Re-thinking the Agency of Human Remains:

Haunting and the Struggle for Justice in the Restitution Process of Herero and Nama Skulls in 2011

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Abstract

In 2011, Germany returned human remains to Namibia for the first time. The skulls originated from a genocide committed by Germany's colonial troops against Herero and Nama in its former colony between 1904 and 1908. The event received considerable media and political attention. Until then, very little attention was paid to Germany's colonial past and the government ignored demands for acknowledgement and reparations by affected communities. While the restitution process did not yield the fulfillment of such demands, it was crucial in forcing a confrontation with the colonial past, one that ultimately led to an acknowledgement of the genocide in 2015. This paper investigates the role of the restitution process in this development. While other research in the area treats this event as secondary and does not connect the return of human remains with the wider context of the descendant's struggle for justice, I try to fill this gap. I ask why a restitution of human skulls could create such political ramifications. Taking a material approach, I focus on the human remains as such and argue that they exerted a non-human and haunting agency that not only influenced their treatment and discussions on their objectification and human-ness, but also forced a negotiation of the silenced violent past of Germany's colonial history. By drawing from interdisciplinary theories on agency, haunting, historiography and memory, the thesis offers an original perspective on the lingering effects of colonial violence and possible ways to overcome these.

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1. Introduction

On June 18, 2017, I attended a lecture performance by Konradin Kunze of Flinn Works called *Schädel X*[1] on the campus of the Humboldt University of Berlin and close to the buildings that form the campus of the university hospital called Charité. At the centre of the performance was a skull and its story, as well as the story of a white German man, one Mr. Ziegenfuß, whose grandfather worked as a missionary in Germany's former colony German South West Africa, today's Namibia. The Ziegenfuß family's story of the skull and its provenance was that the skull was a chief's whose tribe had been Christianised by said grandfather. He was given the skull as a token of the tribe's gratitude. This family story remained unquestioned until 2008, when a report by the *Mitteldeutscher Rundfunk* (MDR) exposed the existence of hundreds of skulls from atrocities committed by the Germans against Herero and Nama people in their former colony in German scientific institutions. The skeletal heirloom was now suspected to have come into the possession of the family under similar circumstances.

While the story of the skull in the Ziegenfuß family is a particular one, it is also emblematic of a larger issue, namely that of human remains in institutions in Germany, the context of their acquisition, debates around restitution and public acknowledgement. The bewilderment and shock of Kunze's character Mr. Ziegenfuß can be put into relation to the larger German discourse, where Germany's colonial past is either presented as irrelevant to its own and the former colonized countries present situation or not spoken of at all. The performance traced not only Ziegenfuß' tortuous attempts to find out more about the true history of the skull and of his grandfather's role in the former colony, but more so the desperate and often unsuccessful search of those whose ancestors' bones had been sent to Germany for anthropological research. Taken together, these two perspectives represented in the performance display the conflict that often arises in restitution processes.

The skull as matter figured prominently in Kunze's endeavour: It was used as a projection screen for video clippings and as a resonating body for sound created by tapping on it, as when Kunze portrayed practices of provenance research, which partly echoed research conducted on them prior to World War I. At one point, the technical equipment seemingly malfunctioned and the performance was interrupted. Suddenly, I heard whispers through the ear piece that was handed out to audience members. These whispers said, among other things: "I don't want to be measured"; "I don't want to be part of a white man's performance piece"; "Can you hear me?

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[1]A description and short video clip of the performance piece can be found here: http://flinnworks.de/en/project/sch%C3%A4del-x-skull-x

If you can hear me, take off the ear piece and leave the room, before he can continue." I chose to obey the last instruction. After leaving, I found myself feeling unsettled, not only because I was denied a proper ending to the story, but also because I was troubled by how Kunze handled the skull, which I had assumed to be real at that moment. I felt that something was just not 'right' the use of the skull in the performance and it made a difference to me whether the skull was in fact the human skull of the Ziegenfuß story or whether it was simply genuine-looking plastic (the reader may be assured that it was the latter). I met with Kunze a few days later and he affirmed that mine was a common reaction of audience members at *Schädel X*.

I had been working on this thesis for over six months at that time and was surprised at how moving I found this encounter with the skull and its story. Little of the actual information about the genocide and the history of anthropological collecting of human remains was new for me. But although I had seen pictures of the restituted human remains, I had not seen the remains themselves. I felt troubled, because while Kunze was talked about injustice, about the continual denial of crimes perpetuated by the colonial administration, and about the struggles of descendants and other activists for acknowledgement of reparations, and while he showed pictures of severed heads and hung bodies and of white people posing between starving children in concentration camps, here was another white person *using* the skull, ostensibly belonging to the colonised other, in order to make a point (here, of why the skull should *not* be objectified but repatriated). It gave me an uncanny feeling.

Kunze's performance also referenced the length of time it took the German government to acknowledge as genocide the atrocities commited by the *Schutztruppe* in their former colony German South-West Africa during 1904-1908. This acknowledgement came at a press conference on July 10, 2015.[2] This was a breakthrough for activists and historians alike, who had fought for acknowledgement of the genocide for decades and particularly since the 1990s when Namibia gained its independence from South Africa. Before Independence, not only legal actions, but also any form of memory politics were impossible to pursue (Kössler 2015, 234). The early 1990s also marked a critical point in Germany with the re-unification of West and East, which also meant coordinating heretofore approaches to the colonial past. The Federal Republic declared its 'special responsibility' to Namibia and became its largest development aid donor (Müller 2013, 55). In the 1990s, German officials were repeatedly confronted with the claim for reparations and acknowledgement by Herero representatives and repeatedly

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[2] To use the term acknowledgement in the context of the press conference means that it was the first time the atrocities were referred to as genocide. For more information see: www.sueddeutsche.de/politik/vernichtungskrieg-in-deutscher-kolonie-berlin-nennt-herero-massaker-erstmals-voelkermord-1.2560988

rejected them.[3] This treatment also resulted in a lawsuit brought against Germany and German companies in 2001 in the United States of America under the Alien Tort Claims Act. The lawsuit got rejected in the first hearing.

Formulating a basis for negotiations on the topic of acknowledgement and reparations for the affected communities proved difficult, as Germany clearly defined the relationship. The government is aware of its 'special responsibility' towards Namibia, but saw no reason to engage with Herero or Nama representatives on the topic of the genocide. Also, by becoming the highest donor they appeared to be making amends for historic injustice. The affected communities continually stressed that development aid was not reaching them, as they remained marginalised within Namibia. The government of the newly independent Namibia also tried to juggle different demands by its citizens and one of its biggest income sources, Germany, and was not very receptive to the claims made by the affected communities. Like Ziegenfuß' personal relationship to the skull in Kunze's performance, this attitude changed with the abovementioned report. From there, the process of restitution picked up momentum, and the first restitution of h skeletal human remains took place in September 2011. It is this restitution that I will analyse in this thesis. More specifically, I will focus on the treatment of the skulls that were repatriated in 2011. Just as I was moved by my encounter with the skull in Kunze's performance, I will show how researchers were actively moved by the skulls to treat them differently as question of justice. In this encounter, as I will argue, the skulls themselves possessed agency. I will trace this agency of the skulls through the events, that formed the restitution process.

The first of these events was a press conference at the Charité on September 26, 2011, where the Charité Human Remains Project (CHRP), an interdisciplinary research project to determine the provenance of the human remains, presented the skulls and their findings to the media. This press conference began with the viewing of the skulls, followed by a presentation of the CHRP's findings by its head, Dr. Andreas Winkelmann, and a question and answer session with the Namibian delegation. On September 28th, a panel discussion and press conference organised by Berlin based non-governmental organisations (NGOs)[4] took place at the Haus der Kulturen der Welt. At these events, the delegates repeatedly demanded a formal

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[3] The Herero was at the forefront of communities affected by Germany's colonial atrocities and seizure of human remains in pursuing the cause of acknowledgement and reparations in the early 1990s. Two organiszations were founded to pursue this cause: the Ovaherero/ Ovambanderu Council for the Dialogue on the 1904 Genocide and the Ovaherero Genocide Committee. Only later did Nama join the cause and founded the Nama Technical Committee.

[4] These NGOs include AfricAvenir International, AFROTAK TV cyberNomads!, Artefakte//anti-humboldt, Berliner Entwicklungspolitischer Ratschlag (BER), Berlin Postkolonial, Deutsch-Afrikanische Gesellschaft (DAFRIG) Berlin, Global African Congress and Solidaritätsdienst International (SODI).

apology as well as monetary compensation from the German government. Amongs political figures only members of opposition parties were present. On the next day, a memorial service was held at St Matthew's Church. The official handover took place on September 30th at the lecture hall of the Charité. This ceremony involved the signing of the handover document by representatives of the Charité and of the National Heritage Council of Namibia as well as several speeches.

These events were not part of a smooth process. This owed partly this was due to the fact that Germany, unlike countries such as Great Britain, the USA and Canada had no experience with restitutions of human remains (Stoecker 2013, 450–51). The handover was marked by what is perhaps most accurately described as politically calculated rudeness on the part of the German government. While the Ministry of Foreign Affairs provided financial and logistical support for the handover process, it was clear from the beginning that an apology from Berlin would not be forthcoming (Stoecker 2013, 451-452). Upon arriving at the airport, the delegation was met not by officials of the state as they had expected, but by members of the media NGOs. In a like manner, no official was present at the panel discussion held at the Haus der Kulturen der Welt. In a press statement released shortly before the handover ceremony the state government referred to the skulls as the human remains of "deceased relatives" ("verstorbene Angehörige", my translation) instead of "victims" or other terms that clarified and the circumstances under which those relatives came to be "deceased" (Wegmann 2013, 412). The avoidance of the subject as well as non-attendance of the events by representatives of the German government were part of efforts to deny any connection between the repatriation and legal claims for acknowledgement or reparations relating to the (Wegmann 2013, 411–12).

The events leading to the official handover process served to create a tense atmosphere, which worsened during the various encounters between representatives of the German state, researchers and the Namibian delegation. The escalation reached a critical point at the official handover ceremony. When Minister of State Cornelia Pieper was loudly confronted by audience demands for an apology and reparations, she hastily left the room after her speech without so much as greeting the Namibian delegation, let alone hearing their speeches (Stoecker 2013, 452–53). In her speech, Pieper steadfastly avoided the term "genocide", preferring to use words like "atrocity", but what ultimately sparked audience indignation was her call for reconciliation instead of forgiveness, which portrayed the conflict as between equals. Her speech was also the only one delivered in German, while the other were delivered in English, Namibia's official language. In their response to Pieper's speech, members of the audience, the delegation as well as Afro-German NGOs held up signs saying "reparations now" ("Entschädigung jetzt", my

translation) and greeted her with loud jeers (Wegmann 2013, 412–13). Another key moment of escalation revolved around the question of who would sign the official document of the restitution. It was the Charité rather than the German Ministry of Foreign Affairs who signed on behalf of Germany. This move was widely interpreted as a denial of state involvement by the German government, who openly noted that they were not the owners of the skulls, but mere guests at the event (Zimmerer 2013b, 20). In response, Namibian Minister of Youth, National Service, Sport and Culture Kazenambo Kazenambo refused to sign the handover certificate as well and Esther Moombolah-/Gôagoses, another delegate had to do it instead (Wegmann 2013, 412).

Although, the restitution was in many ways a political disaster, it made possible a different confrontation of the topic. This is partly due to the fact, that the process provided a physical space for the conflict partners to meet and media attention previously unavailable. Yet beyond the political process and the agency of the various actors involved is another factor, seldom considered, and that is the encounter with the human remains themselves. As I will show in this thesis, these remains did not merely serve as evidence for the crimes committed by German occupiers in the colony, but were themselves witnesses to these crimes and to the on-going process of seeking justice. To appreciate how mortal remains might be animated in this way, one does not need to believe in spirits and ghosts; rather, one would attend to the uncanny features of human remainder, namely its capacity to provoke questions of the past and of historical as well as present treatment. In this way, human remains interrogate their very status as objects and lay claim to their ontological (still) belonging in the category of "humans". This thesis thus presents a theoretical investigation of the non-human agency of skeletal human remains. I argue that we can observe in the restitution process, the active ways in which the skulls exerted agency by influencing the living and by provoking certain actions and feelings. This agency is not only post-mortem as used by theorists of agency of human remains, but also haunting. It is haunting in the sense that it forces a confrontation with the whole subject of colonial violence and (post-)colonial amnesia, as well as the lingering effects of colonial rule and genocide.

While other narratives of this history concern themselves with the efforts of the affected communities and other activists as well as the (re-)actions of politicians, I want to move beyond this anthropocentric approach by suggesting that we cannot entirely explain the impact of the restitution by focusing on these actors. To provide a fuller account of what goes on in this process of restitution, I propose a materialist non-human approach to agency. It helps me here to clarify what I mean by agency. A common understanding sees agency as an intentional act,

enacted by rational human actor. This understanding of agency fails to explain how it could be that the resurfacing of human remains in Germany could spark such intense public debate, which was crucial in bringing about some acknowledgement of the genocide. This is not only a more accurate way of description, but also helps us to think about justice differently. When we take the material dimension of the case study seriously, we also have to acknowledge its theoretical entanglements with approaches to the past, memory and history and ultimately to justice. We have to acknowledge that certain topics are not so much of the past, as might be claimed, when their materiality is so present or even directly linked to the injustice. Approaching the past differently than simply referring to it at that, which has past, which is over and done with, we might be able to rework injustices to a degree. Finally, we should keep in mind that the process of restitution and negotiations for acknowledgement and for justice is still unfolding and far from settled.

I will also investigate, how it is that the bones possess agency. Turning back to the performance, I was especially moved when the skull started 'speaking' and demanded that I leave. Of course, this was a creative choice by the artist and I do not propose that agency of human remains necessarily relies on the supernatural or the belief in it. Yet, the creative choice of letting the skull speak might be the translation of the uncanny feeling, one I encountered, while observing the interactions between Kunze and the skull. Therefore, I propose in this thesis that human remains make demands of us and that they do so uncannily and in a haunting manner, one that is essentially wordless (and thus not simply discursive). I will argue that, through the evocation of feelings human remains provoke reactions from those who encounter and handle them. The skulls in this case study have long been treated as neglected research objects, as mere things. The encounter with them also forced a renewed negotiation on their status as human. The case study I offer here suggests the need to re-think common sense understandings of agency and of humanity and I offer one possible way of approaching these concepts differently in the following pages. By turning next to the question how justice can be reached in a matter where the victims are dead, I will connect about our access to the past to questions of how to deal with violent pasts and their lingering effects. I will do so by introducing some concepts from memory studies and literature relating to the haunting quality of human remains.

This thesis focuses on a set of events that constituted a specific moment in a much longer chain of events and struggles for justice. The reader should note also that the events discussed in this thesis formed part of a restitution process that took place in Germany. While I do not discuss responses and processes that take place in Namibia, due to my particular interest in the

effects of debates on restitution on German society and my own location in Germany and as a native speaker of German, those processes must be taken into account in any wider telling of the story of restitution. Larissa Förster (2013b) and very recently Vilho Shigwedha (2017) provide a sense of discussions taking place in Namibia, where a key focus has been the proper handling of the returned skulls.

Additionally, one might note that Germany's still recent confrontation with its colonial past is very different from Namibia's confrontation of that shared history. Yet, the questions of what restitution would mean for the former colonial metropole and the possible political transformation it could bring on the topic of the acknowledgement of the genocide and any consequences of such acknowledgement, are seldom discussed in the literature. Existing literature on the topic of the restitution that actually focuses on the skulls in Germany is quite rare. One exception is Leonor Jonker's Master thesis (2015). My approach differs from Jonker in that it takes a material approach towards the agency of human remains. Therefore, I am contributing to an existing discussion on object agency or non-human agency, as well as justice and political ramifications from this point of view. The twist I introduce is the complicated status that human remains occupy within this discussion, since they are not mere objects but derive their agency exactly from the uncanniness of being neither human nor non-human, being neither object nor subject.

My thesis is organised in the following manner: in chapter two ("A Contested Past") I will provide a brief overview of the events in German South West Africa at the beginning of the 20th century. This includes German colonialism and modern-day Namibia's place within it, as well as the war and genocide against Herero and Nama and the collection of skulls and other human remains in the name of science. Instead of merely providing a historical background, for the sake of grounding an argument to come, I will show that history writing is neither objective nor apolitical. Rather, I intend to display the events as part of a contested past whose representation is not just a matter of proper research on that which has happened, but also an important reference point for the present and future. From this insight arises the question of how to properly capture violence and its lingering effects, as well as how to explain possible change. Thus, my third chapter is concerned with the theoretical framework for my analysis. Here, I build the critical vocabulary that helps me to investigate questions of agency, haunting, the human and justice in later chapters. There, I will also provide a literature review on those four key terms, as well as the broader subject of the thesis. My main analytical chapters are chapter four ("Beyond the Subject/Object Divide") and chapter five ("Returning Human Remains is not Justice"), where I will apply the theories mapped out in chapter three. In chapter

four, I examine the different events that form the restitution process and trace the treatment of the skulls during each of these events. A change in the treatment of the human remains during the restitution process becomes obvious. We can partly ascribe this change to the encounter of the skulls by those handling them. Here, it is the capacity of the skulls to provoke a response that constitutes its agency. This notion of agency refuses the familiar divisions of subject and object and of person and thing. The skulls compelled a different treatment of them as well as a renewed discussion of injustice. In chapter five, I will take up this point of justice and the question of how a different approach to the past could foster a more ethical treatment of the subject in German politics and society.

