

**WE HAVE REMAINED PATIENT:
FORENSIC HUMAN RIGHTS ANTHROPOLOGY
IN POST-SIAD BARRE SOMALILAND**

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ABSTRACT

Somaliland, an autonomous region in Northern Somalia, was subjected to mass atrocities throughout the 1980s under the Siad Barre regime and tens of thousands were executed and many more displaced. Starting in 2012, a governmental organization, supported by international forensic practitioners began the process of recovering and reburying the dead from the conflict. The purpose of this research is to understand the impacts of these operations as defined by family members of the dead, with the goal of informing the Somaliland operations as well as the theory and practice of forensic anthropology in conflict contexts. This work builds on three separate field experiences in Somaliland, primarily 5-months of ethnographic fieldwork conducted in 2019 that included individual interviews with 74 family members of the dead and 29 practitioners (forensic practitioners, religious leaders, elders, doctors, and legal specialists). This research focuses on three main interrelated research themes: necropolitics, necropower, and necrogovernmentality; justice and memory; and mortuary practices and care. These themes are approached as closely related to the human remains recovery operations in Somaliland and to “social transformation” – a fourth, cross-cutting theme.

I found that political factors have been driving the operations, though in a “muted” way partly due to fears of renewed conflict, and family members had limited information about the forensic work. These constraints contribute to a collective victimhood identity amongst the Isaaq, the majority clan family, serving to support the call for international recognition for Somaliland while also contributing to growing tensions between clans. I also found that justice was a central aspect of the mass graves, with most family members supporting legal processes to hold military commanders responsible for the atrocities. However, with the time since the conflict, justice was also closely related to memory, including emphases on informing history, the world, and the young. Family members were generally supportive of the work, save for tensions related to religious restrictions on opening of a grave. In conclusion, the human remains recovery operations are contributing to social transformation, despite lack of information, as family members exercise spiritual patience in the face of injustice, loss, and threat of renewed conflict.

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LIST OF ACRONYMS

AU	African Union
CBPAR	Community Based Participatory Action Research
CBPR	Community Based Participatory Research
EAAF	Equipo Argentino de Antropología Forense
EPAF	Equipo Peruano de Antropología Forense
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the former Yugoslavia
IHL	International Humanitarian Law
MoJ	Ministry of Justice
MoRA	Ministry of Religious Affairs
NSS	National Security Service
PAR	Participatory Action Research
PHR	Physicians for Human Rights
SNM	Somali National Movement
SPM	Somali Patriotic Movement
UNHCHR	United Nations High Commissioner for Human Rights
USC	United Somali Congress
WCIC	War Crimes Investigation Commission

PART I - ETHNOGRAPHY OF HUMAN REMAINS RECOVERY OPERATIONS IN SOMALILAND

“The opening of mass graves, the identification of bodies, establishment of the circumstances that led to their deaths and clarification of the facts are all necessary steps for families to complete their mourning process, for victims to obtain reparation and, in the long term, for peoples and communities to come to terms with their past and move forward in peace.” (Crettol & La Rosa, 2006, p. 362)

CHAPTER ONE - INTRODUCTION

The northern border of the Horn of Africa is made up of the autonomous region Somaliland, a now quiet and peaceful nation though once subjected to some of the worst mass atrocities of the 1980s. After years of oppression and violence under Somalian President Mohammed Siad Barre, Somaliland self-declared independence in 1991. Since this time, the country has engaged in human remains recovery operations to properly rebury some of the dead from the civil war and mass atrocities, while investigating war crimes committed by the Siad Barre regime. I participated in this work in 2014, during which time the seed of what would eventually become this dissertation was planted. I returned to Somaliland in 2019 and engaged in discussions with family members of the dead to document their perspectives on the investigations and analyze the social impacts of the forensic work (here referred to as the forensic investigations, the investigations, the mass grave exhumations, the exhumations, the human remains recovery operations, the operations, or the forensic work). By focusing on three main research themes – necropolitics, necropower, and necrogovernmentality; justice and memory; and mortuary practices – my aim was to account for the ways in which the human remains recovery operations in Somaliland may be contributing to social transformation - a fourth, cross-cutting theme - as perceived by families of the dead.

Civil wars and state sanctioned atrocities world-wide have left thousands of dead and disappeared in their wake, making death, dead bodies, and mass graves focal points of rebuilding and reconciliation in the aftermath of conflicts. In these contexts, the recovery, investigation, and reburial of human remains have been suggested to support healing and reconciliation, thereby repairing the social fabric of society (Crettol & La Rosa, 2006; Eppel, 2014; Stover & Shigekane, 2002). However, human remains are also connected to more pragmatic post-conflict concerns such as land rights, domestic and international crimes, state building, contested historical narratives, and reparations. In addition, human remains have been known to hold strong symbolic capital especially during post-socialist rebuilding efforts, lending themselves to political manipulation for nationalistic endeavors. Recent scholarship therefore questions the political motives driving forensic investigations as well as what unforeseen social or political consequences might result from such work (Hepner et al., 2018; Rojas-Perez, 2017; Rosenblatt, 2015; Stover & Weinstein, 2004; Verdery, 1999). My research engages with these topics in Somaliland through discussions with 74 family members of the dead, and several practitioners, including forensic practitioners, doctors, legal scholars, and religious leaders. These discussions were conducted primarily in Hargeisa, the capital of Somaliland, during five months of fieldwork in 2019, building on in-country experiences in 2014 and 2018.

During the 1980s, the Siad Barre regime committed human rights abuses throughout Somalia and specifically targeted the Isaaq clan in the north of the country; present day Somaliland (Besteman, 1999; Bradbury, 2008; Jhazbhay, 2009; Lewis, 2008). The regime committed arbitrary tortures, killings, and rape, restricted the movement of people and goods, burned villages, stole and killed livestock, placed landmines, poisoned reservoirs, and ultimately bombed Hargeisa, killing tens of thousands of people (Ahmed, 1999; Albin-Lackey, 2009; HRW, 1990). Siad Barre was eventually overthrown as conflicts escalated throughout southern Somalia, during which time northern Somalis declared the Republic of Somaliland an independent territory. Since its founding, Somaliland has developed a functioning government, police force, and legal system, and the region has enjoyed stability and peace yet to be seen in southern Somalia (Ali, 2014).

In the late 1990s, heavy rains came down in Hargeisa, disturbing the soil and unearthing human remains buried in one of the many mass graves from the Siad Barre regime atrocities. The event stirred the population and led to an outcry for investigating the crimes from the 1980s. In response, the Somaliland government established the War Crimes Investigation Commission (WCIC) in 1997 (Hoehne & Bedoya Sánchez, 2020), which soon collected information from around 400 family members who had lost a loved one during the wars (H.A. Likeh, personal communication, July 31, 2018). With assistance from Somaliland victims living in the USA, the WCIC began collaborating with Equipo Peruano de Antropología Forense (EPAF) for the purpose of conducting mass grave exhumations in and around Hargeisa, starting in 2012. The semi-annual investigations, organized as mass grave exhumation field schools, have culminated in communal reburial ceremonies attended by government officials, some family members of the dead, and various media.

During my participation in the 2014 field school, I did not interact with the local population of Somaliland save for with the few individuals who visited the lab space and the reburials, such as politicians, Sheikhs, and WCIC affiliated staff – some of which were also family members of the dead. As I departed Somaliland, I was not aware of wider family views on our work, or any impacts the work was having politically, economically, or legally. I returned to Somaliland in 2018 and 2019 to follow up on these topics in order to investigate how the work was perceived, what greater impacts it was having (if any), and if it was beneficial in the eyes of the family members of the dead. My research questions were aimed at teasing apart different underpinnings of the work, support for and opposition to investigations, and practical applications of the work in light of local mortuary customs. I chose to focus on necropolitics, necropower, and necrogovernmentality¹ to analyze the driving factors behind the work, as well as any connections to the one topic that surfaces in most conversations in Somaliland: the struggle for international recognition. I also inquired about mortuary practices in response to the alleged purpose of the exhumations, which focused on reburying the dead properly, according to Islamic provisions (Hoehne & Bedoya Sánchez, 2020). My other reason for this focus drew on the adaptation of Shari'a norms in response to conflict and disaster as explored by Al-Dawoody (2017), an Islamic scholar who has participated in human remains recovery work as part of the International Committee of the Red Cross (ICRC). An additional aim of focusing on mortuary practices was to account for the lack of individual identifications during the forensic investigations and to understand the family views on this potential shortcoming.

A supplementary research focus emerged inductively while I was in the field: justice and memory. How family members conceive of justice, how justice might be pursued, and what type of legal institutions could be set up to target crimes committed during the war all initially appeared to be beyond the scope of my research. However, early on during fieldwork, I learned that the graves first and foremost sparked feelings of injustice, necessitating a focus on justice while discussing the dead and the mass graves. It became evident that justice was not a purely legal concern but rather, due to the time since the conflict, justice was typically discussed as existing within the realm of memory. In response, I shifted my research focus to include an emphasis on justice alongside an emphasis on

¹ These terms, which will be further unpacked and applied analytically in subsequent sections and chapters, refer to government power over life and bodies, primarily as explored by Mbembe, A. (2003). *Necropolitics*. *Public Culture*, 15(1), 11-40. and Rojas-Perez, I. (2017). *Mourning remains: State atrocity, exhumations, and governing the disappeared in Peru's postwar Andes*. Stanford University Press.

memory. I approached these research topics as interrelated concerns that influence each other, and all potentially contribute to social transformation in an “ecological” fashion.

RESEARCH THEMES, QUESTIONS, & RATIONALES

RESEARCH THEME 1: NECROPOLITICS, NECROPOWER, AND NECROGOVERNMENTALITY

Somaliland is currently in the midst of secession and the region has been actively seeking to legitimize the Somaliland administration on the international stage, an endeavor that has so far been unsuccessful. According to Ahmed (2014) Somaliland could pursue unilateral self-determination to realize these goals. Unilateral self-determination would only be recognized on three conditions: the state consists of one “people”; the people were subjected to mass human rights violations and genocide by the parent state; and there is no other option for stable rule (Ahmed, 2014). The region was subjected to mass atrocities under Siad Barre, and the WCIC currently describes the 1980s atrocities as a genocide or even “the Hargeisa Holocaust.” However, the governments of Somaliland have been criticized for pushing Isaaq (majority) clan and urban political agendas. Other local clans have opposed secession in Somaliland and scholars accuse the government of marginalizing these voices (Bradbury, 2008; Hoehne, 2015; Mohamed, 2017). These debates have been ongoing during my field experiences in Somaliland and the topic of recognition is a continuous, palpable concern. For these reasons, my first research questions ask:

What are the goals of the forensic investigations in Somaliland? And:
Are the investigations connected to Somaliland’s bid for secession and international recognition?

Scholars suggest that the dead body can be a powerful political tool due to the symbolic nature of human remains. Related work typically builds on the concepts of necropower and necropolitics or “*the subjugation of life to the power of death*” as discussed by Mbembe (2003, p. 39). As defined by Mbembe (2003, p. 40), the exertion of necropower through control over territories, massacres, and war machines, creates “*death worlds*” where death is inserted into everyday life. Additionally, harnessing the power of the dead can support political legitimacy and human remains have indeed been called upon to bolster varying political and historical narratives. Forensic investigations may also precede international legal action in order to collect evidence from graves, including dead bodies (Cordner & McKelvie, 2002; Stover & Shigekane, 2002; Thompson et al., 2018; Verdery, 1999). As discussed by Verdery (1999) dead bodies are particularly salient symbols as a region transitions from socialist rule, which involves the reorganization of the very core of social and religious practices that were banned by authoritarian regimes. However, she holds that analyses should focus on “what” is being legitimated and for the benefit of “whom,” rather than to simply highlight that dead bodies support a political narrative.

Similarly, building on the theory of necropolitics, Rojas-Perez (2017) introduces the concept of necrogovernmentality in post-conflict contexts to frame the ways in which control over the forensic investigation and the narrative memory it promotes can be hidden beneath an aura of objectivity. This “necrogovernmentality of post-conflict” includes: returning human remains to families, which draws the line between family and community; reconfiguring the land as well as memory through reburial of human remains; and regulating

the language used to narrate the past in light of recovered human remains, allowing for a “*controlled recovery of the past*” (Rojas-Perez, 2017, p. 18). While forensic investigations in general hold strong symbolic capital and power, the Somaliland investigations have been conducted on a small scale, and the work has not been advertised to family members or amongst communities, begging the question of how the work is controlling the recovery of past? From my discussions with family members of the dead, the investigations appeared to have been conducted in a “muted” fashion: family members had not been informed of the work, and any purpose or goal of the investigations had not been conveyed to the family members. This “muteness” appeared partly due to the lack of resources in Somaliland, though several family members believed that there could be further funding if there was political will. Thus, subsequent research questions within the theme of necropolitics, necropower, and negrogovernmentality ask:

To what extent are families aware of the work? And:
Are families able to express concerns with and resistance to the investigations?

These questions focus on the “muteness” that I observed amongst families and inquires whether they are supportive of the work. In many ways this question is also connected to the goals of the investigations; whether and how the government may benefit from conducting the work in a “muted” fashion; and whether they seek to control family responses to the investigations along the lines of negrogovernmentality.

The research questions asked so far largely focus on power over the forensic work. However, power is not simply found amongst the government or the wealthy. Rather, there is also power in resistance and scrutiny needs to be given to the ways in which the less politically affluent exercise their power in everyday or inconspicuous ways (Gledhill, 2009; Victoria, 2016). Additionally, though clan conflicts are commonly discussed, anticipated, and feared in Somaliland and Somalia, there are also class differences (Besteman, 1999), which are associated with family response to the forensic investigations and associated with the support for and power over the investigations. While elite Somalilanders may have been able to engage with the forensic investigations and reevaluate the past in light of the “truth” that forensic science lays claim to, as discussed by Hoehne and Bedoya Sánchez (2020), the less affluent appeared to know little about the work. Instead, along with the muteness of the investigations, I observed a collective victimhood identity amongst the less affluent Isaaq families that appeared fueled by the “muteness” surrounding the forensic work (Lerner, 2019, 2020). Moreover, the minority clans have responded differently to the investigations than the Isaaq clan members. This leads to my final research question within this theme:

What are the connections between clans, class, and power over the forensic investigations?

I approach all these questions through the analytical framework of necropolitics, necropower, and negrogovernmentality (Mbembe, 2003; Rojas-Perez, 2017; Verdery, 1999). The first questions ask if the work is supporting a specific narrative and whether international recognition is part of that narrative, i.e., “what” is legitimated and for the benefit of “whom” (Verdery, 1999). Subsequent research questions ask whether families are aware and supportive of the work and the associated narrative, and how the work may have been guided by the government so as to regulate the field of action, language, and community versus family territory (Rojas-Perez, 2017). The final research questions ask how family members are responding to these processes, based on their particular background and access to power.

Generally, I found that the work has been constrained by the “muted” approach employed by the government, and the lack of information families and communities have had access to. For these reasons, the mass graves remain within the space of necropolitics and necropower: they emanate the power and violence of Somalia, which legitimates the Somaliland call for international recognition. However, international recognition appeared to be a more implied than overt goal of the forensic investigation, the main focus being the documentation of crimes committed by the Siad Barre regime. Perhaps with more sensitization and drawing families and communities into the work, the graves and human remains would transform to existing within the realm of negrogovernmentality - with all associated processes. I also found that class is an important concern for analyzing responses to the forensic work.

RESEARCH THEME 2: JUSTICE & MEMORY

The justice and memory research theme emerged during the course of fieldwork as it became evident that the war dead and their remains are intimately linked to how people recalled their experiences of the Siad Barre regime. Moreover, these issues could not be addressed without also discussing the need for justice and accountability. Although memory and justice are two very different concepts, they tended to be intertwined when it came to the forensic investigation in Somaliland. While justice repeatedly surfaced as the most important facet of forensic investigations to families of the dead, it was continuously connected to the need to teach the younger generation what happened, to tell the world what happened, and for history to be accurately depicted. There are several parallels between the Somaliland context and investigations that have been ongoing in Spain to exhume Republicans who were killed starting in the 1930s under the Franco regime (Renshaw, 2016). The atrocities in Somaliland also took place several decades ago and many of the closest kin (not to mention the perpetrators) have passed away. For this reason, the issue of justice and accountability emerged in discussions with family members alongside concerns about remembering what happened, remembering the dead, and learning from the past.

Rather than approach justice from a purely theoretical standpoint, I focused on family views on justice and what should ideally take place to pursue justice. This work builds on the approach taken by Robins (2011) in Nepal where he inquired about families’ views on accountability and how it should be pursued, i.e., through processes such as trials, truth-telling, or compensation. This actor-centered approach is also promoted by Gready and Robins (2014) for the purpose of transformative justice – a bottom up version of transitional justice for reestablishing institutions, pursuing justice, and working through the consequences of conflicts. I inquired about family members’ thoughts on justice, legal processes, and the details of both: what would bring them justice, who should be held accountable, how should they be held accountable, and where should they be held accountable? These questions were asked in light of the human remains from the war, and what family members of the dead believe should or should not be done to address the mass graves. The overarching research question within this theme asks:

Is justice and accountability important to families of the dead?

Most Somalilanders believed that ideally the perpetrators should be held accountable – preferably in international courts and preferably following Shari’a based legal principles. However, few believed that the perpetrators could be held accountable considering the time since the conflict and Somaliland’s unrecognized state. Nonetheless, many still found seeking

of justice and recovering the remains important for the sake of informing history, the young, and the world about the Somaliland case whether, accountability could be pursued or not. During these conversations, truth-telling and publicly sharing and discussing the atrocities emerged as important concerns to the families of the dead, though one fraught with tension: tensions around remembrance and retraumatization. I explore these concerns through the lens of postmemory defined by Hirsch (1996, 2008) and discussed by Renshaw (2016), and the collective trauma and identity it can serve to inform (Lerner, 2019, 2020). Postmemory focuses on multigenerational remembrance as related to collective trauma experienced by generations removed from a traumatic event, such as amongst the children and grandchildren of holocaust survivors (Hirsch, 1996, 2008). Renshaw (2016) further applies these concepts amongst grandchildren of those who died under the Franco regime in Spain and analyzes how the materiality of forensic investigation impacts postmemory. Considering the similarities between Post-Franco Spain and Post-Siad Barre Somaliland, postmemory also emerged as an important concept amongst the family members of the dead I engaged with. For these and related reasons, the second research question within the theme of justice and memory asks:

Is remembering the dead, the war, and the atrocities important to the families of the dead?

This question focuses on the need for and anxieties behind remembering the past, informing history, and publicly discussing the war and the dead, as emphasized by family members. Discussing and remembering the injustices implies breaking the pact to forgive and forget that was made during the Somaliland reconciliation conferences in the 1990s and can contribute to retraumatization (Hoehne, 2015; Hoehne & Bedoya Sánchez, 2020; Lewis, 2008). However, these anxieties were expressed slightly differently between generations, which I analyze through the lens of postmemory. Younger family members who did not have firsthand experiences of the atrocities still identified with the traumatic event, in similarity to the grandchildren of Holocaust survivors and younger generations in post-Franco Spain (Hirsch, 1996, 2008; Renshaw, 2016). However, the views of younger generations in Somaliland differed slightly from those with firsthand memories, some of whom preferred to forget the trauma of the war. I also identified a third generation that includes those who were only a few years old in the late 1980s and can only remember some of the traumatic events. I describe this as “perimemory”²: a transitional category between sensory or firsthand memory (what I define as “antememory”) and postmemory. While postmemory is informed by stories, objects, and photographs, the perimemory generations have some sensory memory, but are also informed by postmemory-processes.

The postmemory, perimemory, and antememory generations appeared to interact with the forensic investigations in slightly different ways, with the antememory generation being more prone to emphasizing the trauma of remembering. Postmemory and perimemory generations were more similar to each other, and both adamantly emphasized the need to investigate and remember the atrocities, though not without fears of traumatization. Family members typically discussed their concerns that remembering would lead to

² This terminology builds on the “ante,” “peri,” and “post” terminology used in forensic anthropology to describe the timing of trauma based on bone features, i.e., if a bone fracture is healed or healing (the trauma taking place antemortem), unhealed and exhibiting “fresh” characteristics (trauma taking place around the time of death or perimortem) or is taphonomic (inflicted postmortem). See Kimmerle, E. H., & Baraybar, J. P. (2008). *Skeletal trauma: identification of injuries resulting from human rights abuse and armed conflict*. CRC Press.

(re)traumatization by emphasizing the need for patience, or *ṣabr* – an important spiritual concept in Islam that many found central to questions related to the war, the graves, and the dead. I hold that patience in this context should not be read as passive acceptance, but rather an active engagement with tribulations so as to deal with Allah’s trials in a level-headed and composed way, as defined by Kuswaya and Ma’mun (2020). By focusing on patience, family members were able to express their desire for justice and remembrance, fear of traumatization, and adherence to Islam, without falling into despair or acting out in anger. For these reasons, I hypothesize that spiritual and psychosocial emphases on patience may prove important tenets to a future transitional or transformative justice framework for Somaliland and Somalia.

RESEARCH THEME 3: MORTUARY PRACTICES & CARE

The Somaliland Ministry of Religious Affairs (MoRA) has declared that the exhumations do not violate Islamic practices, even though it is generally not considered permissible to exhume a body once buried in many Islamic communities (Al-Dawoody, 2017; Petersen, 2013) – Somaliland included. A religious prohibition can be overridden if there is necessity to perform the prohibited act (Al-Dawoody, 2017), and the MoRA has declared that the investigations are needed in order to rebury the dead in proper ways: in individual burials wrapped in white, rather than unshrouded in mass burials. However, during discussions with family members it appeared that most harbored anxieties around opening a grave. For these reasons, the first research question on the topic of mortuary practices and care asks:

Are the investigations being guided by local mortuary practices?

This question focuses on both the driving factors behind the investigation as expressed by the MoRA and the WCIC, as well as family views on the practices.

Postmortem examinations and forensic investigations have been restricted in certain Muslim communities, necessitating discussions between forensic practitioners, communities, and religious leaders prior to human remains recovery and analysis after disasters and conflicts. For example, extended storing of remains for analysis or performing potentially destructive testing to establish individual identity may or may not be permissible (Al-Dawoody, 2017; Fahmy, 1999). In Somaliland, most family members believed that the forensic anthropological practices were permissible, even encouraged based on necessity provided that the intentions were good. However, there were tensions around exhumations, due to the religious restriction on opening a grave. These tensions stand in contrast to the official stance by the MoRA that these restrictions can be overridden based on the need for proper burials.

I also analyzed the forensic practices from the perspective of mortuary and forensic care. Rosenblatt (2015) describes how a significant part of forensic work can be framed as “care”: care being given to the human remains by the forensic practitioner through identification, analysis, and reburial; and in how the remains can be reclaimed by family members to be cared for according to local mortuary customs. Caring for the dead can be seen as reflecting a “humanitarian” side of forensic investigation, as compared to evidence collection. During the investigations in former Yugoslavia, the ICTY was criticized for focusing exclusively on the judicial aspect of the investigation, while overlooking the need for identification to grant families the ability to care for their dead. Since this critique was raised, caring for the dead has become an inherent part of international forensic processes

(Rosenblatt, 2015, p. 179). However, in Somaliland few families have been involved in the process or been given the opportunity to care for their dead. According to the WCIC, these shortcomings are due to the lack of family awareness of where their loved ones are buried, so the WCIC have not been able to contact all family members of the dead. This implies that the lack of individual identifications of the dead in Somaliland are precluding families from engaging in mortuary care. For this reason, follow up research questions within the theme of mortuary practices and care asks:

Is individual identification important to families of the dead?

How do families view the lack of individual identification during the investigations?

And:

Would families of the dead support DNA testing to establish identity of the dead?

Penchaszadeh (2015) suggests that DNA is paramount for individual identification and that identification is paramount for forensic investigation. While DNA is currently considered the gold standard for identifying skeletal remains (Parsons, 2016), this technology is out of reach for post-conflict countries struggling with basic needs (Rosenblatt, 2015, p. 29). To date all reburials in Somaliland have been conducted in a communal fashion and there have been no identifications by use of DNA due to funding restrictions, as well as the large number of dead and displaced. However, not all communities have expressed a need for individual identification or for caring for individual bodies rather than communally caring for the dead. Individual mourning rituals have been substituted by communal mortuary practices in several post-conflict cases, even in the absence of a dead body (Eppel, 2006; Ferrándiz, 2015).

During discussion with family members of the dead in Somaliland, most emphasized the need for individual identification and supported investments in DNA testing for this purpose – especially those who were not aware whether a loved one was dead or alive. Local medical practitioners and NGOs are currently working to establish DNA capabilities in-country, something that may become available in the near future. However, such developments necessitate legal, political, and practical discussions to ensure that families are aware of the principles and possible implications of the work, including biological relatedness, potential exposure of misattributed paternity, and scientific shortcomings related to poor preservation, commingling, and procedural errors.

In conclusion, I found that there was a disconnect between the MoRA, the WCIC, and the families in terms of how the forensic practices are viewed and employed, and how the work coalesces with local mortuary customs. The family members I spoke to expressed concerns regarding the prohibition on opening a grave, despite the MoRA's declaration that the prohibition can be overridden in the Somaliland case. Moreover, the investigations have not been focusing on individual identifications, something that family members adamantly support. The lack of identifications appears partly due to funding restrictions; however, this hinders the WCIC from connecting family members to the dead, and several individuals I spoke to believed that the government could do more to invest in identification procedures. The disconnect between the investigations and the family members also reflect a breakdown in forensic care work. Perhaps the practitioners working on the investigations aim to care for the remains (as I did in 2014). However, without family input, and giving families the option of taking over the mortuary care, the forensic investigations cannot be considered forensic care work.

RESEARCH THEME 4: SOCIAL TRANSFORMATION

My final, cross-cutting research question focuses on social transformation, or whether the investigations are “socially transformative” as viewed by family members of the dead:

Are the human remains recovery operations in Somaliland socially transformative?

“Transformation” in this sense is used as a catch-all term that can include legal, psychosocial, or even spiritual “changes” resulting from the investigations. This line of inquiry was pursued largely through the three research themes outlined above: necropolitics, necropower, and negrogovernmentality; justice and memory; and mortuary practices and care. Each of these themes target different areas of concern that I consider connected to the human remains recovery operations, with the potential of influencing social transformation. Moreover, I consider these research themes as connected to each other, and connected to the potential resultant social transformation in an “ecological” way. For this reason, my theoretical framework incorporates an ecological model, introducing an “Ecological Model of Transformation Through Forensic Investigation.”

As influenced by the government’s “muted” approach to the forensic investigations, my model includes a “filter of information” as all knowledge regarding the forensic work, and processes that stem from it, are being constrained by the lack of information families and communities have had access to. However, my concluding and overarching finding is that the forensic work still holds socially transformative properties despite this dense filter. Families and community members continuously discuss and reimagine the past and the graves in light of what little information they have regarding the work. Although with little knowledge of the forensic practices and strategies, the violence of Somalia is more often discussed than the mass grave exhumations. In this way, the filter of information is influencing all processes related to the forensic work (all themes outlined above): it guides the possible field of action and responses for families and community members, while obfuscating the practices, purposes, and shortcomings of forensic investigations. I hypothesize that with a less dense filter of information, there would be vastly different discussions regarding the mass graves, discussions that would focus more on the forensic work itself including: how the work should be pursued; whether the investigations should continue or not; as well as wider political and legal debates related to the mass graves and the human remains recovery operations.

THEORETICAL FRAMEWORK

As outlined above, my research topics build on several lines of theory and inquiry as applied by forensic human rights scholars including necropolitics, necropower, and negrogovernmentality, transitional and transformative justice theory, postmemory and collective trauma research, the anthropology of postmortem care, and Islamic theology regarding death and burial. In order to combine these varied topics in a unified theoretical framework, I employed an ecological model as defined by Fletcher and Weinstein (2002) and Stover and Weinstein (2004).

THE ECOLOGICAL MODEL

Ecological models and ecological theoretical frameworks have been employed in many forms of research, including studies of refugee health, child development, and domestic

violence (Campbell et al., 2009; Fulu & Miedema, 2015; Hovell et al., 2002; Miller & Rasmussen, 2017). These approaches generally consider the area of inquiry as a whole made up of several integrated parts, where a reaction in one part will have effects in the other parts. Fletcher, Weinstein, and Stover utilize such an ecological model for the purpose of researching processes that can contribute to social reconstruction after conflicts. In their models, several theoretical approaches are combined to target multiple areas of post-conflict concerns, including economic reform, democratization, justice, and reconciliation. According to Stover and Weinstein:

“No overarching theory can explain why individuals and communities descend into mass violence, or divine how they will reconcile their differences. At best, we can create ecological models of social reconstruction informed by multiple theories and by the views and opinions of those most affected by war and atrocity. Such models must be flexible and be able to draw on several different forms of ethnic conflict but still address the particulars of each conflict.” (Stover & Weinstein, 2004, p. 325)

Similarly, no one theoretical model can properly address the constituent underpinnings of, reasons for, or socio-political effects of forensic investigation in either the short- or long-term. Rather, any attempt at working toward a unified theoretical framework for “forensic human rights anthropology”³ would necessitate the incorporation of several theoretical approaches. Stover and Weinstein (2004) also highlight the need for societal reconstruction to be built on local efforts, which is similar to the family-centered approaches forensic practitioners have been stressing since the ICTY investigations and even earlier in Latin America (Cordner & Tidball-Binz, 2017; Fondebrider & Scheinsohn, 2015).

For my research I draw together several theoretical approaches utilized in “forensic human rights anthropology,” using the ecological model as a base. I consider my three main research themes as lodged within a greater “system” that makes up the human remains recovery operations. Additionally, each research topic is examined using several theoretical approaches. By incorporating i.e., necropolitical and necrogovernmental theory and psychological models on postmemory, this model can shine light on how actions in one part reverberate throughout the entirety of this “system” and how each part contributes to social transformation. For example, as explored in Chapters Seven and Eight, the lack of identification efforts in Somaliland is contributing to the necropolitical features of the work: without identifications each dead person is a potential close family member while simultaneously symbolizing the violence toward the Isaaq clan (whether the dead is in fact Isaaq or not). Additionally, both the necropolitical context and the way that the mortuary work is taking place are being filtered through community information: the investigations have not been well-known to the family members of the dead, which has served to guide and obfuscate the social outcomes (the socially transformative impacts) of the work.

While the models introduced by Fletcher and Weinstein (2002) and further defined by Stover and Weinstein (2004) aim at accounting for ways that different interventions may serve to alter or influence social reconstruction after conflict (Figure 1.1), my model incorporates the idea of the ecological structure as an analytical tool (Figure 1.2). Forensic investigation is integrated into the ecological model introduced by

³ Forensic human rights anthropology here refers to the “field” that includes forensic anthropological practices in a human rights or humanitarian framework. See Elgerud, L. M., & Kim, J. J. (2020). Mapping the intangible: forensic human rights documentation in post-conflict Uganda. *The International Journal of Human Rights*, 25(4), 594-615.

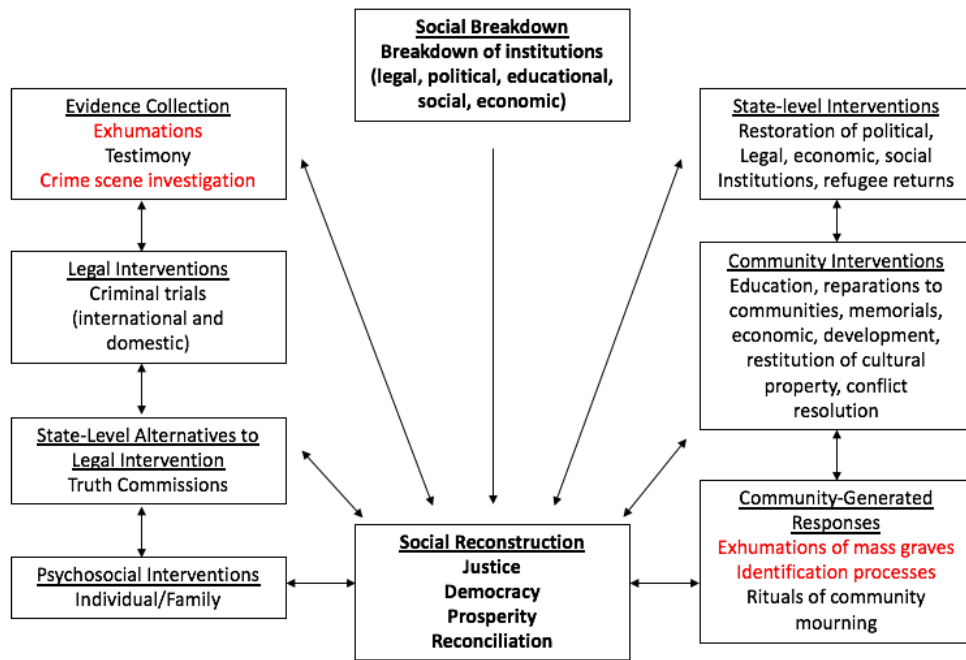


Figure 1.1. Ecological Model of Response to Social Breakdown. Adapted from Fletcher and Weinstein (2002, p. 624). Items in red refer to features of the ecological model that are pursued through forensic investigation. This distinction was made by Elgerud and does not necessarily reflect the view of the original authors.

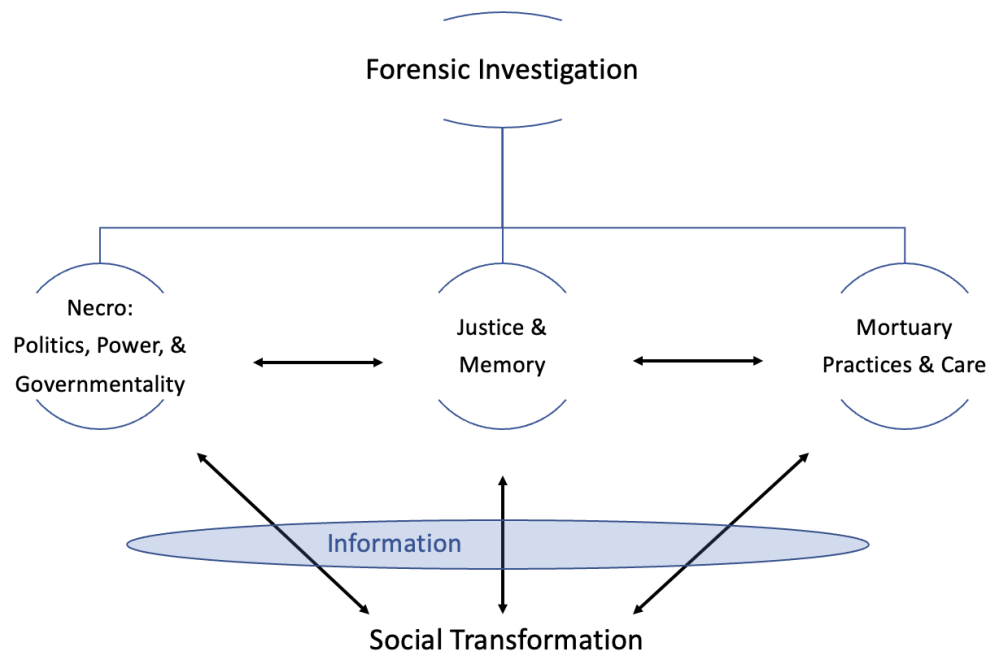


Figure 1.2. Ecological Model of Transformation Through Forensic Investigation.

Fletcher and Weinstein (2002) and Stover and Weinstein (2004). By drawing forensic investigations out and placing it at the center of socially transformative effects, I approach the investigations in Somaliland as integrated into a wider network of political, legal, and spiritual concerns whether contributory to social reconstruction or not. It also stands to be emphasized how both justice and forensic investigation tie into the wider reconstruction effort, as portrayed by the ecological models presented by Fletcher and Weinstein (2002) and Stover and Weinstein (2004). Moreover, justice, while an inherent driving factor of forensic processes, forms a pillar of social reconstruction and transitional justice independent of forensic investigation. Even though evidence can be collected from human remains to support it, justice and legal action can be pursued in the absence of forensic investigation through for example, survivor testimony and documentation of criminal action. As such, justice is an inherent feature of forensic investigation but in many ways, it is also an independent feature of post-conflict work, arguably a larger feature than forensic investigation that should ideally be studied in its own right.

Figure 1.1. shows the ecological model of social reconstruction introduced by Fletcher and Weinstein (2002). The features colored in red are those I consider accomplishable in part through forensic investigation. In this way, Figure 1.2. showing my ecological model of transformation through forensic investigation, can be seen as a subsection of Fletcher and Weinstein's model. The practices and outcomes of the forensic investigation as analyzed by use of my model will fit back into the ecological model of social reconstruction – specifically in the red areas of Figure 1.1. Additionally, according to Stover and Weinstein (2004, pp. 327-328) and their reworking of the ecological model, social reconstruction necessitates eight constituent features: (1) security; (2) freedom of movement; (3) the rule of law; (4) access to accurate and unbiased information; (5) justice; (6) education for democracy; (7) economic development; and (8) cross-ethnic engagement. In this version of the model forensic investigation fits into the fifth category – justice. They also elaborate on the need for forensic investigation in this context for the purpose of identification, mortuary care, and reburial alongside the legal aspects of justice. Thus, my ecological model would fit into the fifth feature of Stover and Weinstein's model, and into the red sections of Fletcher and Weinstein's model (Figure 1.1).

SOCIAL TRANSFORMATION

My ecological model assumes that forensic investigation is tightly connected to necropolitical and necrogovernmental processes, justice and memory, as well as mortuary practices and care, and that all these topics can affect social transformation. Transformation is a wide and fluid concept utilized here as a proxy for general “impacts” or “changes” brought about by the human remains recovery operations. This amorphous concept was chosen because it can include several different “changes” including legal outcomes, psychosocial effects, political goals, and other forms of transformation. I also consider the forensic investigations in Somaliland as part of a global network and narrative of forensic practices after conflict. Social transformation theory considers effects of globalization on local values based on history and culture, and vice versa (Castles, 2001). Similarly, forensic investigations are connected to the global narrative of forensics and human rights as each case is informed by and further adds to an international discourse (Ferrándiz, 2015). The Somaliland investigations are driven by local efforts and actors, though the practices are arguably drawn from EPAF's work in Peru and informed by forensic investigations in other parts of the world.

Features of the forensic investigation are also connected to other facets of social and political organization, which in turn may be connected to international flows of ideas, warfare, and development. Somalia is a resource-rich country with a strategic location for imperialist nations interested in control over the Arabian Gulf, the Middle East, and Eastern Africa. Since colonial times, powerful countries have influenced, collaborated with, tried to sway, and conducted humanitarian interventions in Somalia and the rest of the Horn of Africa. The country became increasingly militarized with support from the Soviet Union and the USA under Siad Barre's reign. Since the Cold War Somalia has been treated as a training ground for humanitarian interventions and state making prior to policies being initiated across the Middle East. Moreover, the militarization of Somalia and Somaliland, state collapse, and subsequent religious extremism have been connected to international interventions, foreign aid, and the war on terror (Barnes & Hassan, 2007; Besteman, 1996, 2017; Bradbury, 2008; Pruce, 2012; Waterston, 2008). Thus, the burials in Somaliland are inherently connected to global features and should be understood as nested within webs of local and international political history and economic flows of goods and ideas (Castles, 2001; Waterston, 2008).

This research also focuses on "transformation" coming out of the human remains recovery operations, as reburial of human remains has been observed to lead to transformation in several contexts. Building on the transformative justice framework discussed by Gready and Robins (2014), Eppel (2014) observed positive transformation in the aftermath of human remains recovery in Matabeleland, Zimbabwe. In Matabeleland, forensic investigations offered an avenue for targeting the wrongdoings of the conflict that started in the 1980s. Memories were reclaimed through the recovery of human remains; spaces were reclaimed and memorialized; and the reburials allowed for communities to get together to work through their oppositions and lingering resentments. Eppel (2014) concludes that the reburials were transformative in a positive way as they served to repair the social fabric of society. However, as described by Waterston (2008) the ripped social fabrics of communities after war can contribute to renewed cycles of violence if impunity persists and rebuilding remains unaddressed. Such contexts may need repair of the social fabric beyond the scope of forensic investigation. Moreover, Rojas-Perez (2015) cautions that the forensic investigation and the subsequent reburials may further entrench social inequalities if the procedures are co-opted by the elite and thus exclude the experiences and needs at the grassroots level. For these reasons, "social transformation" stands as the fourth, cross-cutting theme of my research. Focusing on transformation also helps shine light on how processes related to all themes explored here (necropolitics, necropower, and necrogovernmentality; justice and memory; and mortuary practices and care) are obfuscated by a dense filter of information, serving to guide the ways in which forensic investigations impact Somaliland society.

ORGANIZATION OF CHAPTERS

Part I includes this introduction, Chapter Two, and Chapter Three. Chapter Two includes a literary review of general forensic human rights work and theory; the history of Somaliland and the human remains recovery operations; and Islamic mortuary practices, so as to provide background to the theoretical approaches utilized here. Chapter Three, Materials & Methods, accounts for my experiences in Somaliland in 2014, 2018, and 2019, including the ethnographic approach, the demography of those who participated in this work, and the data coding and analysis performed as part of this research.

Part II includes the results and discussions of each research question followed by a brief conclusion. Chapter Four focuses on the life and losses experienced during the war to situate the subsequent discussions in the experiences of the Somaliland survivors, or their children and grandchildren. Although this research focuses on the dead and family members' views on their loved ones' remains, such views cannot be detached from personal traumas at the hands of the Somalia government (or rebel factions). Most of the family members as well as many practitioners I spoke with had not only lost a loved one, but many had lost them while escaping a bombed family home, while being chased by fighter planes across the desert, or had been forced to watch as a family member was executed and mutilated – some at a very young age.

Chapter Five focuses on the political backdrop of the forensic investigation analyzed through the lens of necropolitics, necropower, and necrogovernmentality. The chapter homes in on family and practitioner views on the driving forces behind the work, followed by suggestions on how to further include families and communities in the investigations. Chapter Six focuses on justice and memory, by incorporating transitional and transformative justice theory, a victim (actor) centered approach, and postmemory as well as collective victimhood and trauma theory. This chapter concludes with a discussion on potential transitional justice frameworks for Somaliland and Somalia based on family member emphases on patience.

Chapter Seven deals with mortuary practices and care, as well as the lack of individual identifications in Somaliland and local views on the use of DNA for identifications. This chapter is written through the lens of Islamic mortuary customs as well as mortuary and forensic care work. In Chapter Eight I reflect on what these research themes and results convey regarding social transformation, as well as the application and utility of my ecological model. This chapter addresses my final and overarching research question: are the human remains recovery operations in Somaliland socially transformative? Finally, Chapter Nine gives a short conclusion in light of this research and what I have been able to deduce in terms of forensic investigations in Somaliland and their connection to social transformation, concluding with limitations, reflections, and recommendations for a more inclusive and community-led process going forward.

CHAPTER TWO - BACKGROUND

FORENSIC HUMAN RIGHTS ANTHROPOLOGY

Forensic anthropology is a branch of biological anthropology that deals with human remains in a medico-legal context. To investigate criminal conduct, forensic anthropologists can analyze the grave context, the identifying features of the remains, the time since death, and bony trauma (Tersigni-Tarrant & Shirley, 2012). These skills can be applied in a human rights framework as well when remains are exhumed from clandestine burials and individuals are tortured or killed in custody. Remains can hold clues to extrajudicial actions and the evidence of such actions can assist in trials against human rights and humanitarian law violators. These applications can also be imperative for families after conflict to locate victims of enforced disappearances, to inform families as to whether their loved ones are dead or alive, and to allow families to bury their dead according to local burial customs (Kimmerle & Baraybar, 2008; Rosenblatt, 2015).

The term “human rights” tends to colloquially refer to a wide array of legal doctrines when the term is connected to forensic practices during and after conflict. The human rights framework includes specific laws stipulated under the UN, and though some of these can be supported by forensic practices, “forensic human rights anthropology” commonly also includes investigations of humanitarian law violations, genocide, and crimes against humanity (Elgerud & Kim, 2020). However, forensic human rights anthropology may in fact not be connected to legal proceedings in all contexts but rather primarily assists families in non-judicial ways (Elgerud & Kim, 2020; Kim et al., 2020; Rosenblatt, 2019). Both the legal and socio-cultural aspects of anthropological practices are included within the umbrella term transitional justice, for which forensic anthropology can offer vital avenues for investigation and societal repair. As societies embark on institutional reform during or after conflict, several facets of transitional justice can be pursued to ensure a comprehensive engagement with and rectification of past wrongs – including “forensic human rights anthropology”.

TRANSITIONAL JUSTICE

Transitional justice refers to a wide array of measures that can be implemented in societies ravaged by conflict to achieve reconciliation and social and institutional stability, typically while a country transitions from one political state to another (Williams et al., 2012). The transitional justice framework has traditionally focused on redress for atrocities committed under an oppressive government as a country shifts from authoritarian rule to a democratic society that respects individual freedom and human rights (Abdulkadir & Abdulkadir, 2014; Hinton, 2010). These measures can include documenting loss, abuse, and extrajudicial violence, compensating victims, truth telling, judicial action, psychosocial counseling, punishment, and forgiveness (Hinton, 2010; Teitel, 2000; Williams et al., 2012). For this purpose, forensic human rights anthropologists have been integral to the transitional process. Forensic scientists can assist in finding individuals who have been detained and disappeared, and document criminal behavior through the exhumation of burials and the analysis of human remains (Cordner & McKelvie, 2002; Rosenblatt, 2010; Wagner, 2008). As a means of truth telling, evidence collection, and redress, forensic scientists have worked within transitional justice frameworks in a multitude of post-conflict contexts across the world including in Argentina, Guatemala, Peru, Colombia, former Yugoslavia, Rwanda,

Zimbabwe, East Timor, and South Africa (Eppel, 2014; Fondebrider, 2015; Williams et al., 2012).

Scholars and practitioners theorize that recovering human remains can also contribute to reconciliation and healing alongside the judicial transitional justice goals (Cordner & McKelvie, 2002; Fondebrider, 2015; Stover & Shigekane, 2002). Finding the missing, caring for the dead, and investigating their deaths can all be important for the families of the missing and killed, they hypothesize. As expressed by Crettol and La Rosa (2006, p. 362):

“The opening of mass graves, the identification of bodies, establishment of the circumstances that led to their deaths and clarification of the facts are all necessary steps for families to complete their mourning process, for victims to obtain reparation and, in the long term, for peoples and communities to come to terms with their past and move forward in peace.”

Additionally, knowing where the remains of a loved one are buried offers the opportunity for remembrance and reverence at their gravesite, while caring for and burying loved one's remains can be fundamental spiritual and religious practices (Fondebrider, 2015; Robben, 2015; Rosenblatt, 2015). Although several practitioners have observed positive responses to human remains recovery, work needs to take place on the ground to understand what families prioritize from the transitional justice framework and from human remains recovery operations. For example, Stover et al. (2003) describe positive effects of human remains recovery operations in Iraq, though they caution that few longitudinal studies have been conducted to support these theories. Such a study was conducted by Robins (2011) where he utilized an actor-centered approach to address family concerns in post-conflict Nepal. The majority of his respondents believed that knowing what happened to their loved one was important, and some had already consulted spiritual mediums for this purpose. They did not, however, trust evidence coming from the authorities and would rather be informed on the chain of events as they unfolded, than receive bones from the government at the end of the investigation. A majority of families in Nepal had also experienced anxiety and physical pain due to enforced disappearances, and many had identity issues tied to local socioeconomic concerns. Unless a woman is a widow, leaving the husband's family is cause for stigmatization in Nepal and thus the women required a death certificate to carry on with their lives even though they were convinced that their husbands were dead.

In terms of legal action and policy reform, Robins found that justice was not families' primary concern, and he believes that this understanding may help propel the transitional justice mechanisms, which had been lacking at the time of his analysis. In sum, families wanted compensation (though to avoid putting a price on their loved one's life some called it “relief”); acknowledgement from the government and memorialization; and institutional reform at the government level. Robins also found that no family was interested in international legal action though several wanted domestic lawsuits, not just for perpetrators who were carrying out orders but also those giving orders. According to Robins little has been done to target the needs of the families in Nepal, partly since the perpetrators of the disappearances were still in power at the time of his research. The government had also focused more on civil and political human rights rather than social, cultural, and economic rights. Robins, however, believes that socioeconomic inequalities in Nepal that have favored the ruling elite need to be addressed first and foremost. He concludes that transitional justice goals need to be based on evidence from the people on the ground rather than advised by domestic and international elites (Robins, 2011).

Forensic human rights anthropologists have, since the start of the “field” focused on family concerns though there has been an increasing interest in recent years in the more general impacts of forensic investigation including psychosocial, political, and institutional effects. Forensic anthropologists first engaged in human rights work in Argentina in the 1980s, when Equipo Argentino de Antropología Forense (EAAF) was established under the tutelage of American anthropologist Clyde Snow. EAAF was formed to investigate the *desaparecidos* from the Argentinian dirty war and the team have since applied their knowledge in other transitional justice contexts across the world. The group soon developed a methodology that built upon intimate connections with families of the dead and disappeared. This direction was pursued for several reasons, for one the Argentinian prosecutor was tied to a state that families harbored little trust for in the 1980s. Secondly, the EAAF relied on family information to find and retrieve human remains as the dead were “disappeared” by the state and thus hard to locate (Fondebrider, 2015; Fondebrider & Scheinsohn, 2015; Stover & Shigekane, 2002). The EAAF developed a close cooperation with the local communities in Argentina in order to build trust, find and assist those looking for lost loved ones, and for locating and identify human remains. The EAAF has continued to employ this approach while conducting fieldwork in other parts of the world and they continue to promote the involvement of families, communities, and survivors in the forensic investigation (Fondebrider, 2015; Stover & Shigekane, 2002).

Several Latin American teams have been founded since the 1980s building on the EAAF model, including EPAF in Peru and Fundación de Antropología Forense de Guatemala (FAFG) in Guatemala. UN tribunals and US based NGOs such as Physicians for Human Rights (PHR) also include forensic anthropologists who engage in human rights work (Baraybar & Mora, 2015; Steadman & Haglund, 2005). The International Criminal Tribunal for former Yugoslavia (ICTY) have included forensic anthropologists from PHR, EAAF, and EPAF and several fundamental publications and contemporary methodologies came out of these efforts (Fondebrider, 2015; Stover & Shigekane, 2002). The ICRC held a conference on the missing and their families in 2003 based on the lessons learned during the ICTY investigation. The conference resulted in documentation to assist forensic teams in their practices and approaches. The ICRC also established their Forensic Unit in 2003, which has since participated in human remains recovery capacity building in response to both disasters and conflicts (Cordner & Tidball-Binz, 2017; Thompson et al., 2018).

FAMILIES OF THE DEAD

Ever since the formation of the EAAF as well as the work of legal scholar Eric Stover in the late 1980s, family needs have been pinpointed as the most important facet of post-conflict human remains recovery (Cordner & McKelvie, 2002; Fondebrider, 2015; Fondebrider & Scheinsohn, 2015; Stover & Shigekane, 2002). This was further highlighted by the ICRC during their 2003 conference since family needs had been overlooked at the very start of the ICTY investigations (Fondebrider, 2015; Stover & Shigekane, 2002). Several scholars now believe that families need to be involved in every step of the investigation (Crettol & La Rosa, 2006; Fondebrider & Scheinsohn, 2015; Stover et al., 2003; Stover & Shigekane, 2002). According to Stover and Shigekane (2002) forensic investigations post-conflict have contributed to judicial action against dozens of mass atrocity perpetrators; however, the needs of the living need to be put at the forefront of the investigation. Crettol and La Rosa (2006) describe how forensic investigations often result in evidence collection followed by reburial rather than identification and giving remains back to families, as seen in the early ICTY investigations. They condemn these practices and instead believe that efforts

to find the missing need to be set up alongside judicial measures and evidence collection. They argue that families and practitioners need to be integrated throughout the transitional justice process, including the forensic anthropological investigation, to help guarantee that family needs are pursued alongside the goals of the post-conflict state and the international community (Crettol & La Rosa, 2006; Stover & Shigekane, 2002).

The recovery and identification of human remains can be imperative for families in the post-conflict period, although there may be many different views of how the dead body should be treated both within and between families of the victims in the aftermath of mass atrocities. Following the Argentinian dirty war of the 1980s some families were desperate to find the disappeared dead or alive. Other families actively opposed locating and identifying the dead, fearing it would give the power of their loved ones' lives to the perpetrators or signify an end to the state's responsibility (Arditti, 1999). Similarly according to Stover and Shigekane (2002, p. 48), victim's families were divided in the aftermath of the Srebrenica massacres in the former Yugoslavia as some were advocating for mass burials and memorialization rather than individual identification while yet others were staunchly advocating for identification.

The impact of the forensic practices is mediated through local cosmologies and mortuary rituals, and the associated cultural understandings of death and the dead body. For example, individual identification has been paramount for the Uganda Acholi in the aftermath of the war between the government and rebel groups, since local mortuary rituals require burial on ancestral land. In Acholi cosmological beliefs the spirits will be trapped in a liminal space when the dead body is interred in the wrong soil, causing the spirits to haunt and inflicting severe psychological pain on the living (Jahn & Wilhelm-Solomon, 2015). Aronson believes that not only identification but also the entirety of the forensic investigation has a bearing on family cosmological realities. In his study of post-apartheid South Africa he found that families of the dead wanted to learn all the circumstances around their loved one's death in order to "*place their lives in historical, cultural and religious context*" (Aronson, 2011, p. 11). Moreover, many of his informants felt a sense of relief as the bodies of their loved ones were found and given back for burial, but many preferred that their loved ones be buried as fallen heroes with military presence and South African flags. According to Crossland (2015) even the forensic investigation itself can become an important part of the burial as more and more families are looking to learn about the fate of their loved ones, making the autopsy or skeletal analysis itself a constituent part of mortuary practices. For these and related reason, scholars are now arguing for further community integration before, during, and after forensic investigation. I.e., by incorporating a "integrated forensic approach" as introduced by Kim (2018), scholars emphasize the need for communities and families of the dead to lead the forensic work, and for forensic practitioners to consider the ways in which the practices cross-cut cosmological, political, legal, and social concerns (Elgerud & Kim, 2020; Kim & Hepner, 2019; Kim, 2018).

THE LAND

Burials and reburials are integral to the order of the physical landscape; ancestors' burials can be called on for justifying the antiquity of a community and reburials can serve to legitimize redrawing of geopolitical borders (Crossland, 2015; Robben, 2015; Verdery, 1999). Thus, forensic investigations in transitional justice contexts can serve to reorder the physical landscape. According to Besteman (1999) the environment plays an important role in state formation and can become a tool around which classes form, racialized views are entrenched, and power becomes manifested:

“Communities and regions recovering from violence (along with their ethnographers) struggle to make sense of the enduring cultural scars of warfare, but the ecological scars—poisoned water sources, hidden land mines, swaths of scorched and toxic earth—are equally enduring and difficult to overcome.” (p. 227)

She believes that environmental transformation and control, including the poisoning of waterways and placing of landmines, or the creation of urbanization and slums, reveal more than just state power over spaces - it racializes the environment (Besteman, 1999). Similarly, burials are connected to both the landscape and ancestral histories. As such, it is not uncommon for diaspora communities, Somali and non-Somali, to ship human remains back to the individual's home country for burial (Jonker, 2003; Koshen, 2015). Zarowsky (2004) worked with Somali refugees in the Ogaden region of Ethiopia and found that the land was integral to the community during the displacement, partly through its connection to burials of close kin and ancestors:

“The land itself is loved, cared for, and invested with kinship ties. According to the Hurso elders, ‘It is our umbilical cord (hondur). The bones of our grandfathers are under this land, so we can’t leave to another place.’” (p. 200)

Thus, burials can be both tools of repressive governments, calamitous outcomes of mass atrocities, as well as important physical manifestations of belonging to communities.

Robben (2015) analyses political violence and burials, or lack thereof, in Argentina and Chile and concludes that clandestine burials give perpetrators control over the landscape since only they know where those who have been executed are buried. In such contexts, forensic investigation and the subsequent reburials can serve to reorganize the landscape by pinpointing the location of clandestine burials and facilitating the reburial of the dead in known locations. These practices will also help stipulate where borders should be drawn and who has an entitlement to the land, and as such, families rather than politically motivated parties should be in charge of guiding forensic practices (Robben, 2015; Rosenblatt, 2015; Verdery, 1999).

NECROPOLITICS

The terms necropolitics and necropower are most widely associated with the writings of Achille Mbembe who utilizes the terms to further explore Foucault's concept of biopower (Mbembe, 2003). Mbembe finds that biopower, or the power of the state over life and death, does not fully account for the ways in which the state can claim control and exercise power bodies - living and dead. By analyzing the concepts of sovereignty, modernity, and war he shows how European colonial control conveys a multitude of complex ways that power and violence can be exerted. In these contexts, the lines between the “subject” of state law and the “object” of control (i.e., colonial subjects or slaves) becomes blurred, as does the concept of war, which he conceives of as an antonym of “politics.” Politics should entail norms achieved under autonomy and communication for the purpose of collective agreement. This definition is posed in contrast to war, though while war should lead to sovereignty, it also entails the right to kill. Within the nation state, war is to be waged between sovereign states and power over life and death executed by a legal system. However, in colonies and former colonies, power has been exerted through dividing inhabitants into different categories to allow some the enjoyment of rights over others, while space and mobility is controlled by the state.

Additionally, Mbembe utilizes the former African colonies to portray how the colonial and postcolonial state more typically combats armed groups (war machines) and how both target the civilian population. In these and other examples of control and power, death becomes inserted into everyday lives as dead bodies are piled together and surviving amputees display the deprivation of their bodily integrity. Under these conditions, necropolitics refers to “*the subjugation of life to the power of death*” (Mbembe, 2003, p. 39) and necropower is exerted through territorial control, massacres, war machines, and the creation of “*death-worlds*” (Mbembe, 2003, p. 40) where death has a constant presence in everyday life.

The concepts of necropolitics and necropower have been utilized in several forensic human rights anthropology analyses to explain the subjugation of populations during atrocities. Additionally, the locating and exhuming of dead bodies and reclaiming space and narratives have been described as reversals of the necropolitical actions of totalitarian regimes (Robben, 2015, p. 56). To Ferrándiz and Robben (2015) necropolitics and necropower relate to human remains in the aftermath of mass atrocities and the symbolic power of corpses in promoting historical narratives and (re)creating memory. However, these concepts are also indicative of more complex power-structures, as explored by Verdery (1999). While Mbembe (2003) does utilize the concept of necropower to discuss the dead bodies in the aftermath of the Rwandan genocide, the terms necropolitics and necropower primarily refer to the control over death, not explicitly the control over dead bodies, nor the control over the symbolic power of human remains. For this purpose Rojas-Perez (2017) introduced the term “necrogovernmentality.” To Rojas-Perez, Mbembe’s work refers to power exerted within the sovereign state while the power over dead bodies and the associated possible action of survivors as they interact with the dead aims to act under the framework of governmentality: allowing survivors to act as “free subjects” (Rojas-Perez, 2017, p. 17). Thus, Rojas-Perez introduces the concept of “necrogovernmentality of post-conflict,” which conveys how human remains can constitute emblems of objective truth and memory. Rojas-Perez, however, goes on to show how survivors can resist both the neat narrative that post-conflict regimes are ascribing to human remains and the practical trajectory of forensic investigation.

According to Rojas-Perez (2017), the concept of necrogovernmentality of post-conflict employs three strategies: locating and returning remains to families and thereby allowing for state institutions and policy by encouraging the distinction between family and community; reorganizing territory and memory by removing and reburying human remains; and recovering the narrative of the past by framing atrocities with new terminology such as “trauma” and “rights.” Necrogovernmentality then holds an antithetical relation to necropower, in the same sense as post-conflict law and order can be defined in relation to the terror and violence of previous regimes. However, the necrogovernmentality of post-conflict, also implies state power and control over bodies and post-atrocity narratives after death. Similar to how death is controlled by a terrorizing regime, the power of the dead is called upon within necrogovernmental efforts to produce an opposing effect. As described by Rojas-Perez:

“(...)while the arc of necropower can be traced from victims being seized from their homes, interned in clandestine detention centers, tortured, and slaughtered and their bodies disposed of without a trace, the necro-governmentality of postconflict follows the same trajectory but in exactly the opposite direction: the bodies of victims are to be located and exhumed from their clandestine graves, taken away from the military premises, and interned in the forensic laboratory for individualization, identification, and forensic examination (...) Yet both trajectories involve state institutions,

practices, technologies, experts, languages, forms of occupying the space and folding/unfolding time, and imaginations of what the object/subject of their power is (population, internal enemy, victim.)” (Rojas-Perez, 2017, p. 250)

HUMAN REMAINS RECOVERY & TRANSFORMATION

The dead body holds symbolic importance as the remainder of the person who once inhabited the body, as a reminder of the inevitable end of life, and as a feature of individual or public emotions toward the dead. Moreover, having once been a living individual, the dead body represents a more powerful symbol than any other material or immaterial object (Verdery, 1999). The dead body further represents a symbol of violence and power in the aftermath of a mass atrocity. This symbolic power of the dead body can be harnessed by political actors in advocating for a specific historical narrative. According to Verdery (1999) the symbolism of the dead body has been specifically poignant as a nationalist tool utilized by post-socialist political powers as they advocate for their legitimacy. Remains can also form the basis of community cohesion and healing. According to Eppel (2014), the human remains recovery operations in Matabeleland, Zimbabwe, would prove to be culturally transformative years after the exhumations were first initiated. The spirits of the dead in Matabeleland were haunting the living; however, the haunting ceased once forensic investigations and reburials had taken place. Eppel (2014) concludes that through culturally appropriate mediation, human remains recovery operations can transform and restore the social fabric of a community. The exhumations also provided a space where families in the community could come together and interact with law enforcement. Such interactions had been uncommon since the government attacks but now helped shift the dynamics of power between the people and government representatives (Eppel, 2014).

The transformative effects of human remains recovery was also a focus of Renshaw's (2016) ethnographic analysis amongst families whose loved ones were killed on ideological grounds under Franco's totalitarian reign in Spain. She found that the exhumations, analysis, and subsequent reburials allowed mourning to be held in a public space while also reinserting the memory of the dead amongst younger generations, effectively breaking a “pact of silence” that had guided Spanish memory politics since the time of the killings. Renshaw also points out how one organization in Spain had an outspoken political agenda connected to the remains, while others were more focused on family concerns and the affective bond between the living and their dead relatives. However, she points out that political transformation still followed in the wake of these family-centric exhumations, due to the power of media coverage around the work. Younger generations and communities in other parts of Spain were able to interpret the investigation in their own way, disconnecting the exhumation from the local context and reinserting it into a wider encompassing narrative of post-war Spain. The author discusses these effects of images and documentaries, and cautions that forensic practitioners need to consider the way that their work takes on life outside of the individual context (Renshaw, 2016).

Sanford (2003) observed a transformation in Mayan spiritual beliefs to accommodate human remains recovery operations and investigations in post-atrocity Guatemala. She describes how spiritual leaders performed ceremonies on behalf of the community in order to allow for forensic investigation, even though traditional Mayan religious practices negates opening of graves (Sanford, 2003, pp. 40-41). Waterston (2008), however, cautions that less positive transformation can follow post-conflict if social order and cohesion is not adequately restored. She argues that hostilities can be turned inward if structural violence remains even after conflicts have ended. Impunity and lack of change in conditions on the ground after

times of war can result in more cycles of lynching, murder, and rape. Even after peace has been brokered people continue to feel the aftermath of the war, and traumatization and anger can lead to more violence when people are forced to live in societies with shredded social fabrics (Waterston, 2008). Moreover, Rojas-Perez (2015) argues that reburials run the risk of further entrenching socioeconomic inequalities, marginalization, and other features of structural violence if controlled by the elite. In Peru all burials were supposed to be approached in an equal way, which is the basis of scientific ethics in forensic anthropology: that all the dead are treated equal without preferential treatment for some by the forensic practitioners (Rojas-Perez, 2015; Rosenblatt, 2015). However, in Peru those who were killed by the guerillas rather than the government fit better into the elite narrative of struggle against an abusive rebel movement and were thus treated with more respect and attention. Those who had been killed by the government on the other hand garnered little attention from the elites or the media (Rojas-Perez, 2015). Without addressing power dynamics and the ways in which forensic investigations can serve to reinforce structural inequalities, forensic human rights anthropology may act as a tool of repression rather than a means of positive transformation.

IDENTIFICATION, DNA, & TRANSFORMATION

DNA testing to help identify the missing after conflict can also be socially transformative. The identification of human remains after conflict is often highlighted as one of the more important facets of post-conflict forensic practices. According to international law the dead have a right to identity (Petrig, 2009), moreover, identifying the dead ensures that the family gets the opportunity to bury their loved one according to local burial customs. Identification can also be imperative in contexts where families are not aware if their loved one is dead or alive, or when government enforced disappearances mean the dead were taken far from their homes and have been buried (or not buried) in locations unknown to anyone but the perpetrators (Stover & Shigekane, 2002). The most accurate methods of identification of unknown human remains include identification through DNA analyses. Typically, a biological sample will be taken from the bones or soft tissues of the deceased, to be compared to potential living relatives. These methods can be difficult to employ due to the need for DNA labs and training, resources, and known potential family members of the dead. One of the largest-scale DNA investigations in modern history includes those in the aftermath of the 1990s Srebrenica massacres in Bosnia, former Yugoslavia. These efforts necessitated considerable investments from the international community as well as innovation in DNA technology to overcome both socio-economic and methodological constraints (Wagner, 2008).

As pointed out by Wagner, identification through DNA analyses are only useful as far as the families accept the results (Wagner, 2008; Wagner & Kešetović, 2016). As investigations go on, the process of analyzing remains and performing DNA investigations proceed they may eventually be accepted by families that were originally skeptical, conveying the transformative powers of DNA analyses. In her ethnographic research amongst the women of Srebrenica, former Yugoslavia, Wagner (2008) found that family views shifted during the course of the investigation into the 1990s genocide. Many women were originally skeptical of giving biological samples for DNA matching. However, with support from their communities women would eventually encourage DNA analysis and even consider it paramount for the investigation (Wagner, 2008, p. 80). Utilization of DNA assumes a biological basis for kinship, which complicates the procedure in societies that are not organized around the biological nuclear family. Identification procedures are only successful as far as the people accept identifications as “true,” however, without concordance between

biological and social ties there may not be support for such methods (Rosenblatt, 2015; Wagner, 2008). According to Barata et al. (2015) there are several circumstances (including war and disease) under which children are raised by non-biological parents without being told who is a biological or an adopted child. Discrepancies can also come with severe repercussions in cultures where the woman can be subjected to harm and honor killings if she gives birth out of wedlock, even if the pregnancy was a result of rape (Barata et al., 2015). Additionally, in societies with complicated kinship structures, identity and kinship can be based on social and affinal ties rather than biological relatedness (Forti, 2011). The use of DNA presupposes biological relatedness and can, according to Rosenblatt (2015, p. 30), even constitute a form of Western moral imperialism.

Wagner (2008) found that DNA testing by the International Criminal Tribunal for the former Yugoslavia (ICTY) caused some suspicion amongst the families. The DNA testing included sampling from several close biological kin, including mothers, fathers, children, and siblings, however, this did not resonate with the patrilinear organization of Bosnian Muslim communities (Wagner, 2008). While DNA analysis has become the gold standard for individual identification, it is not necessarily a panacea for family concerns after mass fatality events. Large scale forensic investigations are costly and require knowledge of the DNA procedure and technique, features which may be out of reach for many communities in the Global South. Issues may also arise due to lack of transparency for errors in the sampling or testing procedure, adequate privacy and rights of the tested, and rights of everyone to be treated (tested) equally (Rosenblatt, 2015; Schmitt & Mazoori, 2017). Thus, DNA procedures garners a lot of social and symbolic capital, while in addition, identifications can serve to portray the power of the state to decide who gets identified and who remains disappeared (Bennett, 2014; Wagner, 2008).

It is not uncommon for DNA samples to be sent for testing in countries other than those where they were collected, especially in less affluent countries that lack advanced forensic institutions. Problems over ownership or lack of communication can result from such outsourcing as it can severely harm the internal capacity building and thereby also increase social, legal, and political concerns (Schmitt & Mazoori, 2017). Neither are DNA measures necessarily the most appropriate if for example grinding up bones for analysis is considered sacrilegious or where the scope of the dead and displaced makes DNA procedures unmanageable. Many of the dead since the conflict between the Ugandan government and the Lord's Resistance Army were abducted prior to their deaths, which means that the identification efforts are severely complicated as there are no presumed families to compare the remains to (Hepner et al., 2018; Rojas-Perez, 2015). Such contexts may require that the majority of the population donates biological samples for comparison. However, setting up DNA databases that include the entirety of the population may be near impossible in poor countries and may not be feasible if large segments of the society have been killed or displaced.

HISTORY: MEMORY & JUSTICE

As previously discussed, justice is a vital and oftentimes leading reason for forensic human rights anthropological work. Finding the dead, investigating the circumstances around their death, and holding perpetrators accountable can be imperative for families, for institutional reform, and to fight impunity. However, when atrocities and war crimes are not investigated for decades or centuries, the opportunity for legal action diminishes since the perpetrators or the surviving victims may have passed away, or because the crime may not fall within the temporal jurisdiction of international courts. For example, the International

Criminal Court (ICC) can only try cases starting 1 July 2002 when the Rome Statute entered into force (Vilmer, 2016). Legal concerns may fade in comparison to other facets of forensic investigation, either due to practical concerns or because the generations who had a first-hand memory have passed away or have issues remembering the details of the crimes.

Additionally, different communities have coped with atrocious acts in different ways in the absence of legal action, either as governed by a ruling elite or by the communities' own accord. For example, "subversive" communities were deliberately silenced after the ideological killings in Franco's Spain, something that the families are still struggling to overcome as remains are being unearthed (Renshaw, 2016). Similarly, after the atrocities in Somaliland under dictator Siad Barre, clans came together to reconcile under the banner of forgiveness, where representatives of the majority clans agreed to forget and move on. The pact to forgive and forget would apply to all who lived in the newly declared state of Somaliland. However, this pact did not extend to southern Somalia where the main perpetrators of the atrocities continued to dwell (Hoehne, 2015; Hoehne & Bedoya Sánchez, 2020; Lewis, 2008). These examples show how the very absence of legal action in the direct aftermath of crimes can lead survivor communities to cope with traumatic events in ways that may serve to impede further legal action or community led efforts to fight impunity. Justice for the dead then becomes obfuscated by issues of memory, institutional hurdles, and community efforts to cope with traumatic experiences, and thus with the passage of time past crimes simply become unfortunate, buried artifacts of history.

Memory and the loss of memory can be called on as reasons for investigation as much as an argument against investigation. If communities choose to forget, reconcile, and move on, as was promoted during the Somaliland reconciliation conferences, digging into the past may be seen as a violation of a pact and a disruptive undertaking socially and psychologically. As defined by Hoehne and Bedoya Sánchez (2020), Somaliland chose this "*selective amnesia*" so that peace and order could be established even without accountability for the atrocities committed during the war. As such, the forensic investigation that began in 2012 has served to break this "*pact of silence*" (Hoehne & Bedoya Sánchez, 2020, p. 32). Conversely, for the Spanish context, the families of the dead had been silenced by the Franco regime during the postwar years. For the Spanish forensic scientists, the exhumations offered a way to recover both the collective ideological identity of the dead and the affect between the living the dead that had previously been atomized by the Francoist memory campaign. However, since the killings in Spain took place over 80 years ago, few surviving family members had ever met their executed relatives. Though there were surviving family members with first-hand memories of the dead, most of the living relatives were of younger generations. Because of this disconnect, Renshaw describes the memory that was being regained and brought to light in these contexts as "postmemory" (Renshaw, 2016, p. 28).

The concept of postmemory, coined by Marianne Hirsch, originally referred to the memory and mourning that formed amongst the second generation of Holocaust survivors as their lives were influenced by powerful narratives a generation removed (Hirsch, 1996, 2008; Renshaw, 2016). According to Hirsch the concept is controversial since it implies that memories can be held by those who were not alive at the time of an event, simply by the strong connection they feel to the traumatic experiences of their parents or even grandparents (Hirsch, 2008, pp. 105-106). This concept of belated memory has been dealt with by several memory studies scholars over the past few decades, in fact even the memory studies field itself has ballooned in recent years. Hirsch describes this phenomenon in the following way:

"The growth of the memory culture may, indeed, be a symptom of a need for inclusion in a collective membrane forged by a shared inheritance of multiple traumatic

histories and the individual and social responsibilities we feel toward a persistent and traumatic past.” (Hirsch, 2008, p. 111)

Renshaw believes that postmemory amongst younger generations of survivors in Spain have been shaped by the wives, sisters, and mothers of the men who were killed under Franco. Though subdued and atomized due to the silencing campaign under the Spanish postwar period, this postmemory has been influenced by the female mourning that the younger generations grew up around. However, as remains were unearthed and material possessions associated with the dead were given back to family members, the memory and connection to the dead transformed and took on a less muted character. Renshaw uses postmemory to contextualize this transmission of memory that was being shaped and transformed by the forensic investigation, since Hirsch similarly hinges her analysis on material features such as images and videos in the transmission of postmemory among younger generations of Holocaust survivors (Hirsch, 1996, 2008; Renshaw, 2016).

Transmission of memory is also associated with other material representations of the past, such as monuments and memorials. Remembering is a social act that hinges not just on our personal experiences, our upbringing, and understanding of history, but also on the objects that surround us in the social space (Van Dyke & Alcock, 2003). As such, the world of memorialization can provide some insight into the use of objects to promote historical narratives, thereby guiding present-day social memory. As defined by Mohatt et al. (2014, p. 133):

“History provides a narrative context within which contemporary social issues are reinterpreted.”

War and mass casualties due to warfare has continuously been woven into social memory either as powerful reminders of atrocious regimes or as legitimizing testaments to state power. As the citizens mourn the dead, their grief is harnessed through memorialization aimed at molding patriotism along with social memory (Allen, 2009; Lesley, 2015; Wagner, 2015).

Memorials that incorporate bones are particularly poignant as necropolitical tools due to the affective and symbolic power of human remains. Lesley critically explores the use of human remains in genocide memorials in her comparison of the Choeung Ek memorials, better known as “the killings fields” in Cambodia and the Murambi memorials in Rwanda (Lesley, 2015). Both of these sites incorporate human remains from the respective atrocities, serving as reminders of the violence and as tools to project the “truth” of the past. Even though genocide memorials can be useful in silencing genocide-deniers and overcoming false representations of the past, truth is subjective and remembering (and forgetting) constitute socially mediated processes (Harrison, 2004; Lesley, 2015).

According to Stover and Weinstein (2004) an important step toward reconciliation after atrocities is accepting that not everyone’s truth will coalesce with one’s own experiences of what is “true.” Their analysis specifically focuses on the genocides of Rwanda and former Yugoslavia in the 1990s, where neighbors fought and killed each other, and harrowing acts were committed on both sides. In these contexts, being of the group that suffered the most casualties does not erase the experiences of the opposing side where unjust killings inevitably took place as well (Stover & Weinstein, 2004). Stover and Weinstein also discuss the impact of school curricula in promoting reconciliation and accurate representations of the past. During their time of writing, former Yugoslavia was still segregated and children on either side were learning different versions of the atrocities,

counteracting prospects of harmony between the two sides (Stover & Weinstein, 2004). Forensic investigation can serve to unearth the conduct of perpetrators and the extent of execution during atrocities and war, thereby contributing to accurate representations of the past. However, Renshaw cautions that once investigations are portrayed by mass media the images of remains and mass burials are free to be interpreted and manipulated by the public that engages with them (Renshaw, 2016).

For both the genocide memorials in Rwanda and Cambodia, the displays are formative in promoting the governments that followed the oppressive regime under which genocide took place. However, Lesley points out that supporters of the memorials may believe in the overwhelming power of the remains in speaking to the visitor though not everyone has the same experience or reads the memorials in the same way. Much like mass media depictions as described by Renshaw, memorials will be interpreted in light of the onlooker's individual and collective memories and postmemories. Lesley goes on to discuss the discrepancy between these memorials and traditional burial practices in each of these contexts. There is no history of memorialization, mass burials, or even a culture of visiting grave sites in Rwanda, rather spirit huts would be constructed near the home while bones were left in the woods or buried elsewhere. Cremation is the most common mortuary practice in Cambodia; however, this can only be decided on by families and the lack of resources (and survivors) for DNA analyses means that these practices cannot currently be performed. As such she concludes that the governments of Rwanda and Cambodia have appropriated the remains for their own political goals rather than for family purposes, as her interlocutors in both locations reported spiritual disturbances at the memorials as well as in their everyday lives (Lesley, 2015).

Justice, though a common goal of forensic investigation (a constituent part of the very term forensic, i.e., used for solving crime), is not always attainable when remains are recovered some time after conflict. In these contexts, local "legal" approaches such as the *Gacaca* courts in Rwanda or the truth telling and amnesty of the South African Truth and Reconciliation Commission (TRC) may offer avenues (though widely criticized) for working through trauma without holding all perpetrators accountable (Stover & Weinstein, 2004). For these contexts where the perpetrators or the survivors have passed away or are senescent, legal concerns become obfuscated by issues of memory, history, and political narratives during and since the event. The memory of the dead and the atrocity may then be more important for survivors than the legal action, or the two may be closely linked.

For the Spanish investigations, reclaiming silenced memory and the affective bond between living and dead have been leading causes of the investigation. Though other forensic practitioners in Spain have been more explicitly working for the collective political identity of the dead rather than the bonds between the survivors and the executed (Renshaw, 2016). Exposing the extent of atrocities and informing the historical narrative are also supplementary facets of forensic investigation that may or may not be related to legal action. As such memory, justice, and history are linked, especially in contexts where the majority of surviving family members were born around the time of atrocities or thereafter. Photographs, monuments, material objects, and human remains can serve to reclaim or restructure memory whether it be firsthand or postmemory, which can serve families' best interest or political purposes. For atrocities that took place several decades ago, dealing with impunity and injustices may be accomplished in non-judicial ways by truth telling, remembering and caring for the dead, informing historical accounts, and learning from the past.

HISTORY OF SOMALILAND (PRE-COLONIALISM - 1960)

PRE-COLONIAL SOMALIA

The Somali ethnic group inhabit the country of Somalia as well as a large part of northern Kenya, eastern Ethiopia including the Ogaden territory, and Djibouti (Bradbury, 2008; Lewis, 2008). According to Bradbury (2008) the region has observed Islam since the 1000s-1300s when native populations in the Horn of Africa interacted and intermarried with Persian and Arab tradesmen. The traditional Somali subsistence structure consisting of nomadic pastoralism and camel herding is also thought to date back to the time of Middle Eastern influence and the region-wide transition to Islam. When colonial expansion began in Somalia in the 1880s, the southern Somali groups were primarily agricultural-pastoralist and the northern populations were nomadic-pastoralist (Bradbury, 2008). The Somali society is divided up by kinship and clans, under the primary six clan-family groups: the Digil, Rahanweyn, and Hawiye predominantly occupying the more southern parts, Dir and Isaaq predominantly occupying the northwest, and the Darood predominantly occupying the northeast, the southern tip, and the Ogaden of Ethiopia. The clan-families constitute the highest level of ordinance and the *reer*, or household, constitute the most small-scale level of organization. There are several additional levels of clans and families between the clan-families and the *reer*, all based on patrilineal descent, that govern civil society (Bradbury, 2008; Lewis, 1994; Lyons & Samatar, 2010). According to Lewis (1994) the *reer* or *guri* in traditional Somali society was a group of nuclear families that pursued nomadic movement together and they could consist of a few brothers and their nuclear families or agnatic families of the *diya* (blood payment) group. There are also additional ethnic groups alongside the primary clan families, such as the Goshu or Bantu people in the Jubba River Valley (Besteman, 1999).

Traditional Somali society is typically described as centered around the clan structure, which is believed to have governed animal husbandry, land grazing access, and civic responsibilities. According to contemporary discourse, clan structures have changed with the many cycles of violence throughout Somalia as they became one of the few sites of safety and security. While overarching clan families and sub-clans have been part of the social organization, many scholars argue that the *diya* and affinal ties have played a bigger role in regional social organization (Besteman, 1996, 1999; Bradbury, 2008; Lewis, 1994). Prior to colonialism grazing lands throughout the north were not owned since they were considered given by God, though there was some control over wells. The British colonial powers would later co-opt the control over wells in order to encourage sedentism (Hoehne, 2015). The most basic form of traditional social jurisdiction was based on inter-family codes of conduct called *xeer*. While *xeer* traditionally promoted inclusiveness and collectivity, it was further entrenched in kinship structure and communal activities in the eighteenth century after the arrival of Islam.

There was no centralized political authority across the Somali ethnic group prior to European colonial expansion in Somalia; political control was instead executed by clan lineages at different levels leading back to the overarching clan-families and *diya* groups. *Diya* paying political and judicial units traditionally governed civic conduct as they stipulated who should be responsible for compensation in the event of a grievance such as damage of property, injury, or homicide. *Diya*-paying groups have been considered the most stable political units in Somaliland and are based on patrilineal relations as well as affinal ties (Lewis, 2008; Lyons & Samatar, 2010). According to Lewis (1994) the *diya* can consist of

several different lineages and there were about 360 of these groups in Somaliland in the 1950s. While all groups had their own treaties defining the reparation for different offences, in the 1990s most northern Somalis agreed that 100 camels were the price of a man's life and 50 camels the price of a woman's life. All males of a *diya*-paying group have been responsible for seeking justice or revenge for a wrong caused to another male within their *diya*-paying group and all males in a group (by contract) share the compensation for the wrongdoing. Similarly, all males are responsible for paying another *diya* group if someone from their own *diya* commits a crime. The adequate payment for the killing of a husband or wife will depend on the *diya*, though if patrilineal kin murder each other there is no compensation save for money paid by the entire group to orphaned children (Lewis, 1994).

COLONIAL SOMALIA

The European colonial powers first took an interest in what is currently referred to as Somalia, in the late nineteenth century. Northern Somalia was organized to become a protectorate under Britain in 1886, while the Italian powers established a colony in southern and eastern Somalia in 1893. The French took control of what is currently Djibouti in the late 1880s, known at the time as French Somaliland (Hoehne, 2015; Lyons & Samatar, 2010). During the early twentieth century Britain, France, Italy, and Russia competed over control in the Horn of Africa and at different times between the late nineteenth century and the early twentieth, the borders of the colonially defined Somali territories would come to change due to geopolitical disputes and colonial conflicts. Ethiopia became the ruling power of the Horn of Africa in the late nineteenth century as the colonial powers poured arms into the country to secure control over eastern Africa due to the threat of revolt in Southern Sudan. However, the colonial powers could not secure control over the Ethiopian empire and according to Lewis (2008), Ethiopia remains the leading power in the Horn of Africa. During colonial control, there were attacks from the anti-colonial and anti-Christian local Islamic leader Sayyid Muhammad 'Abdille Hassan in the Ogaden, the territory located in eastern Ethiopia inhabited by a majority Somali population. The Sayyid and his "Dervish" army declared a *jihad* (holy war) on the foreign powers, leading Britain to arm pro-British clans in the north contributing to an escalation of existing clan conflicts in northern Somalia (British Somaliland). The holy war was stifled by the British in the 1920s as the Sayyid died and the revolt seized while Britain proceeded to bomb territories in the Ogaden.

The Sayyid's aim for a united Somalia for all Somalis did not die with him and there has been recent renewed appreciation for the Sayyid in Puntland, located along the northeast coastline of Somalia (Bradbury, 2008). Prior to these hostilities in the Ogaden and northern Somalia, the British had primarily occupied the coastal cities and were engaged in "indirect-rule," a political system that incorporated local governance under British guidance. The British would come to have a more widespread presence in inland northern Somalia after the conflict in the Ogaden, much like Italy's presence in southern Somalia, which had been invasive from the very beginning (Bradbury, 2008; Lewis, 2008). Italy furthermore escalated their conflict with Ethiopia over the borders between southern Somalia and Ethiopia during this time and proceeded to attack Ethiopia with biological warfare by air strikes, while also attacking British Somaliland. Italy gained ground in both territories. However, the "Italian African Empire" was overthrown by British forces along with Somali recruits in 1941 and all Somali territories, save for Djibouti, would come to be led by the British between 1941 and 1950 (Lewis, 2008).

The colonial powers had a significant impact on northern Somalia's political system and on production including the increased reliance on trade within the international market, primarily centered on livestock and hide exports. The commercialization of livestock handling led to an intensification of grazing as well as a more sedentary lifestyle as animal herds became bigger when livestock was reared for the market rather than individual consumption. The colonial powers also contributed to urbanization as a growing mercantile class sprung up in trade centers, primarily Hargeisa (the northern capital), Berbera, and Burco, which are all contemporary trade hubs as well. The change in lifestyle for herdsman and traders along with the delimitation of land for grazing formed a rift in Somalia's cultural customs as former nomadic pastoralists became sedentary, urban centers grew, and practices formerly governed by clan communality were privatized (Bradbury, 2008). However, before his death Lewis (2008) believed that nomadism will continue to be an important part of all levels of Somali society and that anyone in power, including the prime minister and his cabinet all still had brothers, cousins, or uncles who are nomads.

Britain proceeded to lead the northern Somalian territory under UN trusteeship from 1950 to 1960 while Italy controlled the south. During this time Ethiopia was compensated for Italy's conquests with control over the Ogaden and Eritrea, another former Italian colony (Lewis, 2008). Northern Somalia remained underdeveloped in the 1950s as the British had little interest in investing in the area during WWII. During this time the growing elite in the trade centers were educated in the few universities founded in British Somaliland and the most privileged were sent to Sudan or Britain for schooling. The colony was granted independence by Britain in 1960, however, the territory joined Somalia in the south under Italian leadership after only a few days of independence (Bradbury, 2008).

INDEPENDENCE & THE SIAD BARRE REGIME (1960-1988)

Somalis across the Horn of Africa were enthralled by the notion of a unified Somalia in the 1960s after years of forced separation by colonial powers. The north and south had been united under the Italian UN trusteeship, not counting the six days that Somaliland was an independent country, and on July 1st, 1960, the unified Somali republic declared independence. Mogadishu in the south became the new seat of power and the government was to consist of representatives from all territories of Somalia and all clans. However, the first Somali Acts of Union were signed in the south without northern officials' consultation leading to tensions between the two territories. Some argue that the constitution was never democratically accepted in the north, while others argue that democratically elected leaders did accept it on behalf of the population. More than half the of the north voted to end the union to no avail and there was even a failed coup from the northerners early on (Lewis, 2008; Mohamed, 2017). According to Bradbury (2008) there was not enough organization to properly accommodate for the merging of the north and the south, two areas that had the remnants of very different political structures. Not only was the north and the south conducting business in two different languages prior to independence, they had different administrative systems and tax systems, differences in police structures, and in total four separate legal systems: Shari'a based law, Somali customary law, British customary law, and Italian law.

Moreover, the north was detached from the proceedings in Mogadishu from the very start because of the distance between the capital and the northern territories, connected by mere dirt roads in the 1960s. If a northern Somali required legal services, a business license, or a passport they would have to travel to Mogadishu located 1,500 kilometers from Hargeisa (about the distance from Knoxville, TN to Boston, MA). For these reasons, the start of the

Somalian republic was tumultuous and three separate elections were held in the first year of independence alone (Bradbury, 2008). Independent Somalia also failed to invest in the economy and the underdevelopment that was left by the colonial powers remained during independence. Additionally, the north was largely ignored by the government and investments in the infrastructure in the north were only 10% of the investments in the south. The country continued to be heavily dependent on foreign aid and with substantial support from the Soviet Union large amounts of arms made its way into Somalia after independence (Bradbury, 2008).

Army general Mohammed Siad Barre seized power through a bloodless coup in 1969 after years of autocratic rule by the Somali Youth League (SYL). Siad Barre and his new government, the Supreme Revolutionary Council (SRC) was at first warmly welcomed by the Somali people and were treated as heroes coming to re-democratize the country. The SRC's regime swiftly altered the political system and introduced "scientific socialism": a Marxist-Leninist economic model coupled with an emphasis on Islamic values. SRC leaders were placed in all administrative positions of power, while previous officials were imprisoned and all opposing political parties were banned (Bradbury, 2008; HRW, 1990; Lewis, 2008; Lyons & Samatar, 2010). Siad Barre also established the National Security Service (NSS), military police, and the National Security Court (NSC), institutions that were granted unlimited power to arrest, prosecute, imprison, torture, and execute any dissidents (Besteman, 1999; Bradbury, 2008; HRW, 1990; Lewis, 2008). The regime would come to implement increasingly authoritarian laws, including stipulations against more than two people conversing in public (Mohamed, 2017). According to Bradbury (2008) the Somalis were made well aware that they were watched at all times and that they could not disapprove of the government. In the authors' words: "*Rather than providing protection for its citizens, the state became a tool of repression*" (Bradbury, 2008, p. 38).

Siad Barre saw "tribalism" as the greatest threat to his socialist vision and he went through great measures to eradicate clan ties and tribal structures (Lewis, 1994). The government's modernizing policies included replacing traditional contracts such as *xeer* and *diya* with more Western legal systems. The death penalty was instated to replace the *diya*-paying system and modern legal codes were to replace tribal alliances (Bradbury, 2008; Lewis, 2008; Lyons & Samatar, 2010). The regime also banned marriages outside of government mandated venues and clan effigies were ceremoniously destroyed. Colloquial terms that referred to kinship were replaced during this time, such as *ina'adeer* (meaning cousin) which was to be replaced by *jaalle* (meaning comrade) (Lewis, 1994). Additionally, the modernizing policies included the transition to Latin script, governmental programs to promote literacy amongst the nomads, and giving women a more prominent role outside of the household. The promotion of women's rights was protested by religious leaders and the government responded by executing eleven Imams by firing squad. The death sentences shocked the nation and led to doubts about the compatibility of scientific socialism and Islam (Bradbury, 2008; Jhazbhay, 2009; Lewis, 1994, 2008).

Siad Barre's economic system included government control over prices, production, and the market. Agriculturalists were mandated to sell their crops to the government, which subsequently sold it at markets. The farmers were forced to sell everything that they produced and were in turn given ration cards to be handed in at the local market to receive the family's own food ration (Bradbury, 2008). Besteman (1999) found that the government representatives responsible for acquiescence of farmer surplus would commonly sell what they confiscated on illegal markets or sell surplus back to farmers at higher prices in times of drought. Her study focuses on the Jubba River Valley in southern Somalia an area where traditional farmlands were seized by the government under Siad Barre thus marginalizing the

local Gosha people (ex-slave Bantu groups). Land in the Gosha and elsewhere was appropriated by elites who were able to navigate government policy to their benefit, though the results would be a huge loss in production as urban elites with little farming experience or interest took over the lands (Besteman, 1999). The government also encouraged livestock herders to keep larger herds in a sedentary fashion near government established water wells. The herders originally had a certain level of autonomy until all rangelands came under government control in 1975 (Bradbury, 2008). The government controlled all imports and exports primarily centered around bananas, livestock, and hides. However, the economy was not under complete government control; there were private banana estates, agricultural communes, and private ownership of herds even after the nationwide *qarameyn* (nationalization) of businesses (Ahmed, 1999; Lewis, 1994).

Siad Barre and the SRC circulated extensive pro-government propaganda during their rule including poems, songs, and radio broadcasts portraying Siad Barre as the Somali father and the revolution (as it was declared after the coup) as the mother of Somalia (Ahmed, 1999; Bradbury, 2008). While the government proclaimed their successful socio-economic development of Somalia, the country became increasingly underdeveloped. During the Siad Barre rule, schools and healthcare deteriorated as the government invested in security and monitoring of its borders rather than in public services. Three quarters of Somalia's government expenditures went to the army in the 1980s, while the arms coming in to the country from the Soviet Union had made the Somali military the strongest in all of Sub-Saharan Africa (Bradbury, 2008; Lewis, 1994). The government's economic policies were aimed at making Somalia self-sufficient but instead the country continued to be one of the biggest recipients of international aid throughout Siad Barre's rule. The most prominent Somali trade (in livestock and hides) declined during the SRC regime, while the government and the mercantile class benefited more than the herders from the livestock market revenues. Government control over the livestock industry also contributed to socio-economic stratification and greater inequalities amongst Somalis as well as environmental degradation when herd sizes increased and nomads were coerced into sedentism (Bradbury, 2008; Hitchcock & Hussein, 1987).

THE 1974 DROUGHT

A drought hitting northern Somalia between 1973 and 1975 led to a large-scale humanitarian crisis as five million animals died, and crops failed across northern Somalia and the bordering Ethiopia. When the crops failed there were not enough resources for families to get their food rations as all markets quickly ran out of supplies. The government control over production along with their price restriction on commodities led to an abrupt shortage of food and those who could afford were left to buy food on the black market at highly inflated prices (Ahmed, 1999; Hitchcock & Hussein, 1987; Lewis, 1994). The drought was locally known as *Dabadheer* (meaning the long-tailed drought) since it would come to impact the population severely, due both to the famine and government policies. Nearly 20,000 people, primarily children and the elderly, died of starvation, however, this number is low in comparison to what could have resulted had the government not acted as quickly as it did. The government rapidly responded to the drought and went through great efforts to organize disaster relief (Bradbury, 2008; Hitchcock & Hussein, 1987; Lewis, 1994, 2008). The Siad Barre regime declared a *jihad* against the drought and hastily deployed a wide-scale resettlement plan (Hitchcock & Hussein, 1987; Lewis, 1994).

According to Lewis (1994) the drought was treated as a golden opportunity to modernize the nomads. While the nomadic population had been difficult to reach prior to the

drought, they were now forced to seek out disaster relief and the government proceeded to push their agenda to end tribalism and promote a sedentary, modern lifestyle (Hitchcock & Hussein, 1987; Lewis, 1994). The disaster relief included massive resettlements of nomads from the north to agricultural camps and one fishing camp in the south. The resettlements, pursued with the help of Soviet airlifts resulted in the relocation of nearly 100,000 people, 15% of the nomadic population. The camps were geared toward disaster relief as much as increased production, modernization, and less migration to the cities, which were already suffering from massive unemployment. In the camps, the resettled families were provided with health care, education, food rations, and small wages funded by the government through international aid (Ahmed, 1999; Lewis, 2008).

The resettlement programs, while rapidly deployed, were not well organized nor well integrated. The World Bank and other agencies overseeing the programs found that the relief plan was taxing on the population, ecologically unsustainable, and an overall failure as few nomads remained in the camps past the first three years after they were established (Hitchcock & Hussein, 1987; Lewis, 2008). The camps would come to fail and quickly deteriorate as a majority of the men abandoned the camps as soon as the drought was over, and grasslands once again allowed for herding. Women and children tended to remain to enjoy the public services that the government offered in the camps. However, the camps were soon seeing rampant disease and malnutrition along with further environmental degradation. Many Somalis left the country during the resettlement in order to pursue employment in the Persian Gulf area but the government soon caught on and proceeded to instate more rigid migration controls (Hitchcock & Hussein, 1987; Lewis, 2008).

THE OGADEN WAR & REFUGEE CRISIS

Siad Barre's policies were centered on modernization and socialism, but also unification and the Pan-Somali state. The Somali-Ethiopian border was ambiguously drawn at time of Somali independence, which led to a war between the two countries in 1963 over the Ogaden territory. The Ogaden has belonged to Ethiopia since independence, though it is mostly inhabited by Somalis of the Darood sub-clan that the region is named after – the Ogadeen. The 1960 war was lost to Ethiopia, though the pan-Somali dream lived on for many Somalis including Siad Barre, himself born in the Ogaden (Bradbury, 2008; HRW, 1990; Lewis, 1994; Lyons & Samatar, 2010). Somalia would therefore go to war with Ethiopia yet again under Siad Barre's rule three years after the 1974 drought. The Somali government assumed that victory would come easy as their army had been heavily supported by the Soviet Union, while Ethiopia had recently undergone a revolution. However, during the Ethiopian revolution the former US supported emperor Haile Selassie was overthrown, leading the Soviet Union to transfer their support from Siad Barre to the new socialist Ethiopian government. In return, the US took to supporting the Siad Barre regime with close to \$200 million for the war and \$500 million in economic support in total (Clark, 1992). Somalia was making successful advances throughout the first few months of the war, but the Soviet Union and Cuba backed Ethiopian army eventually defeated Somalia in 1978. The support the war had generated over the first few months quickly waned as over a million refugees fled to northern Somalia when the war was lost (Ahmed, 1999; Lewis, 1994, 2008; Lyons & Samatar, 2010).

Over 30 refugee camps were established between 1978 and 1980 as primarily Darood and Oromo refugees poured into the country (Lewis, 1994, 2008). By 1980, there were 1.3 million refugees in Somalia and one in four people was a refugee. Some refugees were known as "invisible" since they were not living in the camps: many Ogadeen Somalis had

family in northern Somalia and would come to stay with their kin when Ethiopia won the war (Ahmed, 1999; Lewis, 2008). Over \$100 million per year was donated by the United Nations High Commissioner for Refugees (UNHCR) to deal with the refugee crisis, though the government was accused of inflating the refugee statistics to secure aid during this time. The refugee camp inhabitants and the additional livestock that was brought to villages with the refugees led to additional overgrazing, environmental degradation, and exhaustion of natural resources. By 1980 Somalia was forced to import fuel from outside of the country for cooking needs in the refugee camps. Over 16 million British pounds in government resources had been spent on the refugees by July 1980 as the Siad Barre regime instated a similar agricultural program as that pursued during the 1974 drought. Several of the refugees were also elicited to join the Somali army, providing Siad Barre's military with much needed manpower. Unfortunately for the president and his modernizing campaign, the refugee crisis would take a huge toll on the northern populations and led to an upswing in clan loyalties (Bradbury, 2008; Lewis, 2008). According to Ahmed (1999) the Ogaden war would be the straw that broke the camel's back, as the Isaaq clan in the north were reduced to second class citizens in their own home territory. The tensions that had started between the south and the north at the time of independence had been aggravated ever since the 1969 coup and after the drought, the war, and the refugee crisis, Isaaq clan members banded together to fight the repressive government.

THE SOMALI NATIONAL MOVEMENT (SNM)

The tensions between the south and the Isaaq in the north had been brewing since Somali Independence, there were even rebellions led by Isaaq clansmen to "free" the north in 1961 (Jhazbhay, 2009; Lewis, 1994). Several prominent Isaacs were in Siad Barre's higher circles such as the prime minister and the vice president. However, with the 1974 drought and the relocation of the northern groups (including several Isaacs), the Isaaq hostility toward the government continued to grow. The refugee crisis after the defeat in the Ogaden took the greatest toll on the northern population due to government spending on the refugees, quarrels over land and overgrazing between the Isaacs and the refugees, and the continued underdevelopment in the north (Bradbury, 2008; HRW, 1990; Jhazbhay, 2009; Lewis, 1994). During the 1970s and 1980s there were strong ties between local Isaaq clansmen and diaspora communities in Britain and Saud-Arabia, parts of the world where rebel movements were easier to organize. Different dissident groups from London and Saudi Arabia came together to form the Somalia National Movement (SNM) in 1981, a group aimed at overthrowing the Siad Barre government (Bradbury, 2008; Jhazbhay, 2009; Lewis, 1994).

The SNM was originally dedicated to freeing all of Somalia of the government, not just freeing the Isaaq in the north. According to Lewis (1994, p. 198), one of the first SNM press releases:

"(...)bitterly criticized the nepotism, corruption and chaos into which Somalia had sunk under the Siyad dictatorship and outlined the case for overthrowing it to reestablish a just and democratic system."

However, after 1988 the group would come to fight for northern secession and became known as a separatist insurgency (Bradbury, 2008; Jhazbhay, 2009). The SNM was formed by higher-up and educated members of the Isaaq clan including religious leaders and former army personnel. The London based segment of the group furthermore had a mix of elders and younger Isaaq members, which contributed to some inter-party disputes prior to 1981 (Lewis,

1994, 2008; Lyons & Samatar, 2010). The SNM consisted primarily of Isaaq members, though there were some failed attempts to include other clans in the movement as well. The group instead became a near Isaaq-exclusive movement with Isaaq centered issues, which solicited funding from Isaacs in Somalia and Saudi Arabia (Jhazbhay, 2009; Lewis, 1994).

One of the SNM's first meetings did include another rebel movement, the Majerteen clan-led Somali Salvation Democratic Front (SSDF), which had launched an unsuccessful coup against the Siad Barre government in 1978. The SNM moved to a base in northern Ethiopia at the end of 1981 to prepare for physical combat with government forces in the north, and to have a strategic proximity to Hargeisa: the northern capital. The group cooperated to some extent with the SSDF since they both shared the goal of overthrowing the Siad Barre regime. The organizations were also supported by Ethiopia, which provided them with arms. Additionally, several Isaaq nomadic herders were recruited for the SNM and brought their own weapons to the rebel movement since most nomads typically carried Kalashnikovs (automatic weapons) during the 1980s (Bradbury, 2008; Lewis, 1994). The SNM was not a self-proclaimed revolutionary group but rather pursued peaceful and democratic leadership and was never associated with one supreme leader. Moreover, since the SNM was not backed by any foreign benefactor they were free to push their own agenda. Their primary aim continued to be a break from the "Western" government model instated at independence and the oppressive rule of Siad Barre, and a move back to a clan based democratic society (Bradbury, 2008).

GOVERNMENT RETALIATION AGAINST THE SNM

At the same time as rumors of rebel activity reached the government in Mogadishu, some prominent Isaaq professionals had taken it upon themselves to provide public services in the north, services that the government had failed to deliver (Lewis, 1994). The young professionals, known as the Hargeisa group, would for example organize car owners to be stationed outside of hospitals at night so that headlights could light up operating rooms that did not have electricity (K. Roberts, personal communication, Feb, 2014). The majority of the Hargeisa group members had been living abroad and were appalled at the lack of public services in Hargeisa upon their return. The group gathered to improve the Hargeisa public hospital in February 1981, which had been known as one of Africa's best hospitals in the 1960s but had since been neglected. While the Hargeisa group's communal efforts were in line with scientific socialism's focus on "self-help" the government still saw the group as a rebel gang associated with the SNM and proceeded to imprison 28 of the members and sentenced several to death. The court decision led to a three-day riot in Hargeisa in February 1982, to which the governmental forces responded by arresting 200 male and 18 female student protestors and shooting into the crowds, killing several civilians. The courts did eventually alter the Hargeisa group sentences to prison instead of execution. However, the Siad Barre retaliation against Isaaq dissidents (real or perceived) grew increasingly violent. Ironically, due to these circumstances, there were several accounts of soldiers leaving the government army to join the SNM during this time. Other Isaacs did continue to be loyal to Siad Barre throughout the riots and remained with the military (Bradbury, 2008; Lewis, 1994).

The government eventually responded to the SNM activities by instating a curfew across northern Somalia while the NSS was set to monitor movements to several households to discourage interaction with the rebel group. The most prominent Isaacs in the government, the foreign minister and the vice-president, were arbitrarily imprisoned during this time, on the grounds that they were plotting against the president. In 1983 the SNM launched one of

its first successful military campaigns and released the prisoners of the Mandera prison in the north. The government responded by retaliating against the Isaaq civilians, increasing the soldier presence in the north, and restricting the movement of all goods and people (Lewis, 1994). Identity cards were introduced in the north in 1986 to monitor the Isaacs' movements and anyone caught without their cards on them were arrested and forced to pay fees to the NSS (HRW, 1990). The Siad Barre regime would also come to take on a "scorched earth" approach in the north: they confiscated assets, burned farms and villages, and placed landmines throughout the region. Agriculturalists were forced from their land during the conflict and mines hindered trade along the central trading routes, severely hindering production and commerce. The government also destroyed and poisoned water sources, partly by placing corpses in water wells (Ahmed, 1999; Bradbury, 2008). The Siad Barre regime has been accused of genocidal campaigns in the north as the army was tasked with "*exterminating the Isaacs*" and memorandums from 1987 describe the plan to "*liquidate the Isaaq problem*" in response to SNM activities (Ahmed, 1999; Bradbury, 2008, p. 60). Incidentally, the support for the SNM grew the more the government attacked the Isaaq communities. The government attacks on Hargeisa in the mid 1980s would also serve to solidify the SNM focus on succession from the tyrannical southerners rather than the pan-Somali liberation they had previously been pursuing (Bradbury, 2008).

The military police and the NSS would become more active than ever in the north during this time and the Hargeisa police stations came to be known as "meat markets," since arbitrary police arrests were commonly made to solicit money from the civilian population. The Isaacs was persecuted by the police force throughout the 1980s and any civilian could be arbitrarily accused of being an SNM member or supporter, and be punished accordingly (Albin-Lackey, 2009; Bradbury, 2008; HRW, 1990). Disappearances were commonplace during this time and the police force engaged in rape, extra-judicial executions, torture, and confiscating of private property. Police personnel from the south even sought to be transferred to the north in the 1980s since the arbitrary arrests were known as a great way to make money. In interviews conducted by the NGO Human Rights Watch, inhabitants of Hargeisa have described how they were arbitrarily arrested and tortured; forced to give their livestock to government soldiers and then buy it back; and how they were monitored at all times. The northerners were also made to attend public executions to discourage any further insurgencies or support of the SNM (HRW, 1990).

CIVIL WAR, AUTONOMY, & RECONCILIATION (1988 – PRESENT)

THE CIVIL WAR

In 1988 the government of Somalia signed a peace treaty with Ethiopia and the SNM subsequently lost their base in the Ogaden, which would lead to a full-fledged civil war. The group attacked government troops in Hargeisa and Burco in May 1988 and managed to hold the cities until August of the same year. However, the SNM would come to lose half of their troops during the military campaign as the government sent planes from Hargeisa airport to bomb the city. The government soldiers also went through Isaaq houses, killing thousands in their homes, allegedly in the search for the SNM. The Isaaq population in Hargeisa was yet again punished for the SNM attacks as the government bombed all areas that harbored human life, killing tens of thousands of people and forcing around one million to flee the city. Civilians were not warned about the oncoming attack, instead the air raids targeted the

civilians and soldiers were stationed at exit points to attack the fleeing population. The government also attacked shelters that had been set up by the Isaaq refugees outside of the city and the military planes followed and bombed the people as they were fleeing into Ethiopia (Ahmed, 1999; Bradbury, 2008; HRW, 1990; Jhazbhay, 2009). Thousands of civilians (primarily men of fighting age) were arrested in Berbera and some in Burco after the SNM siege and the government soldiers reportedly executed several by slitting the prisoners' throats and subsequently shooting them (HRW, 1990). The soldiers would proceed to loot all land across the north-west and steal or shoot livestock. Moreover, even though the Ogadeen in the north were protected under refugee status, the government armed many of the refugees to fight the Isaacs. Despite ICRC requests to assist civilians, no humanitarian aid was allowed into the region during this time (Bradbury, 2008; Gersony, 1990; HRW, 1990). The SNM has also been accused of extra-judicially executing government officials and pro-government civilians that they captured during the war. There are even reports of SNM attacks on United Nations Development Program (UNDP) refugee camps, presumably to force Ogadeen refugees to return to Ethiopia (Bradbury, 2008; Gersony, 1990; HRW, 1990).

Unfortunately for the government, their attacks on Hargeisa drove the uprooted civilians to join the SNM and the group found more support after the 1988 attacks than ever before (Bradbury, 2008). As hundreds of thousands of northerners fled Somalia many ended up in eastern Ethiopia, from where the Ogaden refugees had fled the previous decade. The SNM had continuously relied on funding from the Isaaq population in Somalia and in diaspora communities, and they continued to rely on food and healthcare assistance from the Isaaq populations in the Ethiopian refugee camps (Bradbury, 2008; Jhazbhay, 2009; Lewis, 2008). The SNM was supported by other rebel movements across Somalia toward the end of the 1980s, including the United Somali Congress (USC) in the south led by Siad Barre's former army general Mohamed Farrah Aidid, and the Darood rebel movement Somali Patriotic Movement (SPM). However, the SNM did the bulk of the armed combat against the government forces (Jhazbhay, 2009; Lewis, 2008). According to a Human Rights Watch report from 1990, the Somali government was attacking the SNM, SPM, and USC without any regard for the rules of war or the Geneva Convention, which the regime had ratified at the time (HRW, 1990).

The civil war continued until January 1991 when the SNM had overtaken the government forces and were claiming control over most of the north. Simultaneously revolutionary dissidence was escalating in the south as well. Siad Barre had attempted to play out clan-rivalry during his reign to gain control over all Somali factions, but he would eventually be overthrown by the Hawiye led USC under the rule of his former army general Aidid. Siad Barre fled Mogadishu in January 1991 and while USC claimed power in the south (split between two USC factions), the SNM declared the former British Somaliland an independent territory, again under the name Somaliland (Albin-Lackey, 2009; Jhazbhay, 2009; Lewis, 2008). General Aidid continued to rule the south until his death in 1996, succeeded by his son under whom armed conflicts continued throughout southern Somalia. During Aidid's reign southern Somalia saw the rise of several warlords, the UN condemned killing of a group of Pakistani blue berets, looting of the Mogadishu UN base, and the failed US attempt to seize Aidid resulting in the notorious "Black Hawk Down" incident during the battle of Mogadishu in 1993 (Jhazbhay, 2009; Lewis, 2008). The Darood clan were punished for all atrocities committed by the Siad Barre regime during the USC rule and large-scale ethnic cleansing led clan-families to escape the south and return to ancestral lands further north (Hoehne, 2015). Siad Barre's fight against tribalism would be followed by times of stark tribal allegiances and the partitioning of Somalia's territories along clan lines (Lewis, 2008).

SELF-PROCLAIMED AUTONOMY

Since its founding in 1991 Somaliland has developed a functioning government and legal system along with sufficient organization for public order, sustainable peace, and the means for reconstructing the post-conflict society (Ahmed, 1999; Ali, 2014). The SNM took control of the country and formed the first government in 1991, partly because no other organization possessed the authority to initiate rebuilding while instating a functioning rule of law. It has been pointed out that other clans and alliances were incapable of opposing the SNM as they were the largest movement and the Isaaq clan the most populous in the north (Bradbury, 2008; Hoehne, 2015). The self-proclaimed autonomy of Somaliland was established in May 1991 at a conference in Burco. The conference was also aimed at building peace between the Isaaq and the different non-Isaaq clans that inhabit the northwest, clans that had supported the government forces during the civil war. While several years of uprising and conflict were in store for Somaliland, the seed for the eventual stability was planted at the Burco conference (Hoehne, 2015).

Most clans from the north were invested in keeping the peace after Somaliland was established, even though it is not widely agreed that all northerners wanted independence from the south. Fighting within the Isaaq clan broke out in 1992 but other clans were involved in restoring the peace as traditional authorities settled the disputes. Additional conferences were held in 1993, 1994, and between October 1996 and February 1997 to end conflicts in the north (Hoehne, 2015; Lewis, 2008). During these conferences it was also decided that crimes committed by Somalilanders up until this time would be forgiven for the sake of peace and unity. Thus, since 1997 the region has experienced near continuous stability (Jhazbhay, 2009). To the east of Somaliland is another Somali territory, Puntland, which has a majority Majerteen population and declared its independence in 1998, modeled on that of the Somaliland autonomous region. Puntland is not seeking to secede and rather aims to become a self-governing territory within the Pan-Somali state. These differences between Somaliland and Puntland have led to some conflict in the borderlands in-between the two regions. Somaliland government authority extends throughout the larger cities in the heartland of the region though this is not the case for the borderlands (Hoehne, 2015). The borderlands between Somaliland and Puntland have traditionally been inhabited by the Warsengeli and Dulbahante clans, which have expressed opposition toward both Somaliland's independence and Puntland's Majerteen leadership. Thus, the borderland communities have been marginalized and subject to attacks from both sides due to Somaliland and Puntland attempts to control the intermediary lands. Moreover, communities in the lands between Somaliland and Puntland disagree with the borders claimed by one or both authorities (Hoehne, 2015; Lewis, 2008).

Somaliland is not recognized by the international community and according to international law the region is part of Somalia to this day. The region holds the constituent features of an independent state according to the international law: a stable population, a government, defined borders, and the ability to establish relationships with other states. There continues to be a stalemate in Somaliland's bid for international recognition for several reasons. The region cannot seek a bilateral agreement for independence due to the lack of a functioning government in Somalia and the reluctance of the different temporary governments toward Somaliland independence. Neither is the African Union (AU) nor the UN supportive of secession and geopolitical concerns in the Horn of Africa are keeping African countries from supporting recognition, thus the international community avoids the topic as well (Jhazbhay, 2009; Mohamed, 2017). While Somaliland has been unable to participate in the international market as a sovereign nation, the informal economy has grown markedly.

With several international flights a week, international trade (primarily through Ethiopia) from Berbera, and a large number of diaspora communities investing in the Somaliland development, the region has managed to grow economically while maintaining a somewhat functioning democracy (Ahmed, 1999; Hoehne, 2015; Lewis, 2008).

The success of the Somaliland government in comparison to that of southern Somalia has been connected to the grassroots level government that incorporates a Western central authority combined with conflict resolution in the form of Somali elders from all clans (Bradbury, 2008; Jhazbhay, 2009). According to Bradbury (2008, p. 220):

“Somaliland’s structure of government fuses a US-style executive President with a British-style bicameral Parliament.”

The bicameral Parliament consists of the House of Representative and the *guurti* - the house of elders (Albin-Lackey, 2009). The *guurti* consists of appointed elders, who were elected based on their political knowledge. Elders were traditionally in charge of conflict resolution in northern Somalia, and Somaliland has thus incorporated the *guurti* into their government as a chamber of the parliament alongside the chamber of elected legislatures (the House of Representatives). This structure dates back to the colonial rule, as Britain would place elders in position of power to rule over conflicts during the British noninterventionist colonial approach (Ahmed, 1999; Jhazbhay, 2009). Moreover, the Somaliland Constitution signed in 2001 has strict regulations for civil-military relations and incorporates the democratic electoral process in order to hinder armed conflict and encourage non-corrupt democratic rule (Bradbury, 2008; Hoehne, 2015).

According to Albin-Lackey (2009) there have been abuses of power and violations of human rights in Somaliland since the autonomous region was declared. The *guurti* has extended presidential terms in violation of the Constitution while being criticized for not having changed its members since the House was formed. Moreover, several of the former NSS officers are in the Somaliland parliament and similar security committees as the Siad Barre NSS have been set up in the north since independence. While these institutions have not been accused of committing the same human rights abuses as the NSS under Siad Barre, there have been several accounts of arbitrary imprisonment without trials (Albin-Lackey, 2009). The government invests up to 70% of its resources in peace and stability, taking its toll on social institutions and development. The Somaliland government offers few public services, and healthcare and education are largely supported by local communities, paid by individual salaries, or funded by NGOs, many originating in Saudi Arabia (Bradbury, 2008; Jhazbhay, 2009). Additionally, illiteracy is widespread and only 15-20% of women in rural parts of Somaliland are literate according to a United Nations International Children's Emergency Fund (UNICEF) survey from 2011.⁴ Albin-Lackey (2009) believes that the main obstacle to stability and fully functioning democratic institutions in Somaliland is poverty, along with government officials' disregard for the rule of law. The author does acknowledge the comparative success of Somaliland in relation to neighboring countries and commends the relative peace and stability Somaliland has managed to sustain *“in one of the world’s most volatile regions”*: the Horn of Africa (Albin-Lackey, 2009, p. 2). Somaliland has avoided electoral fraud seen in Kenya, attacks on civilians seen in Kenya, Ethiopia, and southern Somalia, systematic repression seen in Ethiopia and Eritrea, and the chaos and bloodshed of southern Somalia since 1991 (Albin-Lackey, 2009). Hoehne (2013) believes that the hybrid polity of Somaliland may have been advantageous for the original transition to

⁴ https://www.unicef.org/somalia/education_16988.htm

self-rule but that the benefits of the government structure has reached its limits. He has found that traditional elders are being marginalized from their communities by living in city centers, that the *guurti* is controlling the Presidential position, and the president is corrupting the *guurti*. Hoehne (2013) concludes that Somaliland is in desperate need of a new governmental structure if the region is to achieve stability and a functioning democracy.

WCIC, EPAF, & THE FORENSIC FIELD SCHOOLS

In May of 1997 several mass grave sites were exposed in Hargeisa, as flooding due to heavy rains scattered the sand atop of buried bones. Three sites with exposed human remains were found, all associated with the Somali Military prior to Somaliland autonomy. Physicians for Human Rights (PHR) were appointed by the United Nations High Commissioner for Human Rights (UNHCHR) to conduct preliminary investigations of the graves in late 1997. PHR, led by Dr. William Haglund, submitted a report to the UNHCHR in 1998 in which they describe their test excavations, and the exposed human remains that they recovered and analyzed. Skeletonized human remains from one of the graves showed signs of head trauma along with potential evidence of ligatures. Another grave consisted of skeletonized individuals with hands tied together by ligatures, and the third site consisted of human remains and possible ligatures. In the report, the organization recommend the UN to further investigate the graves and for all mass graves in the area (a minimum of 92 according to PHR's investigation) to be surveyed for future exhumation. The report also details how PHR gave lectures to Somaliland forensic specialists on human remain recovery and investigation (UNHCHR, 1998).

The government of Somaliland launched their own transitional justice initiative soon after PHR had completed their preliminary investigations. The War Crimes Investigation Commission (WCIC) was established in the late 1990s by the Somaliland government to investigate Siad Barre era atrocities. The WCIC has since collaborated with the San Francisco based Center for Justice and Accountability (CJA) to implement transitional justice mechanisms in Hargeisa and lawsuits in the USA, on behalf of Somali individuals. The CJA has pursued litigation under the tort statute against several of the Siad Barre regime offenders. The defendants include General Mohammed Ali Samatar the former prime minister of Somalia, Colonel Yusuf "Tukeh" Abdi Ali former head of the fifth brigade of the Somali army, and Colonel Abdi Aden Magan former head of President Siad Barre's secret service.⁵

In 2010 the WCIC and the CJA, supported by efforts from diasporic Somalilanders living in California, invited Equipo Peruano de Antropología Forense (EPAF) to conduct forensic investigations in and around Hargeisa. EPAF is a Peruvian based forensic anthropology association dedicated to the investigation of mass atrocities. Under director José Pablo Baraybar, the organization has conducted human remains recoveries and investigations in several countries including Peru, Congo, Philippines, and Mexico⁶ (Baraybar & Mora, 2015). EPAF has engaged in mass grave exhumations across Somaliland since 2012 through semi-annual field schools during which students from all over the world have paid to participate and learn about forensic anthropology and human rights while contributing to the forensic investigation.⁷ The CJA has financially supported the

⁵ <http://cja.org/where-we-work/somalia/>

⁶ <http://epafperu.org/en/>

⁷ <http://cja.org/what-we-do/transitional-justice-initiatives/somaliland/>

investigations and they have also contributed by funding a forensic training program implemented by EPAF and the WCIC.⁸

HISTORY OF THE WCIC

During fieldwork, I inquired about the history and purpose of the WCIC, and the following sections are drawn primarily from these ethnographic data. The WCIC is a small governmental organization with seven commissioners and twelve staff appointed in response to community outrage as human remains associated with the war were unearthed during heavy rains. According to Hoehne and Bedoya Sánchez (2020) there was an outcry for a war crimes tribunal in the 1990s, as human remains were unearthed and the population was reminded of the atrocities from the war. This outcry led to the preliminary investigation conducted under the UNHCHR as well as the founding of the WCIC in 1997. The president at the time, Maxamed Xaaji Ibraahim Cigaal, was faced with mounting pressure from the outraged survivors. He needed to diffuse tensions since the country had only recently achieved an enduring, though tenuous, peace (Hoehne & Bedoya Sánchez, 2020). As such, the WCIC was instated as a token of the government's investment in investigating the war crimes. However, it continues to be an underfunded and largely unknown institution. According to Hoehne and Bedoya Sánchez (2020) a former chairman of the WCIC lamented about the lack of funding and interest the government was entrusting in the organization during an interview in 2009. This sentiment was echoed by the Somalilanders that I engaged with, who either were not aware of the offices or spoke of how small the organization was. Other interlocutors were more critical of the operation and instead found that the WCIC could do more with the funding that they have and that there could be more communication with families and other forms of community outreach.

The tensions that were mounting in 1997 were also conveyed through a speech held by President Cigaal (or "Egal," as it is typically spelled in international forums due to the pronunciation in English) after the aforementioned remains were unearthed. During this speech, Egal tried to mitigate tensions by questioning who should be held responsible for these crimes considering everything that happened during the war, that all sides committed crimes, and that conflicts have taken place since the war. A chief concern at the time was the risk of survivors and family members seeking revenge for the crimes, and that this would lead to clan conflict. While the Somalia government especially targeted the Isaaq clan members during the war, several of the Somaliland minority clans supported the government and were thus retaliated against by the SNM. As such, there were lingering resentments between Somaliland clans after the war, which was a central reason for the reconciliation conferences that took place in the first decade after the self-proclaimed autonomy (Bradbury, 2008; Hoehne, 2015; Hoehne & Bedoya Sánchez, 2020; Jhazbhay, 2009; Lewis, 2008). The risk of revenge was also brought up during my fieldwork, typically as a reason why investigations should not take place. However, in the 1990s Egal expressed his view that investigations should continue and that he did not believe it would lead the people to seek revenge (Hoehne & Bedoya Sánchez, 2020).

Egal's speech and the reconciliation conferences were topics brought up during my conversations with families: some family members would mention how reconciliation had already taken place and that further investigations could lead to renewed conflicts between the clans that live in Somaliland. These tensions were recognized by several WCIC staff, local students trained by EPAF, and staff from the Ministry of Justice (MoJ) and were

⁸ <http://cja.org/what-we-do/transitional-justice-initiatives/somaliland/>

continuously discussed during our interviews. For example, one of the students who was trained under EPAF, here referred to as Abdifatah, an Isaaq clan member in his late 20s, described to me some of the tensions that have been surrounding the investigation from a clan perspective. When I had asked Abdifatah how the people have responded to the forensic investigation, he responded that they react differently. The different ethnic groups in Somaliland see the past in different ways, although those who are not of the Isaaq group do not like to expose the past. *“I have friends from different ethnic groups, some Samaroon and some Darood, and they said – Abdifatah, don’t do that, don’t talk about that,”* he explained. He described to me that he usually tries to show his friends that the investigations are not meant to bring about hostility but for everyone to learn from the past, though not everyone understands his reasoning. *“Sometimes they feel what I feel,”* he went on, *“but some say, this might create hostility among the people of Somaliland, so they say let bygones be bygones, forget about that and move forward, do not talk about the past.”* Abdifatah’s voice broke as he uttered these words, his gaze trailing away from me. Some his friends had family members who were part of the Siad Barre government, and they have stressed that there were Isaaq officials working in that government too, proving that it was not an ethnic conflict, it was political. Abdifatah concludes that Isaaq clan members see the war and the investigations in one way, and other groups see it in a different way, so it’s complicated.

MANDATE & STRATEGIES

During its first years of practice, the WCIC collected information on the missing and killed from over 400 family members. This information is housed at the WCIC offices in handwritten form; however, the organization does not currently have the updated contact information for the majority of these individuals. Nor do they have contemporary contact information for these family members, since there were no cell phones or email available at the time. Further, the extended passage of time since the collection of these testimonies means that several families have since moved, while other family members have passed away. Today, the majority of the Hargeisa inhabitants have mobile phones, the more affluent having smartphones and the less affluent having more traditional mobile phones without touchscreens. These devices are also used for most payments in Somaliland through a platform called Zaad. This platform is set up through the phone service carrier and allows the user to add money to their phone, and then pay for bills and services or simply send money to friends through their mobile phones. As such, most people relied on their mobile phones during my fieldwork in 2019, and local market salesmen and women typically had handwritten signs in the back of their stalls showing the number to use for paying for their goods through Zaad. However, in 1997 this was not the case and there has not been community outreach to attach contemporary contact information and cell phone numbers to the 400 people who reported a lost family member to the WCIC at the time.

Since the 1990s, the WCIC has been primarily working with documenting war related activities and war crimes, and hosting EPAF for forensic investigation and training. They house video clips, newspaper articles, images, and footage from forensic investigations and survivor testimonies amongst other material at their offices in downtown Hargeisa. As defined by WCIC staff, their tasks include investigating war crimes, crimes against humanity, and genocide that took place during the civil war by registering complaints from families and witnesses of atrocities, as well as registering mass graves. The graves have been recorded by use of GPS and some have been marked with plaques. However, these markers are often removed, and several graves have had buildings erected on top of them as a result of the growing population. Over 230 graves had been registered in Hargeisa alone at the time of my

2019 fieldwork, with new graves continuously being identified. Additionally, as pointed out by some of the staff that have been more involved in the forensic investigation, WCIC tasks also include identifying the dead, analyzing their trauma, and potentially distinguishing the contexts around their deaths.

The organization has been accused of only investigating Isaaq deaths, which was mentioned by some of my non-Isaaq and a few Isaaq interlocutors. However, staff at the WCIC were quick to point out that the organization was started with the intention of investigating all wartime deaths. The staff were originally made up of different clan members, not just Isaaq staff. Some of the individuals I engaged with still believed that the organization was reluctant to hire non-Isaaq staff, and that no other graves other than Isaaq burials were being investigated. It could be argued that without identification, it is not known who is being exhumed and minority clan members may be part of the investigated remains. Additionally, many of the local practitioners and family members argued that even though non-Isaaq people were killed during the war, the majority of the mass graves in Hargeisa and surrounding areas only contain Isaaq remains. Thus, the natural progression of forensic investigation would entail investigating primarily the Isaaq dead. Conversely, according to minority clan members, the office has been hiding behind the reconciliation agreement, which they believed forgives crimes committed by Somalilanders, i.e., crimes committed by the SNM. Since the Isaaq dead were targeted by the government in the south, there would be a loophole in the reconciliation agreement allowing for investigations of the Isaaq dead only.

Some of the minority clan-members I spoke to wondered why no mass graves in minority-dominated areas had been investigated so far. The WCIC have denied these allegations, though several of the staff members also expressed their view that the atrocities were a genocide against the Isaaq and that the narrative should be known as such. According to Hoehne and Bedoya Sánchez (2020), the former Minister of Justice also stressed the need to investigate graves outside of Hargeisa. The minister further expressed that the purpose of investigation is justice, not to create hostility toward minority clan members. Generally, the minority clan members I interviewed were either completely against the forensic investigation or they found that the investigations need to be widened to properly include mass graves in other parts of the country and the non-Isaaq dead.

In 2019, there was one lawyer working for the WCIC, and their primary responsibility was compiling evidence against the perpetrators, mainly through eyewitness statements. During an interview with the staff member, they pointed out the misleading name of the organization, since they deal with more than just war crimes, including genocide and human rights violations. The organization had also been working on compiling material for a civil war and atrocity museum. It was consistently pointed out to me how such a space would not house human remains, like in Rwanda, since public displays of human remains would violate Islamic tenets. Material exhibited at the museum would include clothes, weapons, bullets, and other war related items that have been collected around Somaliland. There had for some time been a space in downtown Hargeisa designated for this museum, they explained. Some interlocutors (not associated with the WCIC) were less enthusiastic and pointed out how there had been talk about said museum for 10 years, hinting at their disbelief in it ever being established. However, there is an independent group of professionals who are in the process of laying the foundation for their own museum and memorialization of the war. This group, known as “*Madasha Wada Tashiga Iyo Toosinte*,” which roughly translated means “to come together to discuss and give guidance to the people,” consists of religious leaders, former SNM fighters, businessmen, and other influential older men. This group of elites have been in contact with the WCIC and there may be a budding collaboration between the two in the near future. In late 2019, the group was in the process of meeting with President Muse Bihi Abdi

to discuss funding, and they had young architects working on the layout of the intended space. This museum would potentially have designated plots around its perimeter for burials of the wartime dead.

The WCIC is also supposed to be involved in general mass grave exhumations in Somaliland due to the training that their staff and affiliated local students have engaged in. Graves other than those marked by the office are often found throughout Somaliland and human remains often need to be moved in order to allow for construction and roadwork. The civilian population and other government offices should be reaching out to the WCIC when they come across human remains, though during interviews I found that many Somalilanders were unaware of the commission and their work. When asked about the connection between the WCIC and other medico-legal offices in Somaliland there were a few different versions of the collaboration. A general consensus among staff at different Somaliland offices was that there could be better communication between government offices and different phalanges of the legal system. This breakdown in communication between government offices, and between offices and the public seem to hold true for the WCIC as well. According to WCIC staff, the office is supposed to be notified when the general public come across mass graves. The police should also be communicating with the WCIC to ensure that the office handles the reburial of graves or mark the graves for future exhumation and reburial. However, as was pointed out by several family members, it is common for remains to be found on family land or as private construction is taking place. In these cases, the remains are often exhumed and reburied in a different location by those who found them, sometimes with help from the community, without reaching out to the authorities.

EPAF FIELD SCHOOLS

EPAF has been conducting human remains recovery operations in Somaliland under the WCIC, a collaboration that was spurred by the work of CJA. The collaborations between the WCIC, the CJA, and EPAF were first initiated by Cabdiasiiis Maxamed Ciid, a Somaliland businessman who lost several family members during the war. Mr. Ciid was living in California and served as a plaintiff during the CJA led litigation against General Samatar. At this time, he met José Pablo Baraybar, founder of EPAF, during a CJA ceremony. Mr. Ciid subsequently facilitated EPAF's first visit to Somaliland, which would result in semi-annual mass grave exhumation field schools (C.A. Ciid, personal communication, August 19, 2019). EPAF would come to sign a 5-year agreement to exhume mass graves in Somaliland, document the remains, identify and notify families when possible, and properly rebury the remains according to Islamic mortuary principles. Though the WCIC was responsible for the direct collaboration, the memorandum was signed with additional Somaliland ministries, including the Ministry of the Interior, the Ministry of Justice, and the Ministry of Religious Affairs (MoR) (Hoehne & Bedoya Sánchez, 2020).

The exhumation work has been pursued through semi-annual field schools, during which students from all over the world have had the opportunity to train in mass grave exhumation and forensic human remains analysis, while contributing to the human rights work of post-conflict Somaliland. Though this format was chosen in order to fund the work, the CJA, the Somaliland government, and Mr. Ciid have had to contribute funds to keep the field school running (C.A. Ciid, personal communication, August 19, 2019; Hoehne & Sanchez, 2020). The first field school was held in 2012, during which time 49 sets of remains were unearthed. However, these remains were not fully analyzed and were instead stored at the WCIC offices until the following field school, held in 2014. During the subsequent field school, for which I was responsible for the lab portion, another six individuals were exhumed

and the entirety of the 2012 and 2014 sets of remains were analyzed and reburied. Once all remains had been analyzed and properly documented, the remains were handed over to Sheikhs from the MoRA for reburial preparations.

The reburial was held on March 9th, 2014, and a host of journalists, ministers, and some family members of the dead attended the ceremony. Though no identifications had been made prior to the reburial, I spoke to one man at the ceremony who knew that his brother was among the remains being reburied (based on eyewitness accounts). He thanked us for our work and solemnly observed as the remains, packed in white cloth, were interred into burials side by side. To facilitate potential future identification efforts, each set of remains were buried next to a plaque with the designated case number, so that the forensic report could be reconnected with the remains. The ceremony consisted of prayers led by Sheikhs from the MoRA, prior to reburial of the remains.

I was informed that women typically do not participate in the burial phase of a funeral, hence I did not take part in the prayer or the act of burying the remains. Several Islamic communities have discouraged women from participating in burials, harking back to early Islamic traditions where pietists sought to separate the religion from pre-Islamic practices. While previously, women had engaged in elaborate wailing rituals for the dead, the cemetery was reimagined as a space of solemn contemplation. Or, as explained to me in Somaliland – “women are too emotional” or “women are more caring,” so they will risk having emotional outbursts during the funeral, which is discouraged. Both Somaliland women and men expressed this view and explained to me that women do not participate in the funeral while the person is being buried. If they are mourning the dead in public they can cry, though quietly, and if they wail, they must do so only in the privacy of their home which is why that they best avoid the burial. Early pietists equated wailing with questioning God’s Decree and hurting the dead person as they are being questioned by the angels in the grave, which would contribute to women being barred from burial ceremonies in many Islamic communities (Halevi, 2004, 2011). Several local women were present during the 2014 ceremony, though they remained several yards from the burial plots. The other female field school participants and I joined these women and together we observed the burial and the communal prayer as it was performed by the men.

PAST & FUTURE FORENSIC WORK

To date, 106 sets of human remains have been exhumed and reburied during EPAF’s field schools. Out of these, 12 were identified prior to reburial based on identifying features such as dentition and clothing. For example, one mass grave only contained members of a single local family, thus the surviving family members, some of which had witnessed the burials, were able to help identify the dead. Though DNA has been collected from a subset of the remains and the potential surviving family members, these data had not yet been analyzed in 2019, and it was determined too expensive to continue collecting DNA for the purpose of identification. Hundreds more mass graves are documented but unexhumed by the WCIC, some of which will likely be exhumed in the following years by commission staff and students. Additional mass graves are constantly being found, while those that have been marked are being built over by the growing population and by businesses that are expanding along with the economy.

EPAF’s work in Somaliland has included providing training to WCIC staff and local students in proper forensic anthropological and archaeological practices. This “forensic training program” has been supported by the CJA and several students from Hargeisa University have attended the field school for this purpose (Hoehne & Bedoya Sánchez,

2020). Facilitating local training is a common goal for international forensic teams assisting in human remains recovery in parts of the world that are lacking in forensic anthropology training, thereby establishing local capacity to recover human remains after the team departs (Cordner & Tidball-Binz, 2017; Mikellide, 2017). However, a recurring issue in Somaliland has been the lack of funding to keep the trained local students employed at the WCIC. Several of the trained students have been forced to accept permanent positions elsewhere to secure an income, making them unavailable for continued forensic training and future forensic work. According to staff at the WCIC there are enough people at the offices who have been trained to conduct human remains recovery operations, though they would not decline additional training opportunities if available.

During fieldwork there were no plans for EPAF to return to continue the field schools or the forensic training program. Instead, the WCIC was planning to continue mass grave documentation and exhumation with the capacity they have gained from EPAF's work. When asked at the end of my 2019 fieldwork what the future holds, the WCIC leadership explained that they are looking to continue the forensic investigations, with the goal of exhuming five to six mass graves in the coming year. The graves that were to be selected for investigation would include those in the most immediate need of attention, such as graves found during building and roadwork or on civilian property. When the former local students were asked how comfortable they would be in leading human remains recoveries without further training, they usually answered that they would prefer more training before embarking on mass grave exhumations on their own.

ISLAM, SHARI'A, & MORTUARY PRACTICES

TREATMENT OF THE DEAD

Death brings us to contemplate the nature of the soul, whether or not it exists, and what happens to it as the biological functions of the physical being halts. Death also has an impact on the community that is left to care for the dead body. What constitutes care differs between communities, between religions, and between local applications of religion. Care can be geared toward assisting the soul of the dead in passing to a new dimension and to alleviate the suffering of the body and soul in death. Care is also rooted in our understanding of death and what facilitates mourning for the family or community (Rosenblatt, 2015). The dead body has been described as an arena for social change, and in Islam this arena has been forming and reforming since the Qur'an was first recited by the Prophet Muhammad, according to tradition (Buturovic, 2014; Halevi, 2011). Moreover, death and burials have been subjected to "Islamization" since the time of the Prophet and burials would slowly become different in form and function from those of pre-Islamic Arabs, Christians, and Jews (Halevi, 2011; Petersen, 2013). The different facets of mortuary conduct are furthermore intricately linked to other features of the Islamic society such as views on the community, gender divisions, purity, and humbleness. Burial practices therefor differ across Islamic denominations as well as across geographical locations depending on additional cultural and historical negotiations.

Muslims have, since the early days of Islam, been concerned with ritual purity, in life and in death. According to Halevi (2011, p. 75) the dead can cause ritual impurity upon the living in Judaism, though there has historically been more concern with the living tarnishing the dead in many Islamic communities. The Islamic practice of washing the body in specific

fashions for ritual purity dates back to the death of the Prophet Muhammad and the debates that ensued as he was washed without his clothes being removed, something that has not been the norm since (Buturovic, 2014; Halevi, 2011; Ishāq & Guillaume, 2004; Smith & Haddad, 2002). However, the extent of covering of the dead body during washing has been up for debate with most agreeing that the genitals need to be covered at a minimum. Additionally, there has been debate over who should be tasked with washing the dead body: husbands and wives, or people of the same sex as the dead. Overall, teachings have leaned toward separation of the sexes, it has even been considered more appropriate for a non-Muslims person of the same sex to wash the dead body than a Muslims of the opposite sex (Halevi, 2011).

The Qur'an does not specifically deal with accurate handling of the dead body, though several Hadith reports have described how the dead should be washed, prayed for, and buried based on the life and conduct of the Prophet Muhammad (also known as the *Sunna*). Hadith reports do not give detailed instruction on burial practices, they only give general guidelines that can be interpreted in different ways (Buturovic, 2014, p. 136). Post-Qur'anic Islamic texts describe how the soul would leave the body upon death, see the seven heavens and hells, return to the body during the washing and accompany the body in the funeral procession only to be released by prayer and the mercy of God (Halevi, 2011, p. 208). Thus, the body should be handled with care, the water for washing should not be too hot, and the body should be comfortable during washing, funeral procession, and in the tomb. Facets of the burial that have been regulated in order to minimize the pain of the dead includes wailing, the reading of prayers, and who should participate in the procession (Buturovic, 2014; Halevi, 2011; Smith & Haddad, 2002).

The topic of wailing at funerals have been the subject of some debate. Wailing has typically been equated with female mourning though while a wife is allowed to expressly mourn her husband, too much mourning might torture the body in the grave. Mourning is allowed for three days and wives are allowed (even encouraged) to mourn their husbands for four months and ten days (Buturovic, 2014, p. 137). Early Sunni communities in Iraq did not allow wailing or women in the funeral procession, while Shi'i communities have been more lenient in this regard. Shi'is have had a different appreciation for martyrdom, and Medinese Shi'is would traditionally cry for the martyrs of the historic battle at Uḥud before wailing for the dead during funerals (Halevi, 2011, p. 133). Certain Shi'i communities have also engaged in singing during funeral processions, which some have considered harmful to the dead (Jonker, 2003). The effects of wailing on the dead have been debated as Qur'anic teachings on mourning and wailing have been interpreted in different ways. Critics, including Aisha, the Prophets widow have highlighted how only the person's actions govern how they are tormented in the grave, not the conduct of the funeral participants. Wailing was early on condemned by pietists as it was equated with riches, lavishness, worshipping of the dead, and questioning Gods mercy in the ultimate relief: death. This has left some room for wailing in the privacy of one's home as long as it is not a public display that draws communal attention to mourning (Halevi, 2004, 2011).

DEATH & SHARI'A

Mortuary practices in Islamic communities are governed by Shari'a, along with all other ritual behaviors. There are several different ways that legal mechanisms help evaluate new features so as to respond to progress in a way that follows the model of the Prophet and the Qur'an. According to Moosa (2014) progress is integral to the law and there are several mechanisms for incorporating new facets of society into the law or re-evaluating dated

features so as to answer to progress while ensuring continuity. These mechanisms include *istiṣlāḥ* or *maṣlaḥa* (public interest), *ijmāʿ* (consensus), *istiḥsān* (necessity), *qiyās* