS und Raubkunst mit dieser Taskforce in Magdeburg. Aber ich würde nicht ausschließen, dass es da vielleicht irgendwann nochmal eine Bewegung gibt. Es hängt immer sehr davon ab, wie die Anfragen aus dem Ausland sind und welche Konfliktpotentiale sie enthalten.

68‘40‘‘

Wissen Sie, ob Rückgabeforderungen aus anderen ehemaligen Kolonien geäußert wurden, außer Namibia?

Mir ist nichts bekannt. Jedenfalls, die Entwicklung von einer Rückgabeforderung, die tatsächlich hier ankommt, ist so: sie ist oft vor Ort entstanden, formuliert worden und irgendwann erreicht sie eine diplomatische Ebene. Und diese haben es meistens nicht erreicht. Sie muss dann über staatliche Einrichtungen auf diplomatischer Ebene nach Deutschland kommuniziert werden. Soweit nach meinem Wissen, ist es noch nicht passiert.

68‘55‘‘

Können Sie aufgrund der historischen Gegebenheiten einen Unterschied feststellen zwischen anderen Restitution und denen nach Namibia? War das irgendwie nach Namibia dringlicher, wegen der anderen Ausgangslage als in Australien?

Es gibt verschiedene Elemente. Ja, es war anders. Die historische Situation war auch eine andere Sache, weil Australien nie eine deutsche Kolonie war, aber stand trotzdem auch im Fokus der deutschen Anthropologie. Insofern war das Interesse umgebrochen an australischen Remains, und die Erwerbungswege waren bestimmt auch nicht netter, sag ich mal so. Wenn

man sich die Geschichte von Amalie Dietrich anguckt, die unter Verdacht steht, Auftragsmorde in Auftrag gegeben zu haben, um an Knochen zu kommen. Die Geschichten unterscheiden sich nicht so qualitativ; es gab keine Internierungslager, wo sich deutsche Ärzte, Militärärzte, Sanitätsärzte oder Kolonialoffiziere bedient haben am Lazaretttisch, das ist schon ein Spezifikum von Südwestafrika. Was jetzt die Rückgabe als solche angeht, war alles komplett anders: die Australier machen diese Rückgabepolitik seit ein paar Jahrzehnten auf jeden Fall schon. Die haben eine in den Regierungsapparat installierte Behörde, die alles managt. Und für die Namibier war es die erste Rückgabe aus dem Ausland, und überhaupt. Es gab so viel anderes, was mit hineingespielt hat, die Entschädigungsklage und Reparationsforderungen. Dafür waren diese Schädel die politischen Unterpfände für diese Reparationsforderung, im Grunde genommen.

73‘20“

War die Stimmung auf deutscher Seite auch noch anders?

In der Vorbereitung hatten sie, was Australien betrifft, immer mit der Botschaft zu tun. Da kamen nochmal zwei Sekretärinnen und eine Referentin, die Historikerin war, und sich mit einem Sammler in ihrer Arbeit beschäftigt hat. Sie kannte also die historische Mängellage von sich aus schon viel besser, konnte auch schon manche Details beisteuern. Da gab’s mehr einen Austausch auf einer akademischen Ebene, während es bei den Namibiern eher so war, dass die Akteure vor Ort, die Initiatoren, die Shareholders, die Herero- und Nama-Komitees keine Akademiker waren, sondern politische Akteure, die in erster Linie damit beschäftigt waren, ihre eigene Regierung unter Druck zu setzen, dass da eine Bewegung in Gang kommt. Und die Regierung hat wiederum diesen Druck nur weitergeleitet. Und es war ganz oft auch so, dass, wenn es darum ging, zu besprechen, wie die Übergabe konkret stattfindet – soll es eine Zeremonie sein, wer darf daran teilnehmen, was machen die da für Geschichten – da war hier eine relativ große Offenheit im Rahmen der Möglichkeiten vorhanden, aber die ganzen Wege waren überhaupt noch nicht eingeübt. Die waren noch nicht begangen vorher. Deshalb war es mit der namibischen Seite komplizierter. Was ich nicht so schlimm fand, aber mit den Australiern lief es relativ reibungslos. Es gab fast überhaupt keinen Konflikt.

Das hat natürlich auch noch einen finanziellen Grund dahinter. Die haben die Rückgabeaktion, die Kosten auf australischer Seite, die Transporte und Verpackung, usw. übernommen. Bei der namibischen war es so, dass ursprünglich auf deutscher Seite vereinbart war, dass die Delegation aus drei Leuten besteht, deren Kosten vom Auswärtigen Amt übernommen werden. Und am Ende war die Delegation knapp siebzig Leute, die dann aber auf Kosten der namibischen Regierung gereist sind. [...] In der australischen Presse hat es

auch... war es natürlich eine Meldung, aber keine Spitzenmeldung, während die ganze Sache nach Namibia wochenlang die Nummer Eins war.

77‘59“

Wissen Sie wo die Schädel, die nach Australien repatriiert wurden, sich jetzt befinden?

Zum Teil ja. Ich kann es nicht genau sagen, weil ich mich nicht mit Australien so beschäftigt habe, sondern Andreas Winkelmann. Sie sind zusammen nach Sydney geflogen, und von dort aus manche zu den Gemeinschaften gleich weiter, und manche sind in ein Lagerhaus in Canberra, glaube ich, wo sie erstmals zwischengelagert werden, für weitere Untersuchungen, wo man es nicht genau weiß. Aber bei manchen wusste man ziemlich genau und sie sind dann dort hingegangen und zum Teil auch ziemlich schnell begraben worden. Ich weiß nicht, ob es in jedem Fall einen Namen gibt... ich glaube nicht, nein, es gibt nicht in jedem Fall einen Namen bei Australien, aber mehr als bei den namibischen Schädeln.

79‘11“

Und was bedeutet es für die deutsche Seite, dass diese Schädel wieder begraben werden, vergessen werden? Ist man nicht sauer, nach so viel Aufwand in der Provenienzforschung, dass diese Schädel zurückgegeben werden, und dann Schluss?

Ich glaube, das ist eher bei den Sammlungsverantwortlichen, wo man bemerkt, einen entsetzten Gedanken festzustellen, wenn die nicht begraben werden. Wenn die weiter in irgendwelchen musealen... oder in einer Sammlung so wie in Namibia vorgehalten werden. So eine Bestattung kann man verstehen, aber eine Lagerung im Museum, oder eine andere Form von Lager *nicht*, weil dann können sie auch hier gelagert sein. Das ist auch ein Politisierung oder Instrumentalisierung dieser Objekte.

80‘40“

Und auf der anthropologischen Seite, bei den Anatomen? Weil ein Leiter im National Museum London bei der Konferenz (ASNEL Postcolonial Justice) gesagt hat, dass es noch viel naturwissenschaftliches Potential gibt, für DNA Forschung.

Ja, da gab es ein Bedauern, weil der Wert dieser Sammlung liegt darin, dass diese anatomischen Varianten im gesamten Spektrum, in der großen Breite der Objekte weniger werden. Viele Objekte kommen aus dem 19. Jahrhundert, vor der Industrialisierung, und die Ernährungsgewohnheiten haben sich mit der Industrialisierung verändert, und damit auch sozusagen die „Eigenschaften“ der Schädel oder der Zahnschmelzen, die dann weniger werden als Untersuchungsmaterial. Wenn man vorindustrielle Ernährungsweisen untersuchen möchte, hat man weniger Material. Es ist sozusagen *ein* Argument.

Letztlich wäre das ein Punkt, wo man sich im Prinzip vorstellen könnte, wenn man mit den

Herkunftsgemeinschaften redet, und irgendeine eine Art von Kommunikation auf Augenhöhe anstrebt, etabliert, könnte man so eine Frage besprechen. Aber dazu muss man den Kontakt suchen, und nicht so von der Metropole in die Kolonie hineinreden. So ist oft die Perspektive.

83'10

Vielen Dank, Herr Dr. Stoecker, für das Interview. Wir hoffen, wir bleiben in Kontakt.

Appendix 4

The Iningai Keeping Place in Longreach Cemetary, hosting the remains of repatriated Aboriginal Australians



Source: Day, Helen, *OpenABC*, 7 Jul. 2015, Web. 27 Jul. 2015
< <https://open.abc.net.au/explore/97697>>)

Appendix 5:



Cleansing mourning ritual in Okahandja.

Source: Förster, Larissa. "‘These Skulls are not Enough’: The Repatriation of Namibian Human Remains from Berlin to Windhoek in 2011." *Darkmatter*, 18 Nov. 2013. Web. 25 Jul. 2015.