

Introduction

Finn Stepputat

Sovereignty and dead bodies

When my wife suddenly died some years ago, our home was soon flooded with paramedics and police officers, including a photographer and a social worker-cum-police officer. I asked the criminal investigator who interviewed me about the circumstances of the death if they could postpone taking my wife's body to the hospital morgue. A few hours would allow us to say goodbye to her and to try to realise that she was no longer alive. I guess I was inspired by an experience from my youth when I spent time at the wake of an older woman who died in the refugee settlement where I did field-work at the time. At the age of thirty-one I had never seen a dead body *live* before, and the mellow ambience among the family and friends surrounding the dead body made a lasting impression. In the case of my wife, the criminal investigator told me that my request was a very unusual one and that the body would have to be removed since it was, in principle, a criminal case. He nevertheless allowed me twenty minutes alone with my wife before they all left the house, taking her body away in the ambulance.

This event seemed to confirm an influential idea which holds that modern Western society is 'denying', 'silencing' or even 'ignoring' death, for example, by removing dead bodies from the gaze of the living, with the exception of the gazes of a few professionals in charge of containing the dead bodies in designated sites and forms.¹ Yet, even

in Western societies dead bodies are constantly breaking through the surfaces of containment, not least through media coverage of violent conflict, everyday crime, disasters and prominent deaths. Examples are legion: the elaborate and emotional *lit-de-parade* of North Korea's Kim Jong-Il; the slain body of Moamar Ghaddafi in a cold store by the market in Misrata before he was returned to his tribe; the debated disposal of Osama Bin Laden's corpse in open sea; the mutilated bodies of victims of state terror in Syria, often filmed and circulated in trophy videos; the sometimes equally mutilated victims of drug cartels, paramilitaries and petty criminals in Latin America; the dead bodies of unidentified flood victims piling up outside the overfilled morgues in the Philippines ... this is to mention just some of the images that have circulated in international media in recent years, testifying to the power and spectral qualities of dead bodies.

The event of my wife's death and its aftermath made me realise the force with which the state is articulated at the transition from life to death, a realisation that related to my previous academic engagement with ethnographies of state and sovereignty. States tend to establish a range of laws, institutions and practices to take control of the transition from life to death, including the whereabouts of dead bodies. In many cases state apparatuses have limited reach, so either families are left to deal with their dead on their own, or they have to negotiate regulation with other forms of authority. But even though state entities, at will or by default, delegate specific responsibilities and faculties to private, social and religious entities, they usually claim the ultimate authority to define and govern the dead within their jurisdiction through legislation and institutionalised procedures.

Pertaining to issues such as civil registers, public health, criminal law, il-/legitimate violence, property, inheritance and citizenship, the legislation and procedures around dead bodies are clearly related to the sovereignty of the state. Nevertheless, the relationship between dead bodies and sovereignty becomes a lot richer as a ground for political analysis if we denaturalise the concept of sovereignty and go beyond its legal definition as (only) a formal attribute of an internationally recognised territorial state (Hansen and Stepputat 2005). Focusing on *de facto* rather than *de jure* sovereignty, the authors in this volume understand sovereignty as an effect of practices that are fundamentally related to the body and to issues of life and death.

In this prism, the death of a person represents an occasion for the performance of sovereignty, not only for territorial states but also

for a range of sub-, trans- and supra-national entities that seek to claim or produce autonomous domains of power: religious communities, nations (not always coinciding with states), village and ethnic communities, drug cartels and gangs, insurgents, vigilantes, private security companies, international peace missions and others who manage dead bodies in ways that overlap or conflict with legally institutionalised state practices. Thus, in general terms, the aim of this volume is to explore how the management of dead bodies is related to the constitution, territorialisation and membership of political and moral communities that enframe lives in various parts of the world.

Unlike a previous wave of interest in the history of death² which during the 1980s focused on societal attitudes towards death and the effects of death in terms of interpersonal relations, the past decade or two have seen a developing interest in dead bodies and human remains as objects of political analysis. How death and dead bodies are dealt with is far from a homogenous, uncontested field of social practice, as the literature of the 1980s could lead us to believe (Lomnitz 2005). As Lomnitz argues, death relates to deep issues of power. Thus a political study of death will have to take into account contradictions between friends and enemies, citizens and their others, or the ‘particular and species-general points of view’ (Lomnitz 2005: 17).

This volume looks at sovereignty as a particular form of power and politics, hopefully showing that the fate of bodies in the transition from life to death can provide a key to understanding fundamental ways in which sovereignty is claimed and performed. The contributions analyse (post-)conflict as well as non-conflict contexts, which too often are studied in isolation from one another. Focusing on contemporary issues rather than the equally important historical dimensions, they all grapple with the questions of who governs the dead bodies, how, why and with what effects. With a broad set of analytical approaches and geographical contexts, the chapters analyse how dead bodies are placed and dealt with in spaces between competing, overlapping and nested sovereign orders, under normal as well as exceptional conditions.

The chapters

In the following chapter (Chapter 2) I give an overview of the theoretical approaches that the chapter authors draw upon to explore

the terrain where dead bodies and sovereign practice intersect. Here I look at contributions that draw on psychoanalysis ('the fear of death'), critical theory ('between bio- and necropolitics'), the structuralist-functionalist anthropology of burial rituals ('rites of separation and the sacralisation of authority') and recent ideas of agency and materiality ('dead agency'). Despite their differences, the various approaches point towards an excess of meaning and affect relating to dead bodies and human remains, something that evokes the mystical, the sacred, the liminal and the transgressive, which, in the end, escapes explanation.

The following nine chapters are organised in two parts. The first, 'Containment and negotiation' takes us from the – often incomplete – efforts of states to contain and separate out dead bodies in particular sites to the ways in which such efforts of containment are negotiated and contested in struggles between different entities that claim the dead bodies. The second part, 'Transgression', gives four examples of how entities that claim sovereignty – including the state itself – produce effects of sovereignty by challenging and transgressing the laws regarding the legitimate use of violence and how dead bodies should be treated with dignity.

Part I. Whereas the cemetery looms large as the site where modern (biopolitical) states have sought to contain dead bodies and separate them effectively from the living, this part opens with a counter-image to the (double) containment of dead bodies in the soil of the cemetery. Benedikte Møller Kristensen writes about ideas and practices of 'open-air burials' among the Duha in Mongolia that involve the opposite of containment, namely the dispersal of the dead body as it is left to be eaten by animals in the wilderness; a sort of nomadic territorialisation as it were. Framed by the rise and fall of Soviet state regulation of dead bodies, this chapter analyses how the Duha have perceived and dealt with the state's claims on their dead bodies and the implied nationalisation of a landscape that was animated and managed through the Duha's open-air burials. Families have had to navigate between the moral claims of the state, the shamans and the (agentive) corpses in a post-Soviet context where the Duha see their lives as increasingly marginalised and unprotected, as evidenced by the rising number of unnatural deaths.

Christophe Robert explores the notion of 'dead zones' as zones in which the cemetery is losing its character of a container that separates the dead from the living. In Saigon 'dead zones' denote marginal, poor and polluted urban areas with partly abandoned and formerly peri-urban cemeteries. The image of the leaking cemeteries

as well as of leaking corpses – notably of soldiers and subjects of the slain ‘old regime’ – is deeply connected to the perception of disorder, amorality and pollution. State authorities, blamed for the neglect and abandonment of the cemeteries and the dead, plan to solve the problem by eradicating the cemeteries and thereby the images of the past that the graves and cemeteries help keep alive. The chapter looks into how these processes are interpreted and shows how the ‘debt to the dead’ turns cemeteries into sites of mobilisation challenging the sovereign authorities.

The next three chapters all look into situations in which the association between dead bodies and the notion of national soil is manifest and where dead bodies become a centre of negotiation and contestation between different, partially sovereign entities within the nation-state. Lars Ove Trans follows the repatriation of the corpse of a dead Mexican migrant worker from his home in the USA to his community of origin in the state of Oaxaca. As a recent phenomenon, the federal Mexican state supports the repatriation of corpses for burial in Mexican soil, once more showing how burial may be taken as the ‘ultimate test of belonging’ (Geshiere 2005). However, migrants have multiple sites of belonging and often uphold partial membership of several political communities. Therefore the repatriation of the migrant corpse is negotiated with the authorities of various political communities – including the nation, local and transnational communities, states and federal states – which make claims to decide on the whereabouts of the corpse.

The chapters by Myrntinen and Fontein both deal with the theme of exhumations in the formation of independent nation-states. Whereas Lomnitz (2005) authoritatively asserts that nations are founded on dead bodies and human remains, these two chapters show the contested and negotiated process of selection of the particular remains that underpin the foundational myth of the nation. Henri Myrntinen looks at the place of the dead in narratives and commemorations of the struggle for the independence of East Timor. He notes that some dead bodies – in particular those of dead fighters of the war of independence – are more important than others, and that the hierarchy of dead bodies mirrors the political hierarchy of the independent state. However, marginalised ex-combatants, significantly organised in martial and cultural arts groups that occasionally recur to threats of violence to enhance their influence, challenge this hierarchy and the monopoly of the state in managing the dead. They do so by engaging in unauthorised exhumations and collecting

remains of dead fighters in order to claim a more prominent place for themselves in the current political order.