2. A Contested Past: The Genocide against Herero and Nama

2.1. Introduction
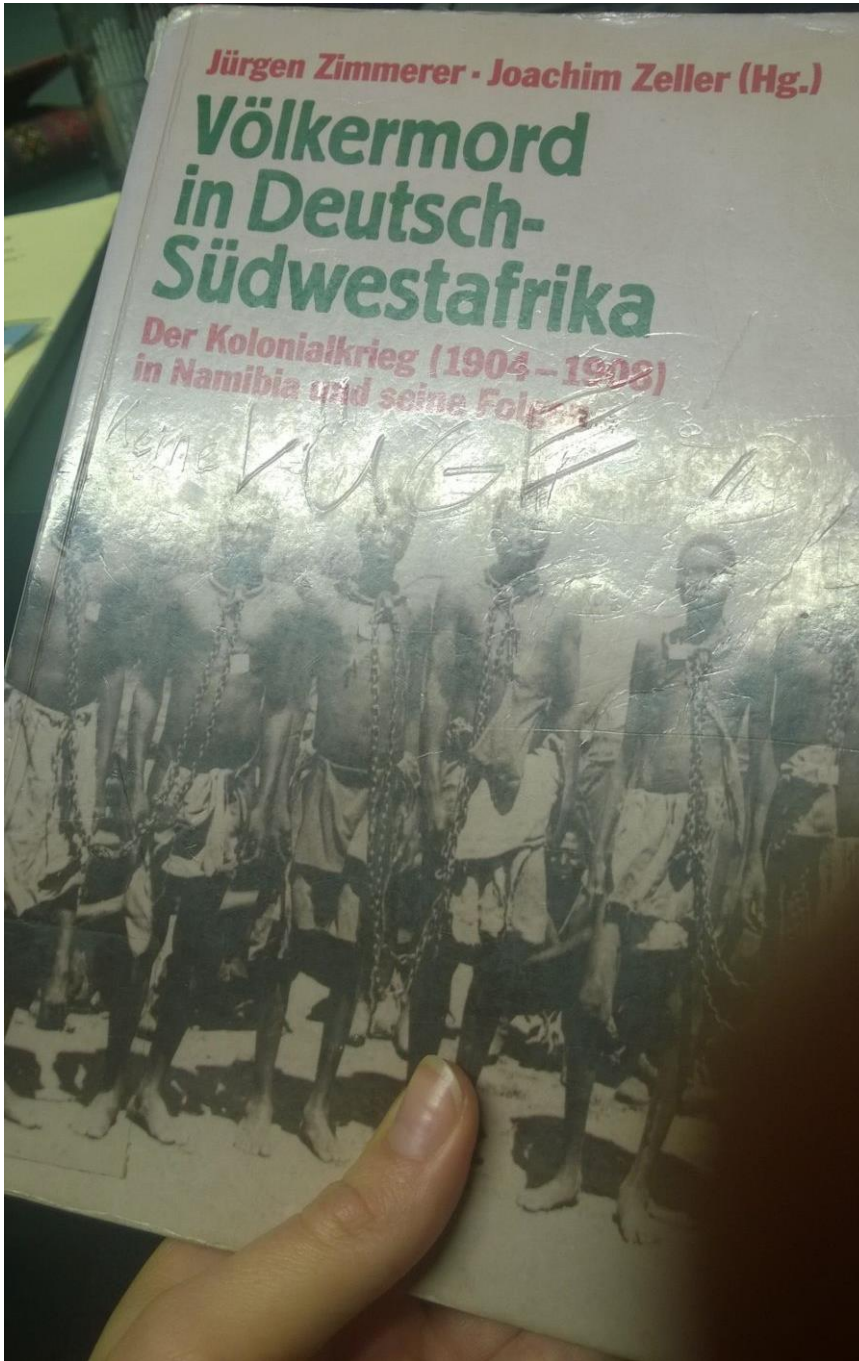
Figure 1: Michaela Kern, 2016

Figure one shows the cover of a book on the genocide. The book can be found at the Grimm Zentrum, the main library of the Humboldt Universität zu Berlin. It is Jürgen Zimmerer's and Jochen Zeller's *Völkermord in Südwestafrika* (2003), a book in whose title already presents a standpoint in a historically and politically charged field, especially at the time of its publication, since it includes the term "Völkermord" (genocide). Back then, the government had not acknowledged the atrocities in their former colony as such. On the book cover, somebody has

scratched in the word "Lüge" (lie) in bold letters. The other word "keine" (no) in front presumably was scratched in by another person as a reaction, since it is squeezed in the little space that was left. The marks can only be seen when the light flashes on them, I only saw them by accident a few days after I have already been working with the book and I was astounded on the way in which a political, societal and scholarly debate had manifested itself in these almost non-visible words on the cover of my university library book.

In this chapter, I seek out to map out this debate. First, I give a historical context of German colonialism in German South-West Africa, especially focusing on the war on the Herero and Nama, the genocide including the concentration camps. Given the lack of awareness on German colonialism, the so-called 'colonial amnesia', this is not a matter-of-fact report, but an insight into a suppressed past, that was not time not investigated or neglected. The first book to critically engage with the genocide was *Südwestafrika unter deutscher Kolonialherrschaft* (1966) written by GDR historian Horst Drechsler. At the time, his work used to and still is sometimes critiqued by right-wing and conservative circles for both his Marxist standpoint as well as his (academic) location in the GDR (which held official contemporary documents at that time, which West German academics had no access to). Drechsler is the first German historian to classify the atrocities as a genocide, therefore, he is seen as the originator of the so-called 'genocide thesis' (Kössler 2008, 322–23). Academic denialists like Brigitte Lau (1989) or Andreas Eckl (2005) repeatedly tried to dismiss the claim of genocide. It is not only an academic debate, but also a political, as right-wing academic sources were used in 2004 by the German Bundestag to dismiss a resolution on the acknowledgement of the genocide (Kössler 2008, 323–24). Reinhart Kössler in his essay "Entangled history and politics" (2008, 321) writes that many of the deniers of the genocide actually have a problematic understanding of the relationship between history, facts and truth. Facts are seen as something that objectively has taken place, that can be assessed and which, when accumulated can establish *the* truth (Kössler 2008, 321).

Yet, we must be aware that most history writing, also in case of the genocide is political. The contested past which I will present in the second part of this chapter is politically charged, exactly because it extends to the present and future. It is not something that 'we are done with'. A critical study of history unsurprisingly has been a political tool for those marginalised groups and communities whose version of the past did not make it into the history books. Nevertheless, they persisted. In the case of Herero and Nama in form of orally transmitted knowledge (Förster 2013b, 434). This has also to do with power structures, also within Namibia, where "the modalities in which history is articulated are also outflows and expressions of both of the

divisions persisting in Namibian society and of the great disparity in various groups' capacities to make their voices heard" (Kössler 2008, 327). Another way we can see that the determination of the narrative is deeply engrained in power structures is that there are almost no Namibian historians to write on the topic (Dedering 1993, 88), something that is also noticeable in my own references. History writing therefore becomes a space of negotiation of the past and power relations. I will not be dealing with specific arguments concerning denialists and other debates. Firstly, because this has been done brilliantly already (Dedering 1993; Böhlke-Itzen 2004; Kössler 2008) and secondly, because my goal is not to establish yet another 'true' version of the events, but focus on their political implication. This chapter is necessary therefore to not only provide us with context for the case study analyzed in chapter four, but become part of the greater argument, which I will mainly make in chapter five.

2.2. The Colonisation of German South West Africa and the Relationship between Settlers and Inhabitants

In comparison to other African colonies like Togo, Cameroon and what today is Tanzania, German South West Africa was intended to become a settler colony (Zimmerer 2013b, 27). The process of colonisation was far from smooth. When the first Germans arrived at the Skeleton coast of today's Namibia in 1883, most of its inhabitants were "armed, mobile and fluent in the language of the whites" (Olusoga and Erichsen 2010, 26) and not at all willing to accept the newcomers as leaders. Land was acquired under dubious circumstances (Olusoga and Erichsen 2010, 29–37; 44–55; 79–80) or by violent means (Olusoga and Erichsen 2010, 61–78), and this in turn engendered heavy resistance among the locals, mainly Herero and Nama groups.

Colonial policies did not leave the local elites dispossessed of their land, nor deprived of their status and power, much to the dislike of many settlers, who wished for a radical approach towards the 'natives' (Olusoga and Erichsen 2010, 83–84). In 1896 the rinderpest broke out, killing about half of the cattle owned by Herero. This drove many to work for white farmers and sell their land. Zimmerer sees the impoverishment of the Herero as a reason for the outbreak of the war (Zimmerer 2008, 42–43). Olusoga and Erichsen note that the Herero were able to recover, but the rinderpest remained an important reference point for the outbreak of the war for them as well: The dependence of the Herero during this crisis showed the white settlers, how the colony would look, if only the Herero were subjugated. (Olusoga and Erichsen 2010, 98–103). Since Germany experienced an explosion in population growth coupled with the shortage of living space and an increase in epidemics, migration was seen as a solution to the problem of the *Volk ohne Raum*. Opponents to a rapid influx of settlers were deemed

unpatriotic, marking the success of the settlement program a key national project (Olusoga and Erichsen 2010, 86-89).

The settlers saw themselves as superior and conquerors of a new world, which stood in sharp contrast to the reality of life in the colony, one that depended heavily on the goodwill of those supposedly conquered. Indeed, it was a complicated power structure, where Herero and Nama as well as other groups were not mere helpless victims but also influential actors. More than once, the racist beliefs of scientists, settlers and the *Schutztruppe* in the colonies was challenged when confronted with this reality. Fear and paranoia of the 'primitives' were significant components of everyday life for colonial settlers, as was arrogance and an outright ignorance for the standing of the different native groups, which not rarely showed itself in violence. Crimes, mainly beatings, were common and in the colonial courts, whites outnumbered blacks, so that there was no justice to be gained by the legal system. This is also true for crimes committed by the *Schutztruppe,* often rapes. The *Schutztruppe*, unlike other colonial armies, had not one black person amongst them. It was "a white men's army and in South-West Africa it became a hothouse of ultra-nationalism and racial fanaticism" (Olusoga and Erichsen 2010, 120).

The actual outbreak of the war has very different narratives. Some depict it as an uprising by the Herero, while others blame it on Germany's paranoia, misunderstanding and the political ignorance of one Ralph Zürn. Zimmerer mostly stresses the ill-treatment of the Herero by the Germans as reasons for the war. Even though he does not say that it was definitely the Herero who fired first, he grants at least an intent for war to the Herero. Another view is taken by historian Jan-Bart Gewald and Olusoga and Erichsen. They argue that it was not so much socio-economic reasons but misunderstandings on the part of Germans, based on paranoia and fear of a war, that has led to the outbreak. The chapter Gewald devoted to the war in his book *Herero Heroes* is even called "Zürn's war" (Gewald 1999, 141–90). Even if Olusoga and Erichsen portray the outbreak in this way, they acknowledge that the relationship prior to the outbreak between Germans and Herero were tense. Zürn in particular had drawn attention to himself with the exhumation of skulls in 1903, presumably to sell them to scientists in Germany. This was just one event that added to the larger treatment of the Ovaerero as explained above. On the whole, Herero had every reason to revolt, as they had perceived the Germans attitude towards them as "hostile and provocative" (Olusoga and Erichsen 2010, 126 (124-128). Whoever started the shooting, it sparked a war, that would spread over the whole Herero territory in the next days. In an older publication, Erichsen established the 12th of January as

the day "the Herero nation rose up against German colonial rule, united under the leadership of paramount chief Samuel Maharero" (Erichsen 2005, 4).

2.3. The Genocide against Herero and Nama

The war soon turned into a genocide fuelled by the racist atmosphere in the colony. Lynching and imprisonment were common and little difference was made between Herero who did not participate in the war and those who did (Olusoga and Erichsen 2010, 128–29). The situation further escalated with the appointment of Lothar von Trotha, who at that point was already infamous for his ruthless command in other colonial wars (Zimmerer 2008, 45–46). His politics fed the call for a merciless vengeance even before the military defeat of the Herero on August 8th 1904 at the Waterberg battle and the actual beginning of the genocidal phase. The German troops had surrounded the Herero camp and started to close in on them. Through a breach in the German line, thousands of surviving Herero fled into the Omaheke desert (the Herero name for the Kalahari). When German troops started following them a day later, many had already died, leaving a trail of death for the *Schutztruppe* (Olusoga and Erichsen 2010, 140–46). The Omaheke desert was appointed to finish what many had demanded: the annihilation of the Herero as a people. German soldiers followed the fleeing, killing people randomly and strategically blocking the access to water holes, resulting in death by thirst (Zimmerer 2008, 47-50). Von Trotha twice issued orders, once on the 16th of August and again on the 26th, to cut off waterholes and keep Herero from escaping to areas with sufficient water and food supply. Accounts from soldiers showed that he did not intend to take prisoners (Olusoga and Erichsen 2010, 147–48). In other words, von Trotha's intentions were genocidal.

The so-called extermination order, *Vernichtungsbefehl*, sometimes trivialised into *Schießbefehl* (shooting order) was given on October 3, 1904. Here are von Trotha's own words:

> I, the Great General of the German troops, send this letter to the Herero ...
> The Herero people must leave the land. If they do not do this I will force them
> with the Groot Roht [Cannon]. Within the German borders every Herero, with
> or without a gun, with or without cattle, will be shot. I will no longer accept
> women and children, I will drive the back to their people or I will let them be
> shot at. These are my words to the Herero people. Signed: The Great General
> of the Mighty Kaiser, von Trotha. (Olusoga and Erichsen 2010, 149–50)

This order was followed by a supplementary order considering the treatment of women, which remained ambiguous on whether or not he intended to kill them as well (Olusoga and Erichsen 2010, 149–51). Women and children, it was ordered, should not be taken in but driven back to their people or shot at (von Trotha specified that "shot at" meant "shots fired over their heads")(my translation). But even if they were not shot, the only way to escape the soldiers was

the Omaheke, where almost certain death awaited (Zimmerer 2008, 48). The extermination order stopped the chivvy in the Omaheke and substituted it with another kind of terror, that of the *Aufklärungspatrouillen*, the Cleansing Patrols. They searched the lands for any surviving Herero, whether or not they had taken part in the war. Many times they killed members of other ethnic group since the soldiers were not able to tell the difference (Olusoga and Erichsen 2010, 151–53).

Even though it is often named as one, the Herero war and Nama war were two distinct events, albeit connected. For the Nama, the fate of the Herero was decisive for their own uprising. Because of the protection treaties, many Nama had fought next to the Germans against the Herero at Waterberg, bringing back stories of cruelties and death. Hendrik Wittboi, one of the most striking anti-colonial figures and ever sceptical of the Germans, united 2000 fighters under him and started attacking on October 2, 1904. A order was issued by von Trotha against the Nama in April 1905 similar to the extermination order against the Herero (Olusoga and Erichsen 2010, 184–85).

The extermination order was retracted on December 8, 1905, but many had perished by then. In December 1904, von Trotha had received a telegram from *Reichskanzler* von Bülow with the order to build concentration camps for their war prisoners (Zeller 2001, 226). A year later, Hendrik Wittboi died in battle. His body was buried secretly, because there was legitimate concern that the Germans, upon learning of his death, would exhume the grave. Deprived of their remarkable leader, most of the Nama surrendered and were sent to the camps (Olusoga and Erichsen 2010, 187–88).

2.4. The Concentration Camps as Part of the Genocidal Project

There were five main camps: Windhoek, which was the biggest, Karibib and Okahandija, where most of the labour force was employed in farming, Swakopmund and Lüderitz, which were the two ports of the colony. While the term "concentration camps" calls to mind Nazi atrocities, there is no clear definition of the word in contemporary or academic literature (Zeller 2001, 226).

The city of Swakopmund flourished under the forced labour that the imprisoned Herero, mainly women and children, had to perform. They were literally rented out to private homes or companies. Swakopmund is the only camp in which mortality rates are documented: 40 per cent of prisoners died in the first four months, and almost all were dead after 10 months. These were official numbers and almost "certainly an underestimation" (Olusoga and Erichsen 2010, 168), since the conditions in the camps were terrible. The prisoners did not have suitable clothing or

housing for the harsh weather conditions of the coast, to which they were unused. Many died of infections, mainly children (Zeller 2001, 229). Food was insufficient (Zeller 2001, 234–35). Even without these conditions, the forced labour that all Herero and Nama regardless of gender or health condition had to undergo was strenuous (Zeller 2001, 235–38). Rapes were common and so were STIs (Zeller 2001, 236). Those who tried to flee but got caught were subjected to severe punishment (Zeller 2001, 238–39). The intentions were not a secret: the prisoners were worked to death. Survivors, deemed the fittest of their race, strong and broken, ready to accept Germans as their rulers and supposed to continue to work for them practically as slaves (Olusoga and Erichsen 2010, 170–71).

Shark Island, close to Lüderitz, was feared the most. The mortality rate was so high, that being send there amounted to a death sentence (Olusoga and Erichsen 2010, 208–20). Surrendered Nama were also brought to the camps under false pretences. Their labour though was not regarded as valuable and many of them landed at the feared camp of Shark Island (Olusoga and Erichsen 2010, 205–6). So feared was the camp near Lüderitz, that we can find accounts of suicides committed by Nama prisoners when they heard that they were to be deported there (Olusoga and Erichsen 2010, 210). This incident also bears witness to the flow of information that circulated among prisoners in and between different camps and that "in itself [was] an act of resistance in the face of German brutality" (Erichsen 2005, 77) .

The mortality rates in all camps were high. On Shark Island, 4000 people, or around 70 per cent of the prison population, died between 1905 and 1908 (Stoecker 2013, 447). In Swakopmund, about 2000-2500 people died. Zeller declares, that about half of the prisoners in German concentration camps died (Zeller 2001, 241–42). The camps therefore were part of the genocidal politics of the German Reich. Even though it is impossible today to define any exact number of death from the war and genocide, some groups have been annihilated completely (Olusoga and Erichsen 2010, 229–30).

Even though the war was officially over in 1907, most prisoners were only set free by 1908. Many Herero continued to work in slave like conditions, their mobility drastically restricted and their culture dramatically changed. The country had been changed dramatically through the wars and genocide: by 1908, 46 million hectares formerly owned by Africans were now in the hands of German settlers. Whereas only 480 German farms existed before the war, there were 1331 only five years later. Just shortly before the war 5000 German settlers lived in German Southwest Africa. In 1913, that figure tripled (Olusoga and Erichsen 2010, 238). These developments are still visible in today's Namibia. The "radical reorganising of the spatial and

socio-economic orders on the basis of genocide […] at the same time, laid the groundwork for a societal set-up that, some forty years later, was to evolve into apartheid" (Kössler 2008, 315).

2.5. Collecting Skulls for Anthropological Research

Even though collecting skulls for academic reasons was practiced well before the genocide and even before colonialism, the main reason for the existence of the collections (from at least the end of the 18th century onward) was to settle the question of whether or not different human races existed (Stoecker 2013, 442). Since skull measurements on living subjects were a lengthy and often uncomfortable procedure that needed persuading on the side of the scientists and also proved to be more complicated, as the skin needed to be thinned by stretching to give accurate results, scientists switched to the measurement of dead bodies or skulls quickly (Zimmerman 2006, 163–64). The fact that there is a longer history of academic involvement in the collection of human remains does not mean that colonialism did not heavily contribute to the possibilities and aspirations of anthropologists for whom "[c]olonial prison hospitals provided frequent occasions for measuring and collecting, and […] [who] steered their students toward the colonial service to take advantage of this opportunity" (Zimmerman 2006, 163). This consequently lead to an increase of collections during the colonial period (Stoecker 2013, 443). Not only did famous collectors like Felix von Luschan travel to the colonies, but they are known to have requested skulls officially. The war and the concentration camps presented a most welcome opportunity for von Luschan, who is known to have successfully requested human remains from the war zone (Zimmerman 2006, 174–76). Another collector, Wilhelm Waldeyer, is also known to have ordered and received the brains of "natives" in 1905-1906 (Stoecker 2013, 448).

Zimmerman writes that "[i]t was also a feature of colonial politics, which denied non-Europeans full subjectivity and therefore full sovereignty" (Zimmerman 2006, 158). He then connects these colonial politics to the research practices of anthropologists:

> Anthropologists' attempts to grasp the people they studied as natural scientific objects paralleled the ideological move fundamental to every colonial project, the attempt to deny full subjectivity to the indigenous inhabitants of the colony. At the most basic level, colonial sovereignty presupposed that the inhabitants of the colonies were not legislative agents in the same sense as inhabitants of the metropole. […] In contrast to European subjects, the colonized were routinely denied the "soul" that would become, in Foucaults phrase, a "prison of the body." This refusal to grant political subjectivity was invariably overlaid with, and legitimated by, an ethnocentrism that denied non-Europeans full humanity. (Zimmerman 2006, 160–61)

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Zimmerman connects a colonial research practice to questions of agency, subjectivity and humanness on a very dense space. Even though these concepts mean slightly different things, they are interdependent. The "Human" stems from the Enlightenment period. It is connected to ideas of rationality and agency and the philosophy of Descartes and Kant (Braidotti 2013, 1). Zimmerman is right then to assume that none of these characteristics was granted to the colonial subject, because even one denied implies the denial of the others. Consequently, research practices became one of the colonial instruments for this denial. Recollecting that the decision to study skulls and corpses instead of living "objects" was based on a question convenience, we can now connect this decision also to the question of subjectivity. The "pure body, body without subjectivity", the one that could not resist the measurement and whose living flesh was not in the way of science, "[…] was, as anthropologists themselves realised, a corpse" (Zimmerman 2006, 178).