Joost Fontein analyses the exhumation of a mass grave with dead bodies in varied degrees of decomposition in the northern part of contemporary Zimbabwe. Mugabe's party, ZANU-FP, seeks to categorise the remains as victims and testimony of the cruelty of the colonial regime, but along the way the exhumation becomes a site of political contestation as the human remains are not easily incorporated into the state-authorized narrative of their history. This, he argues, relates to the indeterminacy of the human remains, which demand yet defy their categorisation into particular types of 'dead'. The ruling party seeks to govern these dead and capitalise on the uncertainty and ambiguous meanings they produce, including the allusion to the transgressive powers of ZANU-FP. But in the end the party gives up on controlling the dead and opts for the recontainment of the human remains and sealing off of the mass grave.

Part II presents various cases in which necro-political aspects of sovereignty take precedence over the bio-political in practices that work through dead bodies, notably by transgressing the limits set out in state law. As Antonius Robben shows, representatives can, in the name of the state, establish a state of emergency that allows the transgression of laws that regulate the life and death of subject-citizens. X-raying the necro-political military regime in Argentina in the late 1970s, he describes how the state tried to produce its 'cultural sovereignty' by imposing a particular cultural project on the political community. Robben shows how the regime used abductions and torture to produce bodies that were neither dead nor alive. He suggests that practices were not only informed by necro-political logics but also by bio-political logics of re-forming and resocialising subjects under torture that could serve to prove the feasibility of establishing cultural sovereignty. Those who became disappeared-dead were denied proper burial and reincorporation as dead or martyrs in society; but as recent history shows, these restless dead have kept influencing the politics of the living.

Regnar Kristensen also gives an example of how state representatives themselves transgress laws and norms regarding dead bodies. Kristensen follows the dead body of Mexican drug lord Beltrán Leyva from the site of the killing to the site of Leyva's burial in order to analyse the relationship between state and corpse, state and Church, and Church and soul. On the way, state officials engage in acts of transgression by humiliating and ridiculing the corpse, a show of excess that also characterises the protection of the corpse on its journey, a

protection worthy of a head of state. Linking up with Fontein's focus on the materiality of dead bodies and human remains and discussing the common interpretations emerging in the press coverage of the events, Kristensen relates these excesses to certain ideas in popular Catholicism regarding the spirit of dead bodies, a restless, terrorising force that is ready to attack people.

Richard Kernaghan takes as his point of departure the ways in which the Maoist Shining Path movement exploited the 'transgressive potential' of human remains by leaving dead bodies to decompose on the road, using them as a crude 'political pedagogy' in their attempt to craft new political subjectivities and introduce a new law in the Peruvian Huallaga valley. While the corpses-as-things are long gone, the images and meanings of corpses on the road linger in the post-war era when Kernaghan, through his method of ethnographic writing, seeks to understand how that past time of 'foul weather' coexists alongside the more steady weather situation of the present. In particular he is interested in how these images of past and present inform ideas of property relations and the social relations embedded therein.

Ninna Nyberg Sørensen adds an explicit gender perspective to the analysis of sovereignty and dead bodies as she explores the phenomenon of 'femicide' or 'femicide' in the context of post-war Guatemala. Describing the development of the killing of women and the sites and state in which their dead bodies were found, the analysis generates an interpretation of femicide as linked to the increasing influence of parallel, 'corporate' powers and their formation and territorialisation of moral/political communities or fraternities. In this interpretation, the mutilated dead bodies are central to the spectral qualities of violence and hence to the governance effect of violence. Sørensen furthermore emphasises the complicity of the patriarchal state and the ways in which femicide and the impunity associated with this practice produce notions of public and domestic space and in particular the place of women in these spaces.

In the postscript, John Borneman polemically turns the volume's question – how the living are governing the dead – on its head, asking why we believe that we are in a position to govern the dead. We seek to govern the dead through ritual, but we are often not very successful. Borneman uses the case of communist leaders and the Marxist ideology that sought to govern the dead away from the present. As Marx wrote, 'the tradition of the dead generations weighs like a nightmare on the brain of the living', which is why we should 'let the dead bury their dead', as he famously quoted from the Bible.

But the communist leaders were unable to govern the dead. Rather they placed themselves inside the nightmare of the dead generations by disappearing the dead imperial family, mummifying the body of Lenin and cremating and officially deeming as ungrievable – even in the private sphere – the millions who suffered death because of the regime. Borneman argues that the dead produce effects in terms of displaced aggressions, repetition compulsion, the compulsive moving around of dead bodies and even the belief that the dead can, and indeed should, be governed.

Notes

- 1 See for example Ariès 1981; Becker 1973; and Illich 1976.
- 2 Ariès 1981 and Le Goff 1984 are prominent examples.

References

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