2.6. A Contested Past

To retell a history is to risk forcing complex circumstances within a linear matter-of-fact story. Yet, we must withstand to understand it as exactly this, because history is not "a positivist thinking of a chain of events" (Petö and Waaldijk 2011, 78). We must also be aware that, for a long time and to a very great extend still today, Namibian historiography was authored by Europeans (Dedering 1993, 88). I point this out because history writing has to do with power and is always political. This is not only true in the case of denialists, "epistemic communities [which] exist in both Germany and Namibia and […] extend from some academic quarters to extreme right-wing circles" (Kössler 2008, 321), but also in less obvious cases.

One example is the different versions we can find about the outbreak of the war, whose two main camps I have described above: those who say the Herero planned an insurrection and those who blame German paranoia for the outbreak. There are different political implications following these two trajectories as they are also counter-narratives to other ways that the war had been narrated before by settlers or in Germany. Both oppose the view that the Herero were to blame, which later became a common view in German South West Africa. Gewald and Olusoga and Erichsen could be seen as strongly opposing this, by even portraying the actions of the Herero as misunderstood by the Germans. In this view, there would not have been a war, but for this misunderstanding. It stresses the paranoia of the Germans instead of portraying them as rational leaders. At the same time, this view can be seen as complicit in the victimisation of the Herero. Zimmerer's interpretation of the events circumvents this accusation. This does not mean that these historians are tendentious in their writing, but it is one point of crystallisation

when it becomes clear that history writing is always in reaction to other ways of telling a history. Also, it shows that there are political implications in the way history is portrayed and presented as a logical succession of events. It is not a question of which author is right, but what the implications are of different perspectives for the historical narrative.

Another such example is the so-called *Austerlitz-Ausschwitz These*, that is the common connection drawn between the atrocities in the German South West Africa and in the Third Reich. I have already hinted at this debate while discussing the concentration camps. Almost every publication on the topic somehow makes a link. Yet, the links are different. One example of authors who draw direct lines between Nazi atrocities and those committed by the *Schutztruppe* are Olusoga and Erichsen. Indeed, the book even opens with the suicide of Hermann Göring just two hours prior to his planned execution. Through the figure of Hermann Göring, the authors link ideological as well as familial influences of Nazism to the German colonial project, *e.g.,* by noting that Hermann Göring's father Heinrich was a key figure in the pursuit of German South West Africa. The authors mention the personal affiliation between Hitler and Franz von Epp, who fought in the German South West Africa and later joined the NSDAP (Olusoga and Erichsen 2010, 11-12). Olusoga and Erichsen also develop a similar connection to Hitler, who grew up in "a continent that was electrified by the stories of German heroism and African barbarism emanating from what was then German South-West Africa" (Olusoga and Erichsen 2010, 11). Not only do they open the book with similarities and connections to the Nazi era, they also close their book in a similar way. The last three chapters tell the story of the rise of Nazism and the links between ideas and key figures to colonialism. With this frame, the book reads itself almost as if the events in South West Africa achieve meaning by connecting them to Nazism.

Jürgen Zimmerer (Zimmerer 2008, 59–60) tries to be more sensible in his comparison. He acknowledges that there are many structural and terminological similarities such as "concentration camp" or "*Völkermord*" in just a 40-year period. At the same time, he sees a difference in the role of the state (even though this is not a key argument for him) and in the different ways people were murdered. Nevertheless, Zimmerer locates the beginning of the Nazi concentration camp and its methods of killing in the colonial policy of letting die in German South West Africa. His main claim is that the genocide in the colony was breaking a taboo, one that "helped prepare the ground for the Holocaust, making it imaginable, however varied the different motives were for murdering Jews, Sinti and Roma, homosexuals or the handicapped" (Zimmerer 2008, 59-60). Olusoga and Erichsen also confine the scope of their claim, that the genocide against Herero and Nama was a "precedent" to the Holocaust, noting that in respect

to the method and scale of killing the genocide of the 1940s was a Nazi invention (Olusoga and Erichsen 2010, 8–9). Even though "[s]o much of what took place in German South-West Africa at the beginning of the twentieth century horribly prefigures the events of the 1940s [there is] no direct 'causal thread' linking the Herero and Nama genocides to the crimes of the Third Reich" (Olusoga and Erichsen 2010, 361). Yet, they assert that "[o]ur understanding of what Nazism was and where its underlying ideas and philosophies came from is perhaps incomplete unless we explore what happened in Africa under Kaiser Wilhelm II" (Olusoga and Erichsen 2010, 13). As I have already mentioned, the way the book is structured suggests the opposite: that the genocide in the colony is not understandable without invoking Nazism almost like a moral anchor. This is also often done in journal articles, where the space does not allow for more elaboration, but which nevertheless functions as a way to scandalize the events. This is where a considerable tension arises from this debate. By drawing close connections to the Third Reich, it gives the impression that the events in the German South West Africa are not terrifying enough as such. This is a dangerous trajectory. On the other hand, invoking an event acknowledged by the mainstream as one of the biggest catastrophes in human history, is a political strategy to gain attention for the neglect of German atrocities in Africa. By drawing similarities, the question is posed: why are we commemorating one of these events and not the other?

2.7. Conclusion

In this chapter, I have contextualised the events behind modern calls for restitution in the first place. I have attempted to do this while simultaneously refusing something like an objective past, which primarily figures as a background to theory and politics to follow in my other chapters. This should not be a "comforting historical contextualisation" (Petö and Waaldijk 2011, 75). I have tried to do justice to this realisation by mapping out discussions within the historiography of the genocide, the debates surrounding it and political implications resulting from it. By pointing out different narratives on, for example, the outbreak of the war, the importance of the genocide for the Shoah and denialism (whose dimension will be more elaborated in chapter five), I have shown some of the more popular debates. Notwithstanding the wish for a clear description, I wanted to leave room for ambiguity and messiness as part of my argument.

One may ask, "Why then have a historical background in the first place?" To stress that the way we normally access the past via history writing is not as clear a project as we assume, is not to dismiss the importance of the project, but to decentre it and supplement it with other

ways of thinking and accessing the past (see chapters three and four). Petö and Waaldijk urge us to look for history in unexpected places. By referring to historian Ewa Domanska, they argue "that the stories we find in the past are 'stories of oppression and violence'. When researchers look around in the present world they also find 'unfinished history' full of oppression and violence" (Petö and Waaldijk 2011, 82). The short context I have given shows the violence and narrates atrocities, yet it is by other means that we need to access this violence and its lingering effects. As much as history writing is supposed to give us an explanation for the present, it lures us into thinking that the past is that which is absent and to which we do not have any other access aside from history writing. On a related point, numbers of mortality rates are one way that seemingly clear facts, which are still contested, are supposed to give us some safe ground in order to pursue a political trajectory (arguing that it was a genocide, claiming reparations, etc.) but must always leave us with an uneasy feeling since they do not convey the true horror of these stories. Not only as a historical source, but also to complement this lack of language, authors often include pictures taken in the concentration camps or during the hunt for people in the Omaheke dessert. I have purposely avoided using any of these pictures in the historical background section, as the reproduction of these images has become a trope within this kind of scholarship that often does not add more information to the text. At the same time, I acknowledge the affective difference of a picture, as well as how it functions as a privileged kind of evidence.

Similarly, I have shown how the history of the collection of skulls is weaved into the violent past and continues as a material and lingering manifestation, a haunting effect of this violence. As a next step, I will propose a theoretical framework to provide a language and access for these violence pasts, their suppression and lingering effects in the form of the skulls.

3. Theoretical Framework

3.1. Introduction

The collection and exhibition of, study on and claims for the repatriation of human remains have not only been a part of Germany's (post)colonial history. Other nations, such as the USA (Gulliford 1996; Billeck 2002; Bergmann 2010), Great Britain (Delamothe 1991; Jenkins 2008; Bell 2010), France (Moudileno 2008), New Zealand (Stumpe 2005) and Australia (Cubillo 2010; Pickering 2010; Turnbull 2010) among others, have been and are still facing claims for repatriation of human remains, be it from groups within their national borders, such as the First Nations, or from those outside, mostly within a colonial context. Not only was the death of the person whose remains are in contention a matter of violence, the afterlife of their human remains as objects in various institutions continues and perpetuates this violence. Thus goes the claim at the heart of arguments in favour of repatriation. This sensitive topic has reached considerable attention in the last decades as the academic output grew together with the quantity of claims and resurfacing bones and human tissues in museums, universities and other institutions. Many of these institutions reacted by eventually returning the human remains or with heightened awareness for the handling of human remains, in changing the display or in publishing guidelines (Wesche 2013) or even laws. One example in Germany is the Deutsche Museumsbund (e.V. 2013). This does not mean, that there has not been considerable struggle. Not only have the restitutions been contested, but also the political claims that go further than the movement of the remains.

Germany is an interesting case study, since its society was barely aware of a colonial past (Krüger 2003; Zeller 2003) and the government did not acknowledge the genocide as one until recently. That this brutal past came back in the form of skeletal remains to force a renewed negotiation of that chapter in German-Namibian history was unusual and sparked a wider debate. Yet, publications that deal with the German case specifically have been rare. There have been some publications on the question of whether or not Germany can be made to pay reparations under current international law (Anderson 2005; Bargueño 2012; Böhlke-Itzen 2004; Cooper 2007; Kämmerer 2004), but most of them have been published before the repatriation debate. However, scholarly debates that specifically deal with the repatriation processes are hard to come by. This thesis therefore seeks to fill this gap. I have chosen a material approach on the topic as a repatriation very obviously has to do with the location of a certain matter: human remains, but also because the topic of human remains has long time been merely seen as a symbolic issue.

In the following chapter, I will discuss the available literature and argue for why it is important to consider the materiality of the human remains not only as a reference point for the description of the repatriation process but also light of a fight for justice that is connected to it. I will argue that the human remains exert agency and that they are an active part of this struggle. To build up this argument, I will need to introduce some vocabulary. First will be 'agency', since my use of the concept differs from an everyday understanding of it. Second, I will move to 'haunting' to complement my thoughts on agency and lastly go to the 'Human'. My main concern is shared by Avery Gordon:

> The available critical vocabularies were failing (me) to communicate the depth, density, and intricacies of the dialectic of subjection and subjectivity (or what in my business we call structure and agency), of domination and freedom, of critique and utopian longing. (Gordon 1997, 8)

I also struggled in the contemplation of the repatriation process, as well as the knowledge of the atrocities, that I have described in chapter one with the feeling that my academic language fails to describe and penetrate the lingering and structural effects of violence that materialise in the human remains, which includes unequal power structures, death, denial, pain and the question of who counts as human. This chapter will bring together these vocabularies, while also asking how we can relate to justice.

The available literature on the topic is considerable. The "material culture" of colonialism, as especially curated in museums in the metropoles has been discussed broadly (Barringer and Flynn 2012), yet human remains occupy a special place within this material culture. In the German-speaking context, the edited volume *"Sammeln, Erfoschen, Zurückgeben?"* (Stoecker, Schnalke, and Winkelmann 2013) has been a major contribution. It is the outcome of an interdisciplinary research project on the collection of, study on and restitution of human remains in proximity to the Charité Human Remains Project (CHPR). Many articles in this publication are dedicated specifically to the Namibian case, as the publication was one of the outputs of the CHPR. Among those scholars represented is Larissa Förster, who has published a short report on the ceremonies, which is in her own words "A Photo Report with Extended Captions" (Förster 2013a), as well as an article on the repatriation process once the human remains reached Namibia (Förster 2013b). Other authors who engage with the restitution are Reinhart in his monography "Namibia and Germany: Negotiating the Past" (2015) and Vilho Shigwedha's recent publication "The Return of the Herero and Nama bones from Germany: The victims' struggle for recognition and recurring genocide memories in Namibia" (2017). Both publications concern themselves with the political implications of the restitution and take a

pessimistic view on the outcome of the restitution. These positions will be discussed in chapters four and five.

One of the few studies that is concerned with the human remains in the restitution process is Leonor Jonker's acclaimed master's thesis "More than just an object" (Jonker 2015). All the studies so far have in common the view that skeletal remains are passive objects with which things are done. What I do instead is to show how the skulls are active within this process. Jonker describes eloquently how the skulls acquired different "layers of meaning". Besides the "trophy layer" of those that collected them in the first place, she also identifies that they mean different things to different groups of people:

> For the Charité team, the skulls were specimens from its anatomical collection with a problematic history that had to be accurately, correctly, but also quickly returned under big political pressure. For Nama and Herero members of the Namibian delegation they were the remains of ancestors. (Jonker 2015, 103)

In this quote, we can see how Jonker holds up a distinction that I want to question. Even though Jonker's thesis title suggests that there is an uneasiness involved in admitting the object status of the human remains, she does not further question this distinction. The opposite of the 'object' for her is to be a 'corpse', but even this is an uneasy distinction. This uneasiness is the starting point for my considerations on the topic.

Even though there is considerable impact on the former colonised society, as Förster has shown, there is curiously little written about impacts on German society and the struggles within Germany about commemoration, colonial amnesia and history writing. This is not to say that the connection was simply ignored; rather, what is missing is a coherent argumentation that links the struggle about restitution to other claims about financial compensation and acknowledgment. Mostly, they are treated as two different things. Either the restitution of human remains is looked at as a struggle on its own, where other claims appear more or less as a side note, or literature on the legal struggles ignore the question of the restitution process. Rarely are those components brought together. This I find surprising considering that the restitution of the human remains was always deeply implicated in questions of acknowledgement and material compensation.

How do we explain the changes that happened in connection to the repatriation claims and process? These changes do not only involve the different handling of the human remains, but also the successful acknowledgement of the genocide and the renewed media interest in material compensation? How do we explain what, how and why it changed? Of course, we could attribute the dynamics to academics and activists who have been fighting for justice for

decades, but this would not be sufficient to explain the momentum created during the restitution process. I want to suggest, that the skulls as such played a certain role in this dynamic, thus exhibiting what can be called agency. To explain this, I will work with the concepts of agency, haunting and the Human, which I will elaborate on in the following section.

3.2. The Non-Human Agency of Bones and Other Human Remains

In the chapter 'Agency' of the *Oxford Handbook of Feminist Theory*, the author Louis McNay describes agency as the seemingly "straightforward idea denoting the ability of individuals to have some kind of transforming effect or impact on the world" (McNay 2015). Yet, she traces the complicated notions through her article on the concept, showing that it is not as clear as her first description might suggest. Indeed, in feminist theory the concept of agency enjoys a popular status but has been widely contested by scholars around the globe. Mostly, these debates centre around the question of social constraints and voluntarism and how to locate agency as a theoretical concept within this tension. The critique is that agency can no longer be understood as intentional action. This is an important point since, as McNay shows, the framing of agency as intention is connected to rationality, which is a sphere that feminists have criticized as male associated. Therefore, McNay rightly concludes that the "hyperbolic notions of the actor as an autonomous, unencumbered, and fully rational being (Teflon man), [tacitly upholds] a masculinist perspective on the world" (McNay 2015). Genevieve Lloyd has famously shown how women have been systematically denied the status of rational beings in western philosophy (Lloyd 1993).

This masculinist worldview also entails many other notions besides rationality, that are nevertheless closely linked. Besides being rational, "man" (in opposition to women) was also portrayed as white, cis-gendered, able-bodied and so forth. Further, the use of "man" as a synonym for "humankind" also exposes an anthropocentric view on agency. The actor was always human. If this understanding of the rational actor, with all its connotations, is exposed as masculinist, should we not also ask what "doing" actually means and who it is that can be doing the doing? This is exactly the line which Bruno Latour follows, when he argues that non-humans can also act. Interestingly enough, McNay, who has provided me with the criticism on the masculinist worldview of former notions of agency discharges the idea of non-human or post-human agency, which in her view has "provocative implications for thought on agency, […] [but also a] speculative and socially weightless nature" (McNay 2015), since it is not translatable to political practice. In the following, I will also answer this claim.

Bruno Latour's work on Actor-Network-Theory (ANT) has been widely influential in fields such as sociology and has its roots in science studies. This theory is also fundamental for those thinkers who engage with the influence of human remains on the living. At the core of ANT lies the assumption that agency is distributed among a network that is made of human and non-human actants. One of the contributions of this field to my research is the claim of one of his chapters in *Reassembling the Social*, namely that "Objects Too Have Agency". In this chapter, he states that it was due to the definition of agency that "is limited a priori to what 'intention', 'meaningful' humans do, [and which makes] it […] hard to see how a hammer, a basket, a door closer, a cat, a rug, a mug, a list, or a tag could act" (Latour 2007, 71). When analysing an action Latour urges us to examine who and what participates to not fall into the assumptions that those are just humans. Therefore, it is acting itself, the 'doing' and not intention that comes to define agency. Consequently, this would also broaden the question to not only who it is that does the doing, but also what doing entails.

This notion of the non-human actant has been taken up by many researchers that investigate the status of human remains like bioarchaeologists Martin Crendall and Debra Martin (2014), historian Ewa Domanska (2006), social anthropologist Joost Fontein (2010; 2013), Sheila Harper (2010), philosopher Hans Ruin (30.01.2017), Howard Williams (2004) or Craig Young and Duncan Light (2013). In a three-volume edition, Èlizabeth Anstett and Jean-Marc Dreyfus investigate Human Remains from different perspectives. The first edited volume is *Human Remains and Mass Violence: Methodological Approaches* (2014), followed by *Human Remains and Identification: Mass Violence, Genocide and the 'Forensic Turn'* (2015) and *Human Remains in society: Curation and exhibition in the aftermath of genocide and mass-violence* (2017). Especially contributions in the last volume concern themselves with the question of the agency of human remains. Corpses, bones and other human substances are hardly seen as normal objects, comparable to Latour's hammer, basket or door closer. At the same time, they do not inhabit the same sphere of a subject. Yet, the influence of the dead, as well as their human remains is not to be doubted. This agency can be called post-mortem agency, that is "the ability of dead bodies (in their new guises as objects, spirits, relics or other symbols, forms or identities) to engage, influence, confine or structure the behaviour of the living whether directly or indirectly" (Crandall and Martin 2014, 431). It is this uneasy status, that provides the starting point for the question about how to frame this influence. I will explore this question starting from Katherine Verdery's influential work "The political lives of dead bodies" (1999) and move to Ewa Domanska's (2005, 2006) and Joost Fontein's (2010) consideration on the topic of human remains and material agency.

Katherine Verdery's "The political lives of dead bodies" (1999) has been influential in the field of study of the continual impact of the dead and their human remains upon the living. Verdery studies the dead-body politics of post-socialist Eastern Europe. These politicised corpses are "effective symbols because they are protean while being concrete; here it is their *concreteness* that I wish to emphasize" [stress in original] (Verdery 1999, 113). Though she emphasises concreteness, corporeality that is also materiality, she stays with the symbolic, because in her view "the significance of corpses has less to do with their concreteness than with how people think about them" (Verdery 1999, 28). Verdery may be overlooking something here: materiality is important, because they enable people in the first place to think about them: "corpses are effective symbols because they are protean while being concrete; here it is their *concreteness* that I wish to emphasize" [stress in original] (Verdery 1999, 113). Even if she acknowledges that the materiality, the *concreteness*, which she continually stresses, is significant, it is so just to the extent as it provides a basis for the symbol. It is less important for her. Even if one wants to formulate a hierarchical relationship between those seemingly separable entities, she stills formulates a significance for the material, which she then completely ignores in favour of the "more important" symbolic.

She also fails to distinguish between the corpse and bones. Therefore, we need to turn to other thinkers to investigate the question better. This is where the thinking of Domanska and Fontein comes in. Historian Ewa Domanska builds on Heidegger and Latour's non-human agency and in what she calls the ontological turn in the Humanities, that is the return to materiality. Historical artefacts, including the dead body, no longer represent a source whose metaphorical meaning does not only suggest a clearly identifiable beginning but also one that it is transparently readable to pursue a positivist understanding of history. Instead she suggests that we see them as Derridean traces. The material presence of human remains "often resists the dichotomous classification of present versus absent" (Domanska 2006, 341). Human remains therefore as a trace are a "non-absent past". We can see this quite literally in the term 'human remains'. Domanska tries to resist the pure symbolisation of human remains, as she sees in Verdery:

> By focusing on it [the non-absent past, M.K.] we avoid the desire to presentify and represent the past, and instead we turn to a past which is somehow still present, which will not go away or, rather, which we cannot rid ourselves of. (Domanska 2005, 405)

There is a force behind Domanska's words here, when she describes the presence of the past: It is persistently there, even though we try to rid ourselves of it. Through this non-anthropocentric and material approach, Domanska avoids seeing human remains as objects of

mourning or of study, as those again imply a passivity of bones. Instead she focuses on their trace-Being, their status as witness. Therefore, in this approach, she sees the possibility of creating an alternative history:

> The dead body considered as evidence and the object of mourning falls within the scope of reflection on knowledge rather than on Being. The question 'why are there remains at all instead of nothing?' or questions of the Being of the dead body (remains, ashes) are beyond the scope of historical reflection. Rarely do scholars (historians, archaeologists, anthropologists) dealing with such existentially loaded subjects as death, guilt, punishment, etc., undertake deeper philosophical reflection upon them. The concerns of historical discourse are limited to the trace-being, whereas a bridge to the trace-Being is still to be found. (Domanska 2005, 403-4)

By asking 'Why are there remains at all instead of nothing?' Domanska offers a move away from the evidence character of human remains towards

> "a non-anthropocentric history" or post-human history [that] distances itself from a humanist conception that places human beings at the center of the world; instead it considers humankind as one among many organic and non-organic beings existing on the earth. (Domanska 2006, 338)

Whereas Domanska supplies us with an idea how to frame human remains as well as ideas what they do by means of being a non-absent past, she does not elaborate on what the agency of human remains means or how to frame it. In her article, she only mentions agency shortly by stating, in reference to Heidegger, that objects are "perceived as agents (or 'subjects') having their own lives, albeit lacking intentionality; active participants in 'Being-in-the-world', integral elements of interpersonal relations which enable us to enter into complex relations with the world" (Domanska 2005, 394). Yet, she does not tell us where she locates this agency theoretically. She also does not give us a more elaborate distinction between dead bodies and bones and, interestingly enough, even though she claims to work on human remains, her case study is about the Argentinian *desaparecidos*, which means the lack of a dead body.

This is exactly where the 'bone collective' of the Social Anthropology department of the University of Edinburgh comes in. The focus of the group's research is not corpses but bones, as the name suggests, and the various responses the encounter with bones provokes. The symbolic approach of Verdery is put aside in favour of the study of the active materiality of bones as "materializing evidence of human lives and relationships, past and present" (Krmpotich, J. Fontein, and J. Harries 2010, 372). It is also through their materiality that they occupy another place than corpses that are in the process of decaying. Their dryness and firmness makes them easily portable, something that colonial scientists have made use of (see chapter one). Yet, it is also this firmness that makes them recognisable as humans. Skulls, in

particular, inevitably remind us of their humanness, which is ironic given that they are hidden material during a person's lifetime (Krmpotich, J. Fontein, and J. Harries 2010, 378). This suggests that the materiality of bones not only gives information about what happened to the substance in the past (*e.g.*, cause of death, sickness) but that asking questions about their materiality can answer questions about the relationship with the living. Therefore, the question is not only what the living do with the bones, but also what the bones do to the living or what they do to each other. The perspective of bones as victims can obscure the numerous ways bones enact agency, that is to say as objects or things. The main point that is taken from Latour's non-human actants is the fragile boundary that makes up the distinction between object and subject, as well as ontologically what agency, what 'doing' means.

Taking a detailed look on resurfacing bodies and bones in post-colonial Zimbabwe, Fontein examines the affective presence and emotive materiality of bones and bodies as agency. He defines this agency as ambivalent or ambiguous, since he views bones as "both subjects and objects" (J. Fontein 2010, 424). Through Alfred Gell's deferred or abducted agency, Fontein builds what he calls the affective presence of bones. Gell's concept of deferred or abducted agency describes how human subjects operate in and through objects. Therefore, intentionality is still granted to the human subject, but this agency is framed by objects. The second concept he introduces is emotive materiality, which he traces back to Bruno Latour. Emotive materiality refers to the response that the encounter with human remains provoke. Here, the bones as recognisable human substance enter the uneasy status of being object/subject. While Fontein himself, using Gell's theory of agency, does not name affective presence as agency, he does so when referring to emotive materiality. In contrast to affective presence, "[t]here is a sense that what bones can do, their 'agency', is not dependent upon the deferred agency, consciousness or intentionality of the dead themselves, or anyone else" (J. Fontein 2010, 432). It is noteworthy that Fontein starts referring to agency in quotation marks. This might imply the use of the term as a symbolic concept while attributing 'true' agency to humans. Yet, his continual use of the term and his renunciation of the use of quotation marks further on might also show that it is still unfamiliar terrain for readers and that Fontein tries to approximate the idea of non-human agency slowly. This is also why he includes Ingold's plea to consider the affordances of bones rather than focusing on their materiality, in which he also includes a criticism of a symbolic agency. Even though Fontein includes this insight into his work, he also stays sceptical since ultimately "one result of a determination to focus on materials and substances rather than objects (and subjects), is that inevitably attention is reverted back to how materials become 'objects' (and 'subjects'), physically but also conceptually, historically and politically [...]" (J.

Fontein 2010, 433). Fontein in his analyses of what bones can do therefore gives an interesting answer to the question of whether or not non-human agency can only be symbolic or deferred by focusing on the question of the subject/object status in the case of human bones. He throws back the question of what doing means. It

> pushes for a better understanding of the entangled symbolic and social, political and material consequences of violent interruptions and transgressions of the normal, even normalizing, processes of containment and transformation through which things and materials are (re)constituted as objects/subjects, bodies and persons, and through which fleshy bodies become bones, persons can become spirits, and the living become dead. (J. Fontein 2010, 439)

This quest for understanding of violence is analysed in the case study of the resurfacing bones in Zimbabwe from colonial and postcolonial violence. The affective presence is tied to beliefs in ancestral spirits in Zimbabwe, that is in identifiable bones. Anonymous human remains respond more to the concept of emotive materiality, even though the concepts are mingled. Where does their agency lie for Fontein? Not only does he trace their influence on the living, but more broadly, he enquires into the way the past is dealt with. They "point to other, silenced histories and pasts […]; but also to other ways of handling the dead, their remains and their pasts, to other ways of doing heritage and commemoration" (J. Fontein 2010, 430). The agency of the human remains is therefore not only attributed to how they are specifically handled by the living but also to how they enter a new negotiation of the past of the violence that produced them, a history of violence that was silenced or repressed before. They are a material consequence of this violence, not just a symbol.

Neither Domanska nor Fontein provide sufficient grounds to describe the agency enacted in the case of the Herero and Nama human remains of my case study, even though they lay a rich theoretical basis. Fontein speaks of a silenced past and violence and Domanska emphasizes the importance of the present, in what is seemingly long gone, yet there remain some considerable gaps. The location plays a significant role, since the bones were discovered in a very specific post-colonial power relation that also expressed itself in spatial terms. In contrast to the Zimbabwean case study, the bones were resurfaced in the former colonial metropole. Thus, it involves different actors. In consequence, the demands that unfolded because of their resurfacing, are quite different: Even though there is considerable impact on the former colonized society, as for example Förster showed, there is fascinatingly little literature on the ways it impacts the German society and the struggles about commemoration, colonial amnesia and history writing. Also, neither Domanska nor Fontein has provided us with

a sufficient theory on how this violent and silenced past match demands for justice, even though this is a narrative implicated in their writing.

3.3. The Haunting Quality of Human Remains

It is Avery Gordon who supplies us with the vocabulary to trace what I would call the haunting agency of human remains. Even though she does not deal with human remains, her insights prove helpful in thinking what Domanska and Fontein mention but do not explore. Domanska speaks of the non-absent past as "a past which haunts like a phantom […] occupied by 'uncanny' 'ghostly artefacts', which undermine our sense of the familiar and threaten our sense of safety" (Domanska 2005, 405). Fontein also speaks of haunting, more precisely of "resurfacing bones haunting Zimbabwe's postcolonial milieu (J. Fontein 2010, 431). Yet, both Domanska and Fontein pay little attention to this aspect though it describes a key point. This could be because haunting often does not fit into a sociological, academic language.

Gordon's book *Ghostly Matters* was written to find a way to find a language for haunting. Like Domanska she draws from Freud's notion of the uncanny, as well as she introduces another Derridean concept of Hauntology in *Specters of Marx (1994)*. There is no clear definition of what haunting connotes. Haunting is "language and [...] experiential modality" (Gordon 1997, xvi), a "sociopolitical-psychological state" (Gordon 1997, xvi), "a type of political consciousness" (Gordon 1997, 182) and "a structure of feeling" (Gordon 1997, 198). Through the works of two novels, Luisa Valenzuela's *Como en la guerra* and Toni Morrison's *Beloved,* Gordon shows how an individual or a society can still be haunted by its violent past and the structures it provides for the now. Yet, there are other points, where Gordon meets Domanska and Fontein. Haunting also involves the creation of insecurity about time. Haunting is also a non-absent past, since it "it alters the experience of being in time, the way we separate the past, the present, and the future" (Gordon 1997, xvi). Just as a seemingly dead and gone thing coming back as present to haunt involves the present as an important reference point for history, so too Domanska speaks of the importance of the past for the future-to-come. This is where implicitly a quest for justice is mentioned. Gordon elaborates on this matter more extensively. The ghost, the material evidence that a haunting takes place, wants something from those it haunts. There is a demand for "a different kind of knowledge, a different kind of acknowledgement" (Gordon 1997, 64), that has so far not been properly given. While there is no clear answer on what this something can be, it "is not a return to the past but a reckoning with its repression in the present, a reckoning with that which we have lost, but never had" (Gordon 1997, 183). At the same time, it also represents a possibility for a future. It is a

possibility of dealing with the past in a very direct way, not only through representation. We must therefore "offer it a hospitable memory *out of a concern for justice*." (Gordon 1997, 64).

This justice also involves the question of accountability. Haunting "forces confrontation" (Gordon 1997, xvii). It is not a question whether we want to deal with it; it makes us. It is an accountability that has been refused so far by repression. The ghost, that is the non-absent past in a haunting form, requires from those haunted a different way of dealing with those structures that created it: "The ghost has an agency on the people it is haunting and we can call that agency desire, motivation, or standpoint" (Gordon 1997, 179). This agency that is described by Gordon as the ghost's desire helps us to put together the uncanny and haunting quality described by Domanska and Fontein when engaging with the human remains in their case studies. Here we are reminded of the agency described by Fontein in his concept of emotive materiality, where he grants agency to human remain by means of their ambivalent object/subject status. For Fontein, it is their inevitable recognisability as human substance (especially of human skulls) that provokes a reaction from the living. Yet, when encountering human remains we are forced to ask how it is that they are present (as in not buried, present in an institution, present for observation). We are also provoked to ask how to handle them (as corpses or as objects?). These investigations are in Gordon's terms demands of the ghost. As I have already mentioned, the ghost is a social figure for Gordon, a materialisation of haunting. This ghostly matter does not have to be a ghost as we know it from horror movies or as appears in *Beloved*. Gordon's other case study *Como en la Guerra* does not involve a ghost as such, but rather missing persons. Ghostly matter therefore can also be human remains. And thinking together Fontein and Gordon here, we can expand the notion of emotive materiality to encompass a haunting agency of human remains.

This is not to say that haunting agency is a substitute for emotive materiality, rather it adds another quality to the concept not fully theorised by either of the authors mentioned. It is supplementary. It helps us to analyse how the doing takes place as well to give us a material approach that does not neglect the fine-grained dimension of the symbolic. Other than Fontein's affective presence, haunting does not rely on the belief in the supernatural. As I said, haunting does not involve the rattling of chains in the night, spooky voices from nowhere or sudden appearances of milky figures at midnight. Haunting instead addresses the unrepresentability of violence, systematic injury and systematic loss, as well as how these continue to work in the present. Therefore, haunting is "to be tied to historical and social effects" (Gordon 1997, 190). The haunting agency of human remains is precisely the provocation to change these systems of violence, suppression and injury. Provocation because agency should not be granted only when

the demand is successful. Rather, the setting in motion of various processes or reactions, changes in behaviour or thought, is itself an enactment of agency.

3.4. The Struggle for Human-ness

There are several reasons why I need to speak about the concept of the Human[5] in this chapter. I have alluded to this in the above discussion of the masculinist understanding of the normative agent as intentional, rational and active. What we have seen there is that the concept of agency has been and still is attached to certain categories that seem intuitive, one of those being the category of the Human. The Human, here deployed, is not congruent with *homo sapiens*. I will explain this point further in the following chapter. I argue instead, along with post-humanist thought, that the human is a concept. Another reason to address Human-ness is also to investigate human remains in their ambivalent subject/object status, which remains a topic of debate (Joost Fontein and John Harries 2013, 116–17). The word 'human' is there, but one of my arguments in this thesis is that their status as Human is contested. The question of who can count as Human and who can act are necessarily intertwined, as Stacy Alaimo argues:

> As new materialisms proliferate, some bear an uncanny resemblance to (old) Humanisms, in that they ignore the lively, agential, vast, material world, and the multitude of other-than-human creatures who inhabit it. (Alaimo 2011, 281)

One question for this thesis to investigate remains how to theorise a non-anthropocentric approach of agency together with an argument that defends the Human-ness of the Herero and Nama skulls. I will address this question through two thinkers, Rosi Braidotti and Judith Butler.

Posthumanism is a philosophical strand that questions the meaning of the Human. Posthumanist thought seeks to decentre the Human as a universal and metaphysical category. Michel Foucault has famously interrogated the notion of man or Human in *The Order of Things*. The context he explores are the human sciences, in which the Human became both the subject and object of knowledge. He writes:

> Before the end of the eighteenth century, *man* did not exist – any more than the potency of life, the fecundity of labour, or the historical density of language. He is a quite recent creature, which the demiurge of knowledge fabricated with its own hands less than two hundred years ago[.] [...] there was no epistemological consciousness of man as such. (Foucault 1974, 336)

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[5] From now on, I will differentiate between the human and the Human. Whenever I use the capitalised 'Human', I refer to the concept, instead of the species.

Even though man as in Hu*man* only entered the arena of knowledge as episteme in the late eighteenth century with thinkers such as Kant, it is hard to imagine today how we can live in the world without this concept, especially when it has become one of such moral importance, as we see in terms like 'human rights' or 'humane'. Yet, the concept is connected to considerable violence. Not everybody who belongs to the human species, that is *homo sapiens*, is considered to belong to the Human. Achille Mbembe and Steven Rendall (2002) for example have written about this in regard to Africans and the slave trade, where the enslaved and to-be-enslaved were not considered as Human. Race was an important marker of Human-ness in everyday life as well as in theory, whose legacy can still be traced to the present as Sylvia Wynter (1994) has done in the case of police shootings in Los Angeles of poor black men, shootings labelled "No Humans Involved" (short N.H.I). We also see this dehumanisation and objectification of colonised Africans in Namibia with social anthropology.

What then *is* the Human if not *homo sapiens*? Rosi Braidotti provides us with a definition:

> The human is a normative convention, which does not make it inherently negative, just highly regulatory and hence instrumental to practices of exclusion and discrimination. The human norm stands for normality, normalcy and normativity. It functions by transposing a specific mode of being human into a generalized standard, which acquires transcendent values as the human: from male to masculine and onto human as the universalized format of humanity. This standard is posited as categorically and qualitatively distinct from the sexualized, racialized, naturalized others and also in opposition to the technological artefact. The human is a historical construct that became a social convention about 'human nature' (Braidotti 2013, 26)

The Other then becomes the "less than Human" or as Mbembe and Rendall would put it either "non-human" or "not-yet-sufficiently human" if one considers that the Other can still become Human, but only by virtue of losing as much of his or her Otherness as possible (Mbembe and Rendall 2002, 249).

One characteristic that shows this status of Human can be expressed by Foucault's notion of biopower. For Foucault, biopower is "the right to make live and to let die" (Foucault 2008, 241). The emergence of this new power for him begins in the nineteenth century. This is not the same as the sovereign right to kill, as Foucault stresses (Foucault 2008, 240–41), but a subtle way of supporting or neglecting certain populations, which means to increase the chance of one's physical, as well as social and political, death. In this schema, racism has a prominent function as "the indispensable precondition that allows someone to be killed, that allows others to be killed" (Foucault 2008, 256). If the Human is also characterised by its race, then biopower

means for them to be "reduced to the less than human status of disposable bodies. We are all humans, but some of us are just more mortal than others" (Braidotti 2013, 15).

One characteristic then is tied to the right to live. Another concept that indicates Humanness is grievability, that is the ability to see certain lives as worth grieving. This notion is intertwined with that of biopower. Life that was permitted to end would not be grieved, and so too the other way around. Yet, there is a usefulness in Judith Butler's concept of grievability that makes it important for this thesis. At first, the two seem the same: "Certain lives will be highly protected, and the abrogation of their claims to sanctity will be sufficient to mobilize the forces of war. Others will not find such fast and furious support and will not even qualify as 'grievable'" (Butler 2004, 32). Here, Butler connects a biopolitical argument with her argument about grievability. Speaking in the context of a possible bellicose reaction of the United States in reaction to terrorist attacks, she first differentiates between who is sent to war to possible die there for the nation and who might be spared. Then she says that even of those who are sent, some are grievable and others not. This is not to say that grievability is a better indicator of human-ness. We must not forget, that Butler here also speaks in a very specific context.

Grievability here presents a twist in a biopolitcal argument: it is after the physical death of the subject, that is when biopower ceases for Foucault since "[d]eath is outside the power relationship" (Foucault 2008, 248), that grievability becomes potent. However, we can see that power does not cease to affect dead bodies. Otherwise there would be no politics over dead bodies. What matters here is the subjectification processes of biopower. Yet, if we take seriously the idea that human remains occupy an ambivalent status as both objects and subjects, grievability does represent a good indicator since it combines an argument about biopower with the dead body. Further, mourning is a crucial point in the event of my analyses where symbols of funerals were often invoked. Of course, it is hard to determine for sure if people were genuinely grieving at these events. Yet, as I understand, grievability does not denote that life must be grieved but that the possibility for mourning is there.

It is not unusual in repatriation processes to see some kind of rehumanisation of human remains. Yet, this again is often seen symbolically whereas I would argue to tie the notion to the material, that is how the bones were handled. This is not merely an expression of the symbolic, because again, the sphere of the symbolic and the material cannot be separated without causing considerable discomfort. To argue that it is solely a symbolic act dismisses the material linkages or puts them into a hierarchy, whereas the symbolic somehow seems to be more important. In a similar spirit, the Bones Collective does not view the bones as other-than-human, but focuses on the constant negotiation of their status as objects or subjects through

materiality, a status that is "neither permanent nor exclusive" (Krmpotich, J. Fontein, and J. Harries 2010, 372). For the question I posed at the beginning of whether or not it is possible to think together a non-anthropocentric approach on agency as well as an argument based on the Human-ness of human remains, I would like to offer the following answer: acknowledging that the Human is a thing of recent invention, a state of being that is fragile and contested, strengthens a non-anthropocentric approach to agency, without detracting from its moral standpoint. When we agree that with Human-ness comes a set of properties that one must fulfil to be able to be fully counted as Human, and that those are tied to positions of privilege, then the category of Human is a category of privilege. A critique of posthumanist thought is that it tries to deconstruct the Human before everybody was yet able to attain this status of privilege. I would argue that to denounce something as a construct does not hinder one from trying to undermine the privileges that come together with it and to work for a more just world. By showing that the bones exert agency also on their status of Human-ness, I do not argue that they do these either as subjects or objects, but exactly in this liminal space whose very existence exposes the insecurity about what constitutes the Human.

3.5. Fighting for Justice: Reparations, Acknowledgement and the Politics of Memory

So far, I have discussed three theoretical concepts: agency, haunting and the Human. These are not unrelated and I want to join them now in the question of justice. To view the case study of the repatriation of human remains through a material lens does also lead to ethical questions. Stacy Alaimo gives me an interesting starting point for my contemplation:

> […] materialisms transgress the outline of the human and consider the forces, substances, agencies, and lively beings that populate the world. Post-humanist new materialisms, I contend, are poised to topple the assumptions that confine ethical and political considerations to the domain of the Human, while feminist theories, of many sorts, offer decades of scholarly contestations of the very ethics, epistemologies, and ontologies that have underwritten Human exceptionalism. (Alaimo 2011, 282)

By thinking with post-humanist new materialisms, we create a different, although not unrelated, struggle for justice. By not only viewing the Human as acting on as well as included in the quest for justice, we take seriously how human remains as non-Human, as uneasy subject/object take part in this quest. As much as they are part of the injustice that was done, they are part of addressing and countering this injustice. Förster writes:

> […] the remains have become vehicles in a political movement that aims at the bigger picture, and not only seeks to explore the history of science or the

history of museums and their complicity with colonialism, but addresses colonial violence and its redemption per se, on a national as well as on a transnational level. The prime goals of the campaign created around the skulls were: first, the moral and political recognition of the genocide as a matter of fact, and second, material compensation and negotiations on measures of restorative justice between Germany and Namibia. (Förster 2013a)

By seeing the skulls as a 'vehicle' for the movement, Förster describes how they were acting upon this movement and actually enabling a more effective position for the political struggle by forcing a confrontation which left the German government embarrassed. One spokesperson of the CHRP stated at the handover: "At the time, they viewed the skulls not as human remains but as material with which to investigate and classify race. There was injustice. From today's standards, this was not right. Period." (Knight, September 27, 2011). What is missing in this quote is, that there still is injustice. The quest for justice is not only addressed to the past, but also to the present and the future.

Hans Ruin notes that the past is defined as that which has already happened and "therefore has no remaining freedom, agency or future horizon of its own while being open to the inspection, interpretation and explanation from the viewpoint of the present." (Ruin 30.01.2017, 40:00-40:20). Yet by reckoning with the non-absent past, with the ghostly matter, we access the past differently. Thinking with Walther Benjamin, this means for Gordon that "there is a chance on the fight for the oppressed past, by which I take Benjamin to mean that the past is alive enough in the present, in the now, to warrant such an approach." (Gordon 1997, 65). This also means, that we think accountability differently:

> we cannot decline to identify as if such an (albeit worthy) act can erase or transcend the sedimented power relations in which we lived then and live now. Thus, we will have to contend not only with those who do not count but are counted; we will also have to contend with those who have the right to count and account for things. (Gordon 1997, 188)

To be accountable for Gordon means to take into account, those who did not count. The omission here is 'to count as Human'. By encountering human remains and taking them seriously as an active matter, we do so. But this is merely half the task. We must also reckon with the haunting effects of this encounter, even though it "is without doubt often painful, difficult, and unsettling" (Gordon 1997, 23). This unsettling feeling is the haunting agency of the human remains. The confrontation with the human remain forces to address silenced and violent pasts and seek a different approach to it by those who do the counting. On the other side, it also makes us question who has been able and still is able to count as Human, those who are not there, but should have been and who nevertheless influence us.

German colonial history, as I have shown in chapter 1 is definitely a violent and repressed past in Germany's historical memory. Gesine Krüger writes in "Vergessene Kriege: Warum gingen die deutschen Kolonialkriege nicht in das historische Gedächtnis der Deutschen ein?" (2003) ("Forgotten wars: Why did the German colonial wars not make it into the German's historical memory?""):

> I understand historical memory as a societal mediated form of historical consciousness, to whose constitutive conditions remembering and forgetting, amplitude and emptiness, gaps and ruptures belong equally
> (Krüger 2003, 123)[6]

What Krüger says here is that a selection is necessarily made in building up a historical memory. Yet, this is not such an innocent process. There is a good reason why Krüger has chosen a nationalist framework for her definition of historical memory, since history and memory are tightly connected to nation building. The national narrative therefore often becomes a unified version of historical events, one that does not distort or marginalise other versions of these events. The struggle to determine this narrative is thus a struggle of whose version truly belongs to the nation as well as of *who* belongs to the nation. Drawing from Pierre Nora, Susanne Knittel (2015) writes:

> "[…] [I]t is an inherent characteristic of sites of memory and of memory culture in general that it is not only a source of coherence and community but also an object of contestation and disagreement. This is all the more important with regard to minority or countermemories that must constantly assert themselves in the face of suppression and marginalization at the hands of the dominant memory culture, particularly when the latter becomes politicized and instrumentalized in the interest of hegemony [...]One of the basic principles of the sites of memory project is that it can be continually updated and expanded to include new and different sites. At the same time, however, it must be able to move beyond its apparent aim of constructing a more complete picture of national identity, as if such concepts were not inherently problematic. Indeed, by focusing on particular sites of memory, we may instead succeed in troubling the preconceived ideas of what constitutes Italian, German, or "European" identity, which tend to occlude "difficult" or controversial aspects of the history of a particular group or region or within or between two nations" (Knittel 2015, 7)

Knittel provides us here with an eloquent explanation of the relationship of hegemonic memory culture and counter-memories, as well as a critique of the aim of so-called memory-projects or memory politics. The aim is not to incorporate marginalised memories in order to construct a

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[6] Original quote: „Ich verstehe historisches Gedächtnis als eine gesellschaftlich vermittelte Form von Geschichtsbewußtseins, und zwar eines Geschichtsbewußtseins, zu dessen Konstitutionsbedingungen Erinnern und Vergessen, Fülle und Leere, Leerstelle und Bruch gleichermaßen gehören."

more extensive and "better" historical memory, but to trouble the category of the identity politics inherent in it. Instead of making history a familiar place, we should sense our own alienation, its uncanniness.

Freud's concept of the uncanny has been taken up by Domanska and Gordon as well, and is again taken up by Knittel: "This inherent potential of sites of memory to trouble the self-conception and identity of individuals, groups, and nations is a key factor in what I am referring to as the historical uncanny" (Knittel 2015, 8). For Nora, the "site of memory" is therefore a place connected to, representing and at the same time building a historical memory. In Knittel's text, the example would be Ausschwitz, but the concept has also made its way to the postcolonial German context. The edited book by Jürgen Zimmerer, *Kein Platz an der Sonne: Erinnerungsorte der deutschen Kolonialgeschichte* (2013a) is one example of scholarly works that identify different memory sites of colonial history within Germany. Holger Stoecker's article within this book, "Knochen im Depot" identifies collections of human remains as one site of memory. As Reinhart Kössler (2008) argues, colonial history is not one of Germany alone, neither is it Namibian history alone, but it is an entangled history, one that is permanently negotiated. 'Negotiating' therefore is very euphemistic for the struggles and inherent power imbalances within this network. The case study shows this very well as a memory site, since restitution involves by definition movement and focus on spatiality. The skulls as both a memory site and a non-absent past is therefore uncanny: "A site of memory may be said to be uncanny when it unexpectedly extends into the present, forcing a person or group to reevaluate their understanding of who they are and where they come from" (Knittel 2015, 9–10).

The uncanny is a troubling concept that nevertheless moves and can cause transformation. Knittel, like other scholars of memory studies, stresses this by showing how historical memory is continually negotiated and the effects this has on nation-building and identity formation. Gordon likewise shows how we face the confrontation caused by ghostly matter and urges us to consider the ghost's wishes and acknowledge the lingering effects of systematic violence. Justice is directed here not only to the present, the restitution, but also the past and the future.

As a last point, I want to counter the danger of romanticising the issue and also return to McNay's charge on the social weightless nature of post-human or non-human agency: To include the agency of the skulls into this complex picture of pain, repressed history, denial, but also possible change is not to say that by mere virtue of the existence of neither objects nor subjects/objects, non-absent pasts or ghostly matter, there will be a more just world. We share history as "a social space where we are indeed with the dead and where we continue to communicate with and permit ourselves to be acted upon by the dead" (Ruin 30.01.2017,

41:58–42:08). Like the ghostly matter, we too have agency. **We** are accountable. It is us, the living, who need to offer the ghost a "hospitable memory *out of a concern for justice*." (Gordon 1997, 64).

3.6. Conclusion

In this chapter, I have mapped out different theoretical concepts, which I will use in the following chapters to analyse the case study of the repatriation of human remains from Germany to Namibia in 2011. I have started with the concept of agency and the criticism thereof when only used to indicated intentional actions, carried out by humans. With thinkers such as Bruno Latour, I have aimed to "problematize any clear-cut distinction between active and intentional agents and all the inert 'dumb' things through which and on which those actors operate" (Alsheh 2014, 12–13) and to include non-human actants into the analysis. By taking a look at the available literature on non-human agency in the field of human remains, I introduce the concept of post-mortem agency. In their critique of Verdery, who sees the dead and their corpses as a mere symbolic vehicle for the actual political struggle, thinkers such as Domanska and Fontein argue that bones *do* things by virtue of being both subject and object, and that the symbolic and material are not as easily separable as Verdery wants to make us believe. By supplementing Fontein's concept on emotive materiality and Domanska's non-absent past with Avery Gordon's contemplation on haunting, my argument is that the agency of human remains entails a haunting quality. Since my approach on agency is non-anthropocentric, as the agency of the human remains entails exactly the negotiation of their Human-ness (see chapter four), I have had to introduce Post-Humanism and the question of the Human as a concept. Here, my focus is on the ways the Human has been constructed, how this construction works to exclude certain gendered or racialised people from its sphere and the consequences of this exclusion. Ultimately, we return to the question of who is able to count as an agent. In the following two chapters, I will use these concepts to analyse the restitution process and the political implications of my case study.

4. Beyond the Subject/Object Divide: The Restitution of Herero and Nama Skulls

4.1. Introduction

What I have done so far is to map out the contested "entangled history" of Namibia and Germany in chapter one. Whereas history writing is often made to fit into national narratives, excluding whatever does not fit the artificial framework of the nation state, the portrayal of the past as I have presented it in the preceding chapter is supposed to present a counter narrative that challenges Germany's self-perception as a non-postcolonial state that lives up to its historic responsibility by giving development aid. By exploring debates around commemoration politics and historical representation, historiography is exposed as a space of negotiation about the past, one that is more important as a reference point for the present and future. As such, it remains open for interpretation, manipulation and possibilities of change not only of representation, but also of power relations.

In this chapter, I will discuss the repatriation process of 20 human skulls from Germany to Namibia in 2011. A few universities are assumed to be in the possession of human remains tied to colonialism or otherwise collected unrightfully, but four collections have been at the centre of attention when it comes to restitution processes so far. Besides the Alexander-Ecker-Sammlung in Freiburg (Stoecker 2013, 443), three of them are based in Berlin, and these are the S-Sammlung of Von Luschan, the RV-Sammlung of Rudolf Virchow and the collection of the Anatomisch-Zootomische Museum der Königlichen Friedrich-Wilhelms-Universität zu Berlin. I will not have sufficient time to discuss all the collections in detail. Instead, I will focus on the collections in Berlin, which were part of the restitution process. Even though all three collections belonged to different collectors and institutions that changed over time, they are connected through the network formed by those collectors and institutions. For instance, all three of them were tightly connected to the University of Berlin, which would later become the Humboldt Universität zu Berlin, even though they were held by different institutes. They were finally united at the Charité, although the S-Sammlung was placed at the Medizinhistorisches Museum der Charité in 2005 whereas the other collection went to the Centrum für Anatomie der Charité-Universitätsmedizin Berlin. Other than those two the Rudolf-Virchow-Collection (RV-collection) was always situated at the Pathologisches Institut der Berliner Charité and only later in a museum, namely the Museum für Völkerkunde Berlin. Today all the collections, or what remains of them, are situated at the Museum für Vor- und Frühgeschichte der Staatlichen Museen zu Berlin – Stiftung Preußischer Kulturbesitz (Stoecker 2013, 444–46). Only the RV-

collection is not under the supervision of the Charité but the Berliner Gesellschaft für Anthropologie, Ethnologie und Urgeschichte (BGAEU) and therefore has not been included in the restitution process even though it is known that there are at least ten skulls originating from Namibia (Stoecker 2013, 451).

The different events that formed the repatriation process (the question and answer session, the first viewing of the skulls, the memorial service and the official handover) provide a vivid example of how different narrations of the past between the official German government version clashed with that of the affected Namibian communities, especially Herero and Nama. It has repeatedly been identified as one of the main events in the post-apartheid relationship between Germany and Namibia the issue of justice for colonial atrocities. However, its role in bringing about change in the debate has been underappreciated. My argument is that the human remains enacted a post-mortem agency, which I will trace through the restitution process. I will do so by relying on secondary material, such as pictures of the different arrangements of the skulls during the events, as well as quotes of researchers and members of the Namibian delegation.

I will start by describing the way the skulls were stored before their resurfacing in 2008. Then I will move to recount events that formed the repatriation process and further analyse them by focusing on the treatment of the human remains and comparison to the way they were treated before. I place special focus on the skulls, since it is their resurfacing and consequent repatriation that caused such tumult, and therefore it is only legitimate to interrogate *why* it is that these events enabled change, even as the demands of the affected communities could be brushed off easily before. Furthermore, the visibility of two of the skulls and the ambiguous subject/object status will be interrogated in light of post-mortem agency. The question is, if the skulls are the absolute non-subject, how can we understand the shift from this position to the changes that occurred in their treatment in the restitution process? I will show how the direct encounter with the skulls made German researchers and Namibian delegation members who handled them *feel* differently and *do* things differently.

4.2. A Change in the Handling: From Storing to Mourning

The shift of scientific interest after World War II saw the "forgetting of the collections of bones from the colonial era. The World Wars had led to the repeated moving of the collections, and they were finally left in spaces that were intended to be provisional but ended up containing them for a much longer time. After the war and until 1978, the RV- and L-collections were stored in a damp cellar room without proper circulation of air, causing some of the skulls to

gather mould (Kunst and Creutz 2013, 99–100). I said "seemingly" forgotten because the existence of the collections was known to a very small circle of scientists, but there were no endeavours to restitute or even discuss the problematic circumstances in which they came to be in Berlin, although their connection to colonialism and colonial atrocities was well-know. They were still even able to conduct research on them (Stoecker 2013, 449–50).

In 2002 Martin Baer and Olaf Schröter described the storage of the human remains in a room in Berlin Mitte, where the skulls and human remains of other collections had been kept. The room is described as crammed. Skeletal human remains are stored in "wooden boxes, paper bags, cartons and meter high shelfs" (Baer and Schröter. Olaf 2002, 287). Some are still in boxes, that were used to evacuate the collections during the war. The paper bags used for skulls are vegetable paper bags from the GDR, accompanied by matchboxes for the tiny ear bones (Baer and Schröter. Olaf 2002, 288). From Baer's and Schröter's description we can see that the bones had on the one hand, been neglected for a longer time. In 2002, some of them have not been removed from boxes from the Second World War. This shows not only that the scientific value of the human remains was regarded to be almost none existent, but also that there was no pressure to find out more about the context of these human remains. ,

The material handling of the human remains suggests that they were seen as mere items, that were stored like vegetables and matches. That we have so little information about the way the skulls were stored, is connected to the little attention they were paid. It was only a small circle of researchers, who could use them for research. However, the chaotic circumstances that Baer and Schröter describe, are not those of a fully functioning archive and do not seem favourable to ensure smooth and accurate research. This material aspect highlights the loss of academic attention, but it shows also that the human remains were not even seen as proper research objects. They continued to be part of the archive, but this was not due to their academic value. Negligence in the sense of disregard and forgetting is one aspect; the other is negligence through improper handling. Failing to provide proper storage, leading to mould formation, indicates that the bones were not regarded as useful for academic research, and nor were they seen as material objects that could conceivably be damaged. Even in the early 2000s, this doubled sense of negligence could be observed. The archivist[7] who oversaw the collection and tried to document the various human remains for decades shows that there was still the attempt

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[7] The archivist, Ulrich Creutz, is also co-author of one of the articles quoted by me, namely (Kunst and Creutz 2013). Even though this article proved helpful, it should be noted that when interviewed by a journalist in 2004, Creutz said some troubling things about the human remains. Even though he was open to repatriation if there were any legitimate claims, which he was not aware of, he also claimed that the human remains were not a "colonial heritage", but a "cultural heritage, not only for Germany but also for all those, who have a scientific interest in keeping them". See (Kleffner, November 13, 2004).

to make the skulls accessible for research, but this was rather half-hearted. Sixty years after the end of the Second World War, some remains had not been removed from the boxes they were evacuated in. If we compare this treatment of the human remains to the way they were handled during the repatriation process, we can detect significant changes. The description and analyses of these changes are being discussed in the following section.

Figure 2: Larissa Förster, *Arrangement of skulls at Q&A*, 18.11.2013, http://www.darkmatter101.org, accessed March 13, 2017

In the picture, we can see a lecture hall in the Charité. There is a stage, where a long table is placed, covered by a white sheet. Placed on it are 18 grey boxes. Between the eight boxes containing Herero skulls on the left and ten with Nama skulls on the right is a noticeable gap. In front of the long table stands another shorter table, not on the stage. It is also covered by a white sheet. There are two skulls under identical glass boxes, which face the audience. One is Herero, the other Nama. Those two exemplars were chosen by members of the CHRP, Winkelmann, Schnalke and Katrin Koel-Abt, since they were "intact, complete, and had legible inscriptions on them" (Jonker 2015, 99), ensuring that they were easily identifiable as Herero and Nama. Furthermore, the Herero skull's teeth "displayed the traditional Herero tooth manipulation: the lower incisors were pulled out and the two upper incisors filed in an inverted V-shape" (Jonker 2015, 99). On the side of the table are two flower arrangements with white flowers, among them white roses and callas, placed there by the Charité (Jonker 2015, 98). This was the arrangement for the press conference. From Jonker's interviews we know that it were

researchers from the CHRP, namely Dr. Andreas Winkelmann and Dr. Katrin Koel-Abt who arranged the boxes and skulls (Jonker 2015, 95). For the viewing of the skulls by the Namibian delegation, the arrangement was slightly changed. All skulls were now placed on a long table, again covered in a white sheet and framed by the flower arrangement. The two visible skulls were placed in the middle, dividing the boxes. The table was now not on the stage anymore, but closer to the audience on the floor of the room.

Since there was little reliable information, as most was lost during the World Wars, the research team was unable to establish any information about the individual behind the skulls, but only that "[a]mong the individuals in question, nine were Herero (one woman, eight men), eleven were Nama (three women, seven men, one male child of about four years). Most of them were between 20 and 40 years of age. All of them have lost their lives during the atrocious colonial war of 1904-1908" (Fächerverbund Anatomie - Charité 2011). This makes 20 skulls repatriated that day. The lack of information is also due to the racist reason for their collection, as 19th century researchers were not interested in the individual, but made them into representatives of their 'race' (Förster 2013a; Fächerverbund Anatomie - Charité 2011). Most of the skulls still arrived with tissue to investigate facial muscles to prove the inferiority of their objects of study. Even though the research team condemned this as "racist pseudoscience" (Fächerverbund Anatomie - Charité 2011), the Namibian delegation questioned the supposedly scientific Western knowledge production as the lack of information about individual identity clashed with their hopes and orally transmitted history about individuals whose remains were carried off to Germany (Förster 2013b, 434). One example is David Frederick, one of the chiefs present, who believed his great uncle's head to be among the German collection (Salm, October 23, 2010). Other questions concerned the research and "acquisition" in the 19th century, as well as the methods used by the CHRP and the handling of the skulls up until the restitution (Förster 2013a). One question concerned traces of violence found on the skulls, something denied by the researchers. This caused "a negative reaction from the crowd", since it was understood to indicate that there was no violence involved in their death (Winkelmann as quoted in Jonker 2015, 103). Winkelmann further described the atmosphere during the Q&A as "quite aggressive" (Winkelman as quoted in Jonker 2015, 103).

Figure 3: Larissa Förster, *Arrangement of skulls during viewing*, 18.11.2013, http://www.darkmatter101.org, accessed March 13, 2017

Figure 4: Larissa Förster, *Arrangement of skulls during memorial service 1,* 18.11.2013, http://www.darkmatter101.org, accessed March 13, 2017

Figure 5: Larissa Förster, *Arrangement of skulls during Memorial Service 2*, 18.11.2013, *http://www.darkmatter101.org*, accessed March 13, 2017

For the memorial service, which took place at St Matthew's Church, the skulls were placed in front of the altar. The skulls that were previously visible were now contained in the glass boxes on a small table covered with a white cloth. Behind this table was a square sized table covered by a black sheet on which the boxes with the other eighteen skulls were placed, covered by a big Namibian flag. The skulls were decorated with a more extensive flower arrangement, consisting of purple flowers and white lilies (figures three and four). The memorial service at St. Matthews was meant to be "a space for mourning outside the institutional framework of the Charité" (Förster 2013a). The service as well "blended elements of funerals as held in Namibia, in particular appropriate hymns, and reflections of the need for reconciliation and truth telling" (Kössler 2015, 293).

Mourning and grief are strong emotions normally connected in case of the death of loved ones or at least of individuals known personally. Judith Butler developed the term grievability to indicate that certain deaths can be mourned, especially publicly, while other deaths cannot. The latter are the ones to "not even qualify as "grievable"" (Butler 2004, 32). It is peculiar that these emotions were now to be directed at anonymous human remains who were put in front of the congregation as if it were a casket with a corpse. Yet, it shows a contrast to the way the human remains were treated before in the storage facilities. They became grievable. The Namibian delegation acted accordingly: "They approached the skulls as they would deceased loved ones during a funeral service, even though they were on display—as anonymous Nama and Herero skulls" (Jonker 2015, 106).

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Figure 6: Larissa Förster, *Arrangement of skulls during handover ceremony*, 18.11.2013, http://www.darkmatter101.org, accessed March 13, 2017

For the handover ceremony, the final time the skulls were to be shown in Germany, the same lecture hall was used as during the viewing. Similar to the arrangement during the viewing, the eighteen boxes stood higher than the two representative skulls, who occupy a smaller table in front under their glass boxes, facing the audience. The difference this time is that the boxes are covered by two Namibian flags. There are again flower bouquets to the left and right of the two skulls under glass boxes, but this time they consist of white lilies, as during the memorial service. On the picture (figure five) we can also see two members of the *Oturupa* guiding the skulls. The *Oturupa* (from the German word 'Truppe' meaning troops) are a mainly Herero organization. Being a hybrid between "parody and subversion" of German colonial culture (from a title of Larissa Förster), the activities of the *Oturupa* include appearances at social events, for examples weddings but also funerals. They are perhaps best known for "celebrations to honour deceased chiefs" (Förster 2005, 2). Thus, their guidance of the skulls is a second aspect of grievability. Though it might seem ironic that an organisation whose appearance bears close resemblance to German colonial appearance is guiding the remains of those killed exactly by the *Schutztruppe*, it stresses the respect that is paid to the skulls that comes close to chiefs, a high social group within Herero society. The use of German colonial attributes can also be seen as subversion in general, as argued by Förster, but in this constellation, it adds another layer. The inversion of the role of the perpetrator with that of one that ensures the safety of the human remains (symbolically) as well as pays respect to them is highly interesting. It suggests a historical irony or appropriation of a historical moment.

A third feature of grievability, one that we can see at almost every event that constitute the restitution process, is the flower arrangements. During the events in the Charité building, a member of the Charité press department provided the flower arrangements in agreement with the Namibian embassy (Jonker 2015, 95–98), while the flower arrangements at the church were provided by the Namibian embassy (Jonker 2015, 98). Most flowers were white, with the exception of the purple flowers at the memorial service. What is striking is the presence of flowers traditionally associated with mourning, at least in the Western context, for example callas and lilies. Laying down flowers at events that involve mourning like funerals or memorials is a common praxis. The Charité press department and the Namibian embassy both were responsible for them. Also, black banners were enrolled from the balconies of St. Matthew's Church (see figure three), reminiscent of black armbands. The skulls were placed on a black tablecloth, unlike at the other events.

4.3. Evidence/Witness

The endeavours described above are supposed to remove the skulls from the sphere of things, to which they have so long belonged. This is also stressed by then Ambassador of Namibia in Germany Neville Gertze, when he says that, "we are grateful to restore the honor and dignity of our ancestors" (Jonker 2015, 106). Yet, these efforts seem to be in stark contrast to the visible display of two skulls. The visibility of the skulls was part of the negotiations the CHRP had with the Namibian embassy in preparation for the event. To show them was the outcome of consultations between the embassy, the Namibian government and Herero and Nama interest groups (Jonker 2015, 98). According to Winkelmann, "[t]he skulls were witnesses, *Zeuge,* to and evidence for what the Germans did between 1904 and 1908" (Winkelmann as quoted in Jonker 2015, 99). Winkelmann also remarks that, "we would not usually display skulls like this because they have a difficult past and come from a context that was not ethically correct, but it was the wishes of the Namibians that not just the human remains, but the negative colonial context should be visible in a way". The "we" in this context possible refers to the research team or even a German academic community. This antithesis shows that there were quite different opinions on the proper handling of the human remains. Winkelmann even noted that the research team had a "bad feeling about displaying these skulls as modern-day scientists. We displayed the racist scientific approach of our predecessors" (Jonker 2015, 99). There is an emotional uneasiness connected to feelings of guilt in his statement. Still, there is no indication that this point was up to negotiation. Unfortunately, there are no records of how the decision came to be made on the Namibian side, but once it was made and communicated, the Charité

had to comply to the wishes, even if they did not agree. The feeling was not necessarily about the handling of the human remains as such, but also how the handling fell in line with a racist scientific research in whose lineage Winkelmann saw himself, hence his expression of guilt. Still, this "bad feeling" was caused because of the disruption between a belief in a "proper handling" and the wishes of the Namibian side. Therefore, the evocation of guilt is an effect of the display of the skulls. While a more significant number of human remains was present during the occasions, it was the visible skulls that took the most attention during the viewing but also in media reports, as pictures of the skulls under the glass box was the dominant motive to accompany media reports. The evocation of guilt is an example for Fontein's emotive materiality, a provoked response by the living through the encounter with bones. Like Bruno Latour's non-human actants, the human remains have agency in the network that is this encounter. Thus, the bones *do* something by means of their materiality, which make them recognisable as human substance. They "affect the living, provoking and structuring their responses" (J. Fontein 2010, 432). I have called this agency post-mortem agency.

We can assume that the wish of the Namibian side was partly to evoke feelings like this when they speak of the skulls as witness. For Yehonatan Alsheh in his article "The biopolitics of corpses of mass violence and genocide" (2014), human remains become a "privileged site of evidence":

> While written documents provide one with the way things should have happened, as framed by the perspective of those producing the documentation, corpses document – albeit partially and in a fragmented way – what was actually done to the victimized populations. (Alsheh 2014, 22)

For Alsheh, the particularity of human remains as evidence arises from a certain way they speak about what was done to them in opposition of written proof, which may be commands or other archival sources. The opposition that Alsheh proposes is that these sources are evidence of mass violence and genocide, but in a different manner from corpses, since they are still framed by people who were not the victims of genocide (as supposed to survivors, perpetrators or outside investigators). It is not only *what* human remains can say about mass violence and genocide, but *how* they can say it. We can see what Alseh talks about in reference to the incidents during the Q&A, when the clinical reports of the German research team clashed with the expectations of the Namibian delegation. The written report was one way of telling a truth, undoubtedly with good intentions to find out what happened, but it spoke a different language than expected by the affected communities. Winkelmann felt misunderstood when his statement that there was no sign of violence on the skulls was taken to mean that there was no violence at all. The mere existence of the skulls was proof to the delegation for violence, which made their case for

reparations and legal acknowledgement so pressing. Interestingly, Alsheh talks about corpses (and we can extend this to human remains in general) as privileged evidence, because researchers treating them as research object can detect different evidence than archival sources. This already points towards my next argument, namely that human remains may have something different to *say*. Yet, Alsheh too thinks of human remains as mere objects to be investigated, which for Ewa Domanska is the trace being of human remains. In contrast, Domanska writes about the dead body as both evidence and witness. Whereas 'evidence' provokes a passive image that puts the dead body closer to the realm of the object, a 'witness' is active, it is a trace Being. A 'witness' can tell something. The skulls therefore become "an alternative form of testimony" (Domanska 2005, 403).

Former ambassador and politician Katjavivi said, "The repatriation of the skulls gives voice to the dead to tell their own story to the world about how absurd and inhumane German colonialism was towards black communities in Namibia" (Förster 2013b, 441). Katjavivi speaks of the 'voice of the dead' that have something unique to say about the German atrocities. It is them, who speak in a very different manner than history books. The evidence character also helps

> reckoning with the past [since] the dead body is valuable insofar as it is a 'body of evidence', or, more specifically, the 'evidence of crime'— corpus delicti —bearing the marks of a person's experiences before death (tortures) and the kind of death (homicide) he or she endured, and insofar as it can be used for political purposes […] (Domanska 2005, 403)

By portraying the skulls as evidence, they are made into an object to study. As we can see from Domanska's quote, to see bones as evidence is also to stress and confirm their victim status. Krmpotich, Fontein and Harries note the "tendency to see these bones as *victims,* [which runs] the risk of limiting their agency" (Krmpotich, J. Fontein, and J. Harries 2010, 374). The witness character of the skulls, which the Namibian delegation mentions, is connected to the concept of affective presence, which is itself tied to the belief in ancestral spirits. At the same time, the skulls are material, visual evidence, and not merely a transparent source of evidence. Their materiality is the trace Being that actively interrogates, 'Why are there remains at all instead of nothing?' (Domanska 2005, 403-4). Skulls are thus witnesses, alternative testimony of a history that is not written by humans. There should not be an either/or in the distinction between evidence and witness. The human remains are both. To be at once evidence and witness is also part of the ambiguous subject/object status that Fontein describes.

This telling of their own story can be retraced to Winkelmann's "bad feeling" because they also say something about the research that was performed on them through their mere presence

in that space ("Why are there remains (in Berlin) at all instead of nothing?"). When Ambassador Katjavivi refers then to the restitution process as giving the voice to the dead, we can see this in light of the special location. The provocation is caused by the fact that the skulls need to be restituted, as they were taken away from their "proper place". I have noted in chapter one how biopower does not cease after the death of the subject. A repatriation as such involves space in an obvious manner: something or someone changes its location from a place that they supposedly do not belong to, to a place they supposedly do. It is not only the violent context of their existence as skulls, that is, the murder of the individuals they belong to, but their very existence in a *certain* space. What I mean by this is the seemingly banal observation that there simply would not be such a conflict surrounding the skulls if they were not in Berlin. There would be no restitution claims or restitutions made. Of course, we cannot detach their place from the research that was conducted on them. It was their presence in the space of the university in Berlin, the colonial metropole, that made possible the violence of examination and the accompanying racist beliefs. It is a spatial and material configuration that made this struggle possible.

The evocation of guilt was possible, since the skulls were handled by the researchers. Winkelmann also talks about the great care the researchers took: "It was a big deal to arrange them for the display. They had to be symmetrical and you wanted to have it just right. If you return human remains you don't want it to look like you've just thrown them there" (Jonker 2015, 100). In this quotation, we see that Winkelmann was worried that it would look as if they handled the human remains carelessly. Of course, he was aware of the great political significance of the event and we can assume that he wanted the Namibian delegation to see that they have not "just thrown them there." At the same time, his statement, "you wanted to have it just right" also hints at an intrinsic motivation. He connects this motivation to the skulls and distinguishes between the human remains and, say, stolen art that is restituted. The fact that it is about human remains makes the sentence plausible in a way that goes beyond trying to please the Namibian delegation. This different handling is also part of the emotive materiality as a provoked response. What Winkelmann describes is not a to-do that was given to them by the Namibian embassy. What he describes is knowledge of how the remains should be treated, which seems to come from the materiality of the skulls themselves.

4.4. The Human-ness of the Human Remains as Negotiation

We see that it was an encounter with the human remains that made the researchers act and feel differently, that is it provoked not only reactions, but emotions. This I have called agency. In

Winkelmann's case, the feeling of guilt was provoked. Guilt gets in the way of his professional lineage, while the bones have long been forgotten or neglected, and so too the topic of the genocide. If bones bring back a repressed past or challenge a dominant narrative of the past (or science), as Fontein suggests, this can invoke guilt, especially if it concerns a violent past. In this subchapter, I want to investigate another way that reflects how the skulls were handled differently. I will focus on the ambiguous subject/object status of the human remains, since part of the repatriation process is to remove the human remains further from the domain of the object by handling it differently and its connection to the status of the Human.

Contemporary restitution processes often feature elements and desires to re-individualise human remains and refer them to a sphere of Human-ness, which has been denied to them before. Such tendencies are also ostensible in the German-Namibian case: one example of how this dynamic played out in the German-Namibian case was that one of the research goals of the CHRP was to re-individualise the "items" (Stoecker 2013, 451). Another example of this tension is that during the provenience research that the CHRP performed, the skulls remained a "specimen". Jonker notes that sometimes the reference "specimen" was used and sometimes they referred to the human remains as of the "individual". Also on the boxes in which the skulls remained during the ceremony, the word was left out: "In each provenance analysis the skulls were referred to as 'specimens' when the anthropological data or condition of the skull was discussed, while the team referred to 'the individual' in the section about the historical context and in the conclusion" (Jonker 2015, 105). From the language used by researcher, it becomes clear that they were at once aware of this object status and uneasy about it. More than once do we find a reference to the human remains as objects, items or material, that are then put in quotation marks (Stoecker 2013, 451; Winkelmann 2013, 81). In effect, to attach a personal identity to the skulls means to make it more Human-like and detach the skull from a sphere of objects. Individuality is attributed to Humans, not *homo sapiens* but "[…] a normative convention, which […] is posited as categorically and qualitatively distinct from the sexualized, racialized, naturalized others and also in opposition to the technological artefact" (Braidotti 2013, 26). For our case, it is not only interesting because it is juxtaposed against a racialised Other, but also against the artefact, the object. The prefix 're-' signifies that a status needs to be restored and condemns the practices of objectification of the past and a promise to change this. Therefore, individuality here can be understood as synonymous with Human-ness.

I have already described how we can observe a shift from a chaotic storage situation towards elements of grievability. The term grievability denotes more than its mere descriptive quality. I must thus show how the skulls became a grievable matter. Here, I employ Butler's

concept of grievability, which demonstrates how the possibility to mourn gives us an indication of the Human-ness of the remains, since we can observe a change in "[w]hose lives count as lives […] and […] [w]hat makes for a grievable life" (Butler 2004, 20), which is tied to the question of who can count as Human.

The endeavours to re-Humanise the human remains in restitution processes stem in part from the fact that the skulls had been objictified through research and storage. The death of the person to whom the skull belonged is also part of this. Drawing from Foucault, Alsheh describes biopower as a configuration, which "focuses on the fact that historical experience most clearly and brutally shows that biodisciplinary power has never fostered, nurtured or cultivated all human life" (Alsheh 2014, 17). Biopower as "the right to make live and to let die" (Foucault 2008, 241) has shown itself in the concentration camps, the extermination order, and generally speaking, in the whole genocidal project. For Foucault, biopower is connected to racism insofar as racism

> is primarily a way of introducing a break into the domain of life that is under power's control: the break between what must live and what must die. The appearance within the biological continuum of the human race of races, the distinction among races, the hierarchy of races, the fact that certain races are described as good and that others, in contrast, are described as inferior: all this is a way of fragmenting the field of the biological that power controls (Foucault 2008, 254–55)

Thus, racism for Foucault is one way to determine which live is worth to be kept alive. It is a use of the concept that is not without critique, since Foucault uses it in a very specific and narrow way. For him, "[r]acism first develops with colonization, or in other words, with colonizing genocide" (Foucault 2008, 257). Racism is therefore tied to the distinction into life to be kept alive and to let die. This already shows the connection between biopower and the status of the Human, since some "are reduced to the less than human status of disposable bodies. We are all humans, but some of us are just more mortal than others" (Braidotti 2013, 15). For Foucault, biopower or power in general seizes to work after death: "Power no longer recognizes death. Power literally ignores death" (Foucault 2008, 248). However, the theories put forward in this thesis as well as my own elucidations regarding the Herero and Nama human remains have shed light on this topic and suggested otherwise. Fournet for example notes:

> The extreme violence of genocidal death culminates in the total destruction of the physical appearance of the victims and their bodies. It is more than a pathological outburst of violence. Rather, it is the destruction of the existence of the victims as human beings, the annihilation of their identity so as to wipe them out, including from both individual and collective memories. Destruction of the bodies is a purposeful act perfectly in tune with the

> genocidal modus operandi. Not only does it destroy life; it also destroys death
> (Fournet 2014, 64)

The destruction of the body, including in the form of severed heads, is part of the phenomena described in the quote. By treating them as research objects, the identity of the individuum that once belonged to the skulls was annihilated, their status as Human continually denied, even after death.

It is from this point, that the need arises to restore the Human-ness of the skulls and where grievability as described by me comes in. As I have noted, it is hard to determine feelings. It is impossible to say whether anybody present at St. Matthew's Church "truly" grieved that day, but this is also not the point. The provision of common symbols, actions and spaces of mourning as is the case in this scenario, shows that another change occurred from the way the skulls were handled before. They were suddenly attributed with the ability to be grieved publicly. Of course, as we can see from the observations noted by Kössler, Förster and Jonker that it was foremost the Namibian delegates who participated in actions of mourning. Nevertheless, the German side was complicit in granting grievability to the skulls. The funeral-like setting put the skulls closer to a dead body than to the object status it occupied before. In restitution processes of this kind, the re-humanification often works to restore the dignity of those who had been robbed of it by the colonialists. In general, a funeral service and 'proper burial' has been denied after the deaths of the individuals and is made up for. On the other hand, the mourning does not only connect to some kind of symbolically transformed corpse or "personal ancestors, but as ancestors of *all* Namibians" (Jonker 2015, 106). As a consequence, the mourning did not only direct itself to the personal loss of individuals nor even to the history of the Herero nation, but rather to the Namibian nation. The strong influence of the Namibian government in portraying this event as a national one is part of the explanation (for other examples, see Förster 2013b).

I claimed that the agency which I traced before caused a change in the handling of the human remains. Since one of the major changes in the handling affects aspects of grievability and this in turn indicates Human-ness, we can say, that the human remains influence their own status as Humans. The material, recognisable as human substance (Krmpotich, J. Fontein, and J. Harries 2010, 378) demands a different treatment than before. It forces a recognition as being part of the concept of the Human. I want to make a quick observation here about the resurfacing to exemplify this better: it could be argued that by encapsulating an analysis of agency to an event, there was no agency of the skulls beforehand, which could ultimately show that everything that happened at the restitution has been mainly a symbolic gesture. I want to caution against this conclusion by pointing out that objectification and negligence did not simply

provide a context that extended agency to the skulls, but rather, that the skulls already contained agency. We can take the moulding of the skulls as one example. Even though Krmpotich, Fontein and Harries mark the difference between bones and decaying corpses in the skeletal "firmness, dryness and portability" (Krmpotich, J. Fontein, and J. Harries 2010, 378), their substance can still change and therefore be active. Mould is an indicator for a very lively material agency. Even more interesting in this circumstance is the fact that due to the moulding, skulls had to be moved to another, better location. This shows that the liveliness of matter provoked the living to change the treatment of the skulls. It created a change, however small we grant its significance.

Krmpotich, Fontein and Harries write that the encounter with bones causes the "destabilization of any easy boundaries between persons and things, subjects and objects, actions and reactions" (Krmpotich, J. Fontein, and J. Harries 2010, 373). The distinctions they make in this quotation describe the extent and form their agency takes. There is a confusion created about who is acting upon what, about "action and reaction". Bruno Latour would say that "continuity of any course of action will rarely consist of human-to-human […] or of object-object connections, but will probably zigzag from one to the other" (Latour 2007, 75). This zigzag is exactly the question of "action and reaction." What are the living doing with the bones, remains an important question, but we need to add what do the bones *do* to the living? This is the question of agency and the insight of non-human agency. Consequently, the question of subject and object is troubled, since we can no longer keep up a distinction between the living, agential subject and the lifeless, non-agential object. More importantly, the peculiarity of agency of skeletal human remains is, that they also act upon their status as Human or as persons as Krmpotich, Fontein and Harries would phrase it.

Destabilisation refers to how a seemingly stable status is disturbed and may lose its stability as a consequence. It could also mean that there never was a stability in the first place or that stability as such is a false promise. If seemingly self-evident categories such as object, subject or even Human become questionable, we would need to rethink what it means to occupy such a status. Meanwhile, we are aware that people can become subjects, even if they were previously denied that possibility and had been objectified. In a comparable manner, it is assumed that people can be excluded from the concept of Human-ness with all its attendant privileges. We still tend to think those categories as absolutes, where one stays once one has escaped objectification. Someone or something can be either subject or object. The subject/object status of the human remains is called ambiguous by Fontein, exactly because thinking both together tends to make us uneasy. On the one hand, we readily accept that there

can be travelling between the categories on the other we seem not able to accept if the status is unclear, in between or fluctuating. The negotiation of these categories as struggles for recognition are overlooked as ongoing processes. To be involved in an ongoing process also means that the treatment of the skulls can be quite contradictory and can give us different directions in a short time.

Even though we see strong and clear forms of re-Humanification, this is not a path that has been taken fully in German press and politics. One example of how the skulls were not treated as Human during the events is their containment in boxes "made especially for the occasion by a company that produces storage articles for" (Jonker 2015, 100). This does not diminish the observations made about re-Humanisation, but rather shows that to be considered Human is to occupy a fragile space.

4.5. Conclusion

In this chapter, I have described and compared the way the human remains were stored before the restitution process in opposition to how they were handled during the different events that formed the restitution process. A direct comparison between the admittedly little information we have about the storage and handling of the human remains during the restitution process nevertheless reveals that a notable change has taken place. When the skulls resurfaced, there was a high demand to repatriate them. Such demands always led to a change of treatment at least between before and after repatriation, *e.g.*, in the form of a proper burial. This shows that part of the legitimate outrage is the objectification of human remains. However, as I explained, we are not only facing a case of continual objectification but also one of negligence, which adds a touch of scandal to the issue. Therefore, objectification and negligence of the skulls became part of the circumstances that gave the repatriation such political significance. I observed the different ways the skulls came to be grievable.

Even though we could see that the events included various similarities to a funeral, one aspect of the arrangement contrasts this observation, namely the place of two skulls under glass boxes. This visibility was due to the wishes of the Namibian delegation. This visibility evoked negative feelings on the side of the researchers, since it appeared to connect them to the racist research of their scholarly lineage. The evocation of such feelings of possibly guilt is the outcome of the encounter with the skulls, especially through their visibility. This I have identified as a result of the emotive materiality of the human remains. This is also due to the way they are both evidence and witness of the atrocities committed by the Germans during the genocide. In contrast to an evidence, a witness *says* something on their own, and this does not

need the investigation of a researcher on an object. The skulls as witness are, however, active in creating an alternative testimony. Yet, they not only witness, but also provide evidence, simultaneously object and subject.

In the next subchapter, I continue along this path, showing how the language in describing the skulls displays an uneasiness in portraying them as objects. I return to the aspect of grievability that I had observed during the events to further investigate its meaning. It is a common attempt of restitutions of human remains to detach them from the sphere of the thing and restore their dignity. This is mainly done by stressing their Human-ness. The Human is therefore exposed as a concept, to whom not every member of *homo sapiens* automatically belongs. To re-Humanise the skulls shows the long history of objectification before and after death. Since I have asserted before, that the treatment of the skulls is influenced by their agency, we can say that the agency of the human remains influences their status as Humans. They enter the negotiations on their own Human-ness through their emotive materiality.

The sphere of the symbolic and the 'real' cannot be as easily separated without causing considerable discomfort. We can also see this when it is no longer possible to store the skulls in paper bags in basements, and instead they must lie in state with mourning crape. We can also see this in the changed way the skulls were treated by the researchers and the feelings they caused them: the grievable skulls in the funeral like memorial service and handover ceremony as opposed to the storage as mere objects, described earlier, in paper bags and matchboxes. We can see it, in the way it was no longer possible to refer to them as objects, items or research material. The agency the skulls enact is "in part dependent upon the uneasy ambivalence of bones as objects/subjects and their recognition as human" (J. Fontein 2010, 432).

There is ambivalence in their Human-ness, just as there is in their subject/object status. This ambivalence is a key part of the agency, as Fontein stresses. After all, objectification undeniably continues. It is nevertheless worth paying attention to the ruptures in the lines of continuations and the possibilities of change. The status of human remains is a constant negotiation between object and subject. The uneasiness, that we see in the way they are described and the shift of terms depending on the context shows that this is an ongoing negotiation, that is neither steady nor resolved. At the one time, the skulls are closer to the subject status and sometimes they are closer to the object status.

I have shown the different areas in which the skulls were able to enact agency. On the one hand, they forced a discussion of their status as Human. On the other, they opened a renewed discussion on the past and the context of their presence in a university building in Berlin. If there was little or no interest in the circumstances of their collection, researchers were then

forced to find out more about them, their origin, their cause of death and the research that was conducted on them as well as the political implication. Therefore, as a non-absent past, they forced the topic back on the table. They did so both by forcing new information about themselves to be investigated and by confronting the German government with the topic of the genocide, the topic of my next chapter.

5. Returning Human Remains Is Not Justice: Political Ramifications of the Restitution Process

5.1. Introduction

When we view human remains "as materializing evidence of human lives and relationships, past and present" (Krmpotich, J. Fontein, and J. Harries 2010, 372), then it is easily acceptable that the human remains, while being in Berlin, were evidence/witness of a colonial and postcolonial power relationship that involved the dead and the living. That involves colonial political structures and an anthropological culture of collecting and studying human remains. It also holds the power to objectification, to decide who counts as subject and who does not. It is also postcolonial in the temporal sense in that it involved a continuation of power structures after the end of formal colonial rule: the continued objectification of human remains and the power to deny and relativise the genocide. We can see all of these in the skulls. Their existence in Berlin as a spatial configuration is a materialisation of these relationships. In the different handling of the skulls, this becomes very clear. We can conclude that connected with the change in the handling as I have described it is a possible change in these relationships. This becomes an especially interesting point of investigation since I have asserted that the neglect of the skulls can be seen in a comparable way to the neglect of the topic in Germany and by German officials. Yet, the change in handling stands in contrast with the denial by the government. This also means that a change in these relationships could show in a different handling of human remains. I will investigate the question as well as the pursuit of justice, the broader political changes and effects in the following chapter.

My argument here is, that emotive materiality is not enough to explain the political uproar that the restitution process caused. I have already listed several reasons for this in chapter two, but I want to apply my theoretical thoughts to the case in the following ways. Haunting will be my main focus point as well as a lens through which to analyse old and new points. Besides bringing in additional information on the aftermath of the restitution, I will also recap some of the events during the different events. My starting point is, that even though I have argued before, that we need to be careful as not to overlook the small changes brought about by the restitution, I am well aware that the demands of the affected communities have not been met by the German state as well as that the attitude displayed by the officials have added insult to injury. Even though things have indeed changed in the treatment of the human remains, justice has not been reached. In Avery Gordon's words, we might say: "A bag of bones is not justice. A bag of bones is knowledge without acknowledgment [...]" (Gordon 1997, 115). This felicitous

quotation sums up the critique of members of the Namibian delegation, namely that the skulls are proof of Germany's guilt, from which other actions must necessarily follow (Stoecker 2013, 452). First, I will look at the way the resurfacing of the skulls and restitution process have forced a confrontation on the level of politics. I argue, that we can explain the renewed negotiation of the colonial past and the acknowledgement that followed some years later as an outcome of the haunting agency of the skulls. Secondly, I will take into focus how they also forced a broader debate on memory politics and history writing about the genocide on the agenda in Germany.

5.2. The Haunting Agency of the Herero and Nama Human Remains

We can explain a lot of the reactions by the researchers described in chapter four through Fontein's emotive materiality. Yet, Alsheh offers a critique:

> [W]hile it is clear what will settle those angry spirits and how this may be accomplished (repatriation of the bones and their proper burial), it is completely unclear what may settle the unsettled distinction between person and object in the case of the corpse (Alsheh 2014, 26)

What Alsheh hints at, is that an uneasy feeling about the subject/object status of human remains stays, something that is still at work after 'those angry spirits' are settled, after the repatriation. I agree with Alsheh, that Fontein does not give us an answer, but Avery Gordon might. What could settle the uneasiness may be justice, since the lingering effect of the violence that had caused the skulls to resurface, to exist in that space, are not settled with the removal of the skulls from that space. The ghost "as social figure" (Gordon 1997, 8) also "has an agency on the people it is haunting and we can call that agency desire, motivation, or standpoint" (Gordon 1997, 179). Meeting this desire by the living would settle the ghost.

Caroline Fournet notes that "[b]y denying the crime, deniers deny that there ever were victims and thereby question the existence of the victim group as such" (Fournet 2014, 66). This is true in the case of the German government prior to their acknowledgement last year. They supressed this part of their history, even though historians had long been making ample arguments for why the atrocities committed by the *Schutztruppe* count as genocide. But in confrontation with the victims, the skulls as well as the affected communities, the government was forced to engage with that matter and did so quite poorly. The resurfacing of the skulls in this sense also becomes a haunting matter. As Lars Müller noted "[t]hough this [the restitution] did not prompt any concrete steps, it did mean that the governing coalition of CDU/CSU and FDP (*Freie Demokratische Partei*) was forced to continue engaging closely with the question of the genocide" (Müller 2013, 56). It is exactly this forced confrontation, that creates a

possibility for change. After the repatriation of the skulls, there was a continual discussion about the consequences of the handover and compensation claims. The handover had provided a different basis to talk about the affected community's demands, because their presence in Berlin for the restitution made a different impact and audience for their claims possible. Even though Kössler calls the restitution a "political debacle" (Kössler 2015, 298), it provided a space where claims could be articulated to the German public unlike before. Also, the state was forced to participate in the restitution process, even though they tried to limit their involvement. Yet, it was exactly this tension which was brought to the forefront: The Ministry of Foreign Affairs rather clumsily avoided participation, yet had to acknowledge that there had to be some involvement of an official state institution. Kössler attributes a chapter to the restitution process in his book *Namibia and Germany: Negotiating the Past* (2015), which he calls "The Saga of the Skulls". Even though his overall evaluation of the events before, during and after the repatriation are pessimistic, he continually stresses the importance of the skulls not only for memory politics but also as acknowledgement of the genocide as well as possibly connected compensations. He acknowledges, that "[t[he public disclosure in mid-2008 of the alleged existence of some 300 skulls from Namibia in various German institutions marked a turning point in both countries, [...]" (Kössler 2015, 284). Similar assessments are made by other researchers. In referral to the skulls, Olusoga and Erichsen write: "In Germany, too, it has been the dead as much as the living who have dragged the story of the Herero and Nama genocides from the historical shadows" (Olusoga and Erichsen 2010, 358). Through this statement, they acknowledge an active part of not only the living, but also the dead. The use of the verb 'dragging' also indicates that it was always there, but had to be moved into the light, to the public. It also says something of the labour, since 'dragging' carries the connotation of hard work, as if that which you are dragging is resisting its movement. Zimmerer finds similar words when he writes that the impending restitution did not only create the need to find procedure, but also "forces an examination with a time, in which the upsetting of such collections was not only possible, but flourishing: the colonial era" (Zimmerer 2013b, 21) (my translation).[8] Here again, we find a language of force.

I have talked repeatedly about how the encounter with the human remains constitutes a provocation to react and confrontation with the silenced past. Since the 2000s, other institutions have come forward by acknowledging that they hold human remains wrongfully. In many cases, repatriation has been planned. Only the last months have seen the resurfacing of human remains

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[8] Original quote: "[…] erzwingt auch eine Auseinandersetzung mit einer Zeit, in der der Aufbau derartiger Sammlungen möglich war und gar florierte:der Epoche des Kolonialismus."

at the University Clinic in Hamburg (Universitätsklinikum Hamburg Eppendorf 20.4.2017) and in the Museum of Natural Science in Oldenburg (n.N., May 03, 2017), and a renewed discussion of the repatriation of human remains from the Charité (n.N., May 25, 2017; Universitätsklinikum Hamburg Eppendorf 20.4.2017). In January, a new lawsuit was filed in the USA against Germany, whose second hearing has been scheduled for July (n.N., January 06, 2017a, January 06, 2017b), while in February it became known that in a second former colony, namely Tansania, lawmakers are preparing to demand reparations from the German government (Chutel, February 13, 2017). Germany, who for the longest time has denied the importance of its colonial history, has been caught up by this past, as one reporter already noted in regard to the human remains restitution in 2011 (Salm, October 23, 2010). Lynsey Chutel, who has written about the Tansanian case, talks about how "Germany's colonial ghosts are once again haunting the country in the present day" (Chutel, February 13, 2017). The "once again" here undoubtedly refers to the Namibian case.

To be haunted, as Gordon reminds us, is no choice; it is something that cannot be evaded, but takes its power exactly from denial (Gordon 1997, 190). The German state attempted to present the restitution in as apolitical terms as possible, repeatedly casting itself in the role of "guest", a role that suggests lack of complicity in the conditions leading to the present event. But "[w]e are haunted by something we have been involved in, even if they appear foreign, alien, far away, doubly other" (Gordon 1997, 51). Therefore, the attempt by the German government to keep the restitution unconnected to wider claims of legal acknowledgement and material compensation simply failed. Cornelia Pieper was not allowed to speak the way she did, and although she fled the event, the outrage continued since she tried to avoid the critique. This is just one example of how the denialism backfired.

The haunting agency of the skulls becomes quite clear due to their visibility. The visible place of the human remains in the German-Namibian restitution process is special. Other international restitution processes did not display the human remains. Even though we must critically note that there is a reinscription of colonial practices in the labelling of the boxes and the clear segregation of the Herero and Nama skulls (similar labels were even visibly written on the skulls from colonial research practice), it was especially these two skulls that also added another layer. The skulls were placed to face the audience. Förster notes that the human remains facing the auditorium "also looked back at the audience and through this seemed especially present" (Förster 2013b, 436). This "looking back" is more than a figure of speech, because skulls do give the impression to be looking at one. That is because, as Krmpotich, Fontein and Harris noted, skulls especially are inevitably recognisable as human substance (Krmpotich, J.

Fontein, and J. Harries 2010, 378). We recognise facial features in them. We know that there are no eyeballs, nerves, muscles or brains that would actually enable one to look. Förster does not have to explain to us what she means. She can say it with a matter of cause, because we know what she means. This special presence that Förster describes here, that is created through the skulls, can be described as hauntingly. The skulls again are active, they are looking, as if they were alive. Invoking Gordon's words, we must pay attention to what "appears dead, but is nonetheless powerfully alive, […] [what] appears to be in the past, but is nonetheless powerfully present" (Gordon 1997, 42). When we think back to the argument I have made about the witnessing character of the skulls, we see that they are not only witnesses to what has been done to them in the past, but also observers of what is done in the present. The "looking back" is at once the expression of a haunted feeling and at the same time an expression of being observed as well.

While paying attention to these seemingly small details, we can also understand more closely what has happened in regard to haunting during the Q&A. When the researchers tried to present their findings, and were heavily criticised by the audience, there was not only a clash in different knowledges, but also of language. The report of the researchers may have been factual, but it spoke a different language than the ghost, since

> […] the ghost always carries the message—albeit not in the form of the academic treatise, or the clinical case study, or the polemical broadside, or the mind-numbing factual report—that the gap between personal and social, public and private, objective and subjective is misleading in the first place. That is to say, it is leading you elsewhere, it is making you see things you did not see before, it is making an impact on you; your relation to things that seemed separate or invisible is changing. (Gordon 1997, 98)

The report on the violence that was done to the individual did not figure into either the 'truth' nor the language of the report. That is also because the language of violence is hard to transcribe and even harder to do so into a cold, scientific language. There will always be a "gap" that the ghost wants to fill. Haunting therefore becomes also a "language" (Gordon 1997, xvi).

The witness character of the skull (see chapter 4.3) is tightly connected to the concept of the non-absent past, as I have showed before. Another haunting quality of the non-absent past besides their unexpected presence is their endurance, no matter how much you are trying to ignore it. This is something that the German government had to experience first-hand. The government's attitude before they entered negotiations was to play up the "special relationship" and what can be described as the demand to "not look backward", as was for example expressed by Social Democrat deputy Doris Barnett during her visit in Namibia in 2014 when declaring that in "Namibian-German relations there would be no discussions backwards" (as quoted in

Kössler 2015, 305). For the affected communities, this is an insulting claim. German officials repeatedly make clear with such remarks that they deemed themselves to be the right authorities to decide upon the orientation of the engagement with the issue of the genocide. They also denied the manifold ways in which the living reality of the affected communities is still shaped by the events of the genocide and politics afterwards (Kössler 2008, 315).

Also, in Germany, the past might not be so absent as the government claims. Human remains as material are a non-absent past that rebut the pretence of absence. The non-absent past is a physical reminder that is valuable as memory politics proved dangerous and prone to forgetting of events that do not fit into the national narrative both in Namibia and Germany. Therefore, the continual stress of the evidence and witness character of the skulls, indicates how the non-absent past opposes this approach to history and makes an alternative history possible. The "looking back" of the skulls described as a haunting agency challenges metaphorically an approach to the past that is not looking back. Their "vision" is turned to past, present and future at the same time and it is exactly this simultaneousness that opposes the possibility of separating these temporal categories neatly. It is what makes them haunting.

Significantly, the German government continues to portray itself as if its actions, renunciation of opinions held before and openness for negotiations are caused by sheer goodwill and out of its own initiative. Part of this strategy is the repetitious claim that the government is not legally bound to change its response. The political reality is however one of continual confrontation with affected community groups. After the restitution, German diplomats and politicians continued to make outrageous comments. One example is a statement given by German Ambassador to Namibia Egon Kochanke a few weeks after the restitution:

> Despite the negative impression the huge Namibian delegation made in Berlin due to their hidden agenda, I do hope that the commemoration of the return of the skulls at Heroes' Acre in October and the forward-looking speech by President Hifikepunye Pohamba will set the coordinates for both governments: looking into the future for the development of this country on one hand, without neglecting the burdens of the common past on the other (Kochanke as quoted in Kössler 2015, 299)

By claiming that the Namibian delegation had a "hidden agenda", he either had overlooked the long-standing history of these demands or he directly denied the agency and political articulations of the Namibian delegation that differed from his as well as the German government's own opinion. In Kochanke's quote, we also find the rhetoric of "not looking back" when he stresses future-oriented approaches to dealing with the restitution. However, the mistreatment of the delegation in Germany caused considerable damage to the German-

Namibian relationship. Not only was the ignorance of the German government cause for condemnation, so too was the constant refusal to pay reparations. Never was the topic of reparations so present in this "special relationship". When Walter Lindner, then Director of African Affairs at the Ministry of Foreign Affairs, visited Namibia in February 2012, he apologised for the treatment of the delegation by the government, but ruled out an apology for the genocide. Similarly, when the new Ambassador in Namibia Otto Hückmann met the Namibian prime minister Hage Geignob, he promised that more human remains would be given back, but infamously is said to have asked the Namibian government to cease claims for reparations (Wegmann 2013, 414-15). Hückmann urged Namibia to dismiss any talks about reparations since they could harm the bilateral relations between the countries and to instead accept what Germany had offered so far. Geignob answered, "We cannot stop people from talking about reparations. It is their right to do so. People are paining. They are hurt when they see skulls. Where are the skulls coming from? Let us handle this issue carefully and not tell people not to talk about it" (Shigwedha 2017, 204).

Geignob's question, "Where are the skulls coming from?" is exactly the question of the trace-Being of human remains discussed by Ewa Domanska: "[W]hy are there remains at all instead of nothing?" (Domanska 2005, 403-4). It is a similar question that the mothers of the Argentinian *desaparecidos* that Gordon discusses, ask: "They have been here once. They should be here now. Where are they?" (Gordon 1997, 109). It has become harder for the German government to demand silence on the topic.

5.3. Another Outlook on Justice: Dealing with Violent Pasts and Lingering Effects through Memory Politics

Having established how the haunting agency of the human remains caused a confrontation with the topic of genocide, it is necessary to trace the impact of this confrontation as well as the possibilities it has opened up for claiming justice. Turning back to chapter two, I have made clear how history writing is a political process that has implications for the present and the future. In this chapter, I investigated how "history as a site offering space for the articulation of different and alternative futures by subordinate groups [...]" (Petö and Waaldijk 2011, 80). Taking the skulls as witness for an alternative testimony, I further looked at how this could contribute to justice in the case of the genocide. My argument is that the skulls as non-absent past make history accessible in a way that goes beyond representation, therefore denying the attitude of "it's been done, there is nothing to be changed". The human remains brought up the

silenced past and lingering structural effects of violence. Dealing with it in a way that would settle the ghost is part of justice.

All of my key theoretical concepts in analysing the skull's agency, Domanska's non-absent past, Fontein's emotive materiality and Gordon's haunting, have one thing in common: they stress, that human remains, ghostly matter, or the materialisation of a past take their agency from the fact that their historical context was violent and is supressed and that they exert their agency on this past insofar as they force a renewed negotiation of it. Domanska notes that "[t]he non-absent past is the ambivalent and liminal space of 'the uncanny'; it is a past which haunts like a phantom and therefore cannot be controlled or subject to a finite interpretation" (Domanska 2005, 405). Fontein writes that bones "are active in the way they retort silenced pasts back to the present" (J. Fontein 2010, 431) and Gordon talks about how "haunting […] is an animated state in which a repressed or unresolved social violence is making itself known, sometimes very directly, sometimes more obliquely" (Gordon 1997, vxi). They also tell the story of the unsuccessfulness of this suppression and how the agency of human remains may "overcome their [violent events] pulsating and lingering effects" (Gordon 1997, 134). I have traced the agency of the skulls in the case study to how they effected their own handling and treatment as a negotiation of their status as object/subject and their Human-ness (chapter four). I have shown how this agency operated through haunting on debates of recognition of the genocide in today's politics by forcing a confrontation (chapter five). The latter already has to do with the suppression of the past, denialism and the selective interpretation of history, but remains primarily concerned with concrete political steps. The skulls force a confrontation in regard to the past also by forcing the re-evaluation of the collective historical memory of Germany.

The surprisingly wide media coverage in Germany, which Kössler describes as a "brief moment of high drama" (Kössler 2015, 323) on the restitution mainly focused on the behaviour of the government officials, and mostly on the éclat caused by Pieper's speech.[9] Gesine Krüger writes that "the reception of the colonial period and the wars in the public show, that there is a sounding board available, since whenever colonial topics are touched upon, the press is thrown into turmoil" (Krüger 2003, 137) (my translation).[10] What Krüger challenges here is the idea of the absolute colonial amnesia. This shows that there is a toehold to address the issue within a

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[9] A detailed collection of national newspaper articles can be found on the website of the Namibian embassy http://www.namibia-botschaft.de/images/stories/Herero/newspaperclips/presseclipping_rckgabe_260911_bis_041011.pdf
[10] Original quote: „Die Rezeption der Kolonialepoche und der Kriege in der Öffentlichkeit zeigt, daß durchaus ein Resonanzboden vorhanden ist, denn sowie koloniale Themen berührt werden, herrscht bis heute in der Presse Aufruhr."

broader societal context and stir a discussion on the history of the nation. I have shown in chapter three that history writing often figures to construct a national narrative and identity, as well as to justify certain power relationships. This fits with my observations in chapter two about the political dimension of historical representations. As a consequence, history writing can be used as a space to negotiate power relations and indeed, to change them via influencing the collective historical memory.

It is interesting here to take a look at a point made by Jürgen Zimmerer in the edited book *Kein Platz an der Sonne* about *Erinnerungsorte,* a German translation of Nora's concept of *lieux de mémoire*. *Erinnerungsorte*, sites of memory, or *lieux de mémoire* are a materialisation of a collective historical memory. Zimmerer attempted to introduce a concept of post-colonial *lieux de mémoire*. This was to counter Nora's and his followers' constriction on the nation state and national identities and open up towards the multidimensionality of European identity construction by expanding it with the different ways in which these identities were also constructed by creating distance from non-European cultures (Zimmerer 2013b, 16-17). One article of the collection by Holger Stoecker deals with the anthropological collections as one of such postcolonial *lieux de mémoire*. He notes that with the restitution process there was a change of this very place, stressing the non-static character of the concept of *lieux de mémoire*. He even goes as far as to suggest that they might become a *lieux de mémoire* for reconciliation or at least entangled history (Stoecker 2013, 453–54).

The concept of *lieux de mémoire* as well as the approach of memory studies as such, that the past is not "over and done with". We can connect this to the skulls not only as part of the archive as a postcolonial *lieux de mémoire*, but also as non-absent past. The non-absent past is also a material trace of the past, but more specifically points to "'unfinished history' full of oppression and violence" (Petö and Waaldijk 2011, 82). Like haunting, the concept of the non-absent past "alters the experience of being in time, the way we separate the past, the present, and the future" (Gordon 1997, xvi), since "the dead human body in its various forms (bones, ashes) often resists the dichotomous classification of present versus absent" (Domanska 2006, 341). It alters the way we access the past, similar to what memory studies claim. Yet, the uncanny, haunting non-absent past as figured in the skulls has its own advantage, as memory studies stress the manipulative qualities of an anthropocentric history. A non-anthropocentric or post-human history, as proposed by Domanska (Domanska 2006, 338) instead incorporates non-human actors into history writing. Via history writing and memory politics, the living can "offer it [the ghost] a hospitable memory *out of a concern for justice*." (Gordon 1997, 64).

A stronger focus on memory politics thus could foster justice that is not only directed at the living, but also at the dead. The confrontation caused by the haunting agency of the skulls is one that not only brings renewed talks about financial compensation but also Germany's violent colonial history. Restitution is part of a process that might lead to justice, but so too is a different approach on history. Writing history differently and troubling the national narrative is part of the process. This process is not over. I do not want to be so bold as to suggest that there is some kind of "recipe" for justice that we need to follow in order to reach justice. Nevertheless, the point remains that by forcing these topics back to the surface and making them a point of discussion, the skulls as material were active in possibly bringing about justice.

5.4. Conclusion

The issue of justice in cases of genocide, especially in cases when the genocide happened a long time ago, is complex. Questions involving such a process often deal with financial compensation and legal frameworks. Not only is this a debated topic also with the Herero and Nama genocide, but it becomes controversial since there are no more survivors alive. Groups claiming reparations consist mainly of the second or third generations. This is by no means condemnable, since the genocide had resulted in such drastic systematic changes, such that it still affects these generations. Nevertheless, it also complicated the question of to whom justice is owed. It also makes us rethink how we might frame 'justice' and what this framing might entail. I have suggested in this chapter that this also includes a change in memory politics.

I have started off by arguing that there is a haunting quality about the skull's agency by showing traces of the haunting in the restitution process but also in the effects it had on the public and political discourse. I connected this to claims I made before on their status as non-absent past and subjects/objects. The focus of this chapter was on the way the resurfacing and restitution process of the human remains forced a renewed negotiation about the genocide, its evaluation and its suppression. I argued that it was the confrontation that the skulls forced with the past that is partly responsible for the recognition of the genocide last year as well as the negotiations held at the moment about consequences of this acknowledgement. Before the restitution neither German politicians nor the German public took interest in the topic. After it, though, the politics of denialism could simply not hold up anymore. Part of the confrontation entails a change of the approach of Germany's colonial past. When we see anthropological collections as a postcolonial *lieux de mémoire,* we see how memory politics are actively shaping the national narrative. The resurfacing skulls as a counter-memory therefore challenges the conception of a German self-understanding of never having been a colonial power. Thus,

Germany has also to deal with the continuing, lingering effects of the violence that is colonialism, that is to take responsibility for the past, present and future. This means not only reparations and acknowledgement but also a change in memory politics.

6. Conclusion

This thesis has sought to explain the impact of the restitution process in a chain of events that aimed to address the issue of the genocide against Herero and Nama peoples in modern-day Namibia by Germany at the beginning of the 20th century. I have argued, that we can only explain this by incorporating a non-anthropocentric theory of agency in our analysis of the skulls.

I started by showing in chapter two how German colonial history, especially the genocide against Herero and Nama is part of a contested past. By mapping out the historical and political debates surrounding the topic, I have demonstrated how history writing involves much more than the restatement of facts and is in fact a highly political negotiation. The entanglement between systematic colonial violence, the denial of this history, and the production of anthropological knowledge in universities through the collection of human remains for research purposes should also be evident to the reader. The research complicit in this nexus of colonial violence and denial of humanity is responsible for shoring up the perspective that sees skeletal human remains as the absolute non-subject.

Chapter three proposed a theoretical framework, in which I mapped out some key concepts and problematized the notion of agency as a concept that is only granted to living humans. My reconceptualization of agency owes much to Latour, Fontein and Domanska, whereupon the latter two elaborated on the agency of human remains such as corpses and bones. Domanska's non-absent past and Fontein's emotive materiality of bones provided the basis of a theory to explain the uncanny feeling evoked by the encounter with human that carry the reminder of past violence. Yet, these concepts did not give satisfiable answers as to what bones do and how they do it. Therefore, I introduced Gordon's haunting into the theoretical dialogue. Even though the term 'agency' falls only once in her book, the way she describes haunting helped to answer the questions of what and how. Gordon depicts the ghost as a social figure whose demands on society can be called agency. Haunting does not need to be presented through a ghost. A ghost is merely the proof, that haunting is taking place and therefore of secondary significance. At the heart of Gordon's theory is haunting as the affective mode in which systematic violence continues to exist, even after the means are abolished. In a third step, I needed to concern myself with the question of Human-ness, since I had to balance an approach of agency, which calls itself a non-human approach and at the same time applying this on the topic of the restitution of human remains, at whose heart lies the recognition as human. To do so, I utilised Michel Foucault's notion of biopower, Rosi Braidotti's definition of the Human, Judith Butler's notion of grievability as an indicator to approximate the dense concept of human belonging. The

chapter concludes with a deliberation on the question of justice, since the demands of the affected communities have yet to be met, and nor can the repatriation of human remains constitute the fulfillment of justice, though it is a part of it. My concern throughout this thesis has been to formulate an approach to the past through memory politics, that takes the human remains as part of a German post-colonial *lieux de mémoire*. Such an approach makes possible to view a differing memory politics as means to create change in the collective historical memory as part of justice.

In chapter four, I analysed the restitution process in terms of the change in status and care for the skulls before and after the process. I thus identified the ways in which the skulls became grievable. Even though the aspects of grievability that I identifiy are not uncommon in restitution processes, what is surprising is that representatives of the affected communities had decided to display two skulls visibly during the entire process. These two skulls in turn came to serve as both evidence and witness of the injustice done by the German colonial troops. In statements of researchers who handled the skulls, we get a sense of how the materiality of the skulls provoked feelings and actions, or how these skulls came to exercise a form of agency. Connecting this agency to the aspects of grievability that I had observed, I argued, that they entered a negotiation with the living in their treatment as Humans. The arrangement of the skulls as well as the statements of the researchers show, how the restoration of the humanity of the remains lay at the centre of effort. This is significant in a wider context of a history of denial of Human-ness of colonial subjects and racism. Yet, the status of Human is fragile and fluctuating. The bones are witness/evidence, subject/object at the same time and neither fully reach the status of the Human, nor are they fully denied it.

In the fifth chapter I argued, that the confrontation caused by the restitution of the human remains had further political consequences, reflecting an agency that is haunting. I traced elements of haunting through both the process of restitution and the confrontations that emerged alongside. Since haunting takes place in cases of lingering and denied injustice, describing the restitution and its aftermath as haunting raises the question of how this injustice should be addressed. Asking a question of justice with Gordon, we might ask: How can the ghost be settled? What demands has the ghost and how can the living meet these demands? Fontein notes, how resurfacing bones do two things: On the one hand, they provoke a reaction in the handling of the remains, but they also provoke a different treatment of the past that caused the human remains to exist in the first place. While I have focused on the handling of the remains in chapter four, this chapter theoretically concerned itself with memory politics as a different access to the past that is responsible for the existence of the Herero and Nama remains in Berlin.

An approach to the past as the non-accessible sphere of that which cannot be changed anymore is challenged by taking seriously the human remains as a non-absent past, that is troubling the stable boarder of the absent and present. This different access must be necessarily part of the quest for justice.

By taking this approach to the past, we can see that the genocide committed by the German colonial troops and administration was not just an isolated outbreak, but part of a systematic pattern that resulted in war and affects that lingered for much longer, not least through the collection of and research on human remains of murdered Herero and Nama. Haunting is a way in which these lingering effects show themselves. At the same time, haunting provides the possibility to overcome these effects. This thesis therefore includes a hopeful dimension: looking beyond the overwhelming issues of mass murder, genocide, silenced pasts, and trauma, to propose a way of encountering historical violence in the pursuit of justice.

Furthermore, this paper has given a theoretical contribution in considering the agency of human remains as well as the description of the continual effects of colonial violence, not only upon the former colonised country, but also the former colonising one. I have brought together work from different disciplines to engage them in a new way as to understand the complicated ways in which change happens. Domanska and Fontein might have offered insights on the materiality of human remains and the non-human agency that is enacted by this very materiality, but have overlooked the haunting dimension of this agency. In addition, to addressing this aspect with Gordon, I have also problematized and responded to their theories' lack of considering how we can call the agency of human remains 'non-human', when their very status as humans is contested. Especially in case of racism and colonialism, such as in the case study, this is not only a political, but ethical question. By challenging the common sense understanding of human and exposing it as a concept, the Human, I was able to shift the discussion to a point, where we become able to see, that the negotiation of Human-ness is part of the agency of human remains. Therefore, the question is not so much if they are humans or non-humans, but how these categories are made and re-made in the course of the restitution and with what kind of political ramifications.

The political consequences of the official classification as genocide are not yet decided. Even though the German government has called the atrocities between 1904 and 1908 'genocidal', they refrain from any legal consequences that this classification has. They repeatedly stated that the negotiations being held at the moment are not about reparations. Reparations to them, entails a specific, legally defined condition that does not apply in this case. Berlin's participation in these negotiations are thus portrayed to be not on the basis of legal

compulsion but of moral and ethical obligation. Zimmerer supposes that this is because Germany does not want to set a precedent that encourages other colonies to follow suit in filing legal claims (Pelz, March 21, 2017). Compared to the 1990s, prospects are much brighter for the affected communities than they have ever been, but it remains doubtful if their demands will be met. Future research might consider how these events continue to unfold. Two particular events may be of interest: First, the abovementioned lawsuit, whose consequences will inevitably be compared to those of earlier lawsuits filed by Herero representatives. Second, the negotiations between the German and Namibian governments on the consequences of the acknowledgement of the genocide is expected to last several months longer. Additionally, we might note that forms of restitutions have taken place since 2011, although these have gotten little notice from the media. Besides the Charité, which repatriated bones in its possession in 2014, other institutions, such as the University of Freiburg, have also returned bones belonging to Herero in the meantime. With the continuous resurfacing of bones, the discussion on restitution remains alive.

It is this capacity of the bones to haunt, to keep a matter alive, to bring a forgotten past into memory and a silenced narrative into public discourse, that we are finally left with. With these bones, the struggle for justice continues, a struggle whose outcome, cannot be predetermined or known in advance. But the haunting will not stop until justice is reached. While witnessing the *Schädel X* performance that I described in my introduction, I was moved by a feeling that things were "not right". This thesis has been my attempt to theorise this uncanny feeling, and how we are moved by it. The force of haunting is such, that for the first time Germany had to alter its attitude towards its colonial past and to give up its denial and colonial amnesia, that defined the relationship with Namibia and its affected communities for so long. It is not without irony: Although the skulls, the absolute non-subject were silenced in many ways including murder, objectification, and denialism, the uncanny aspect is that it was the skulls, who came to haunt German politics and society. And they, silenced so long and with so much effort had much to say.

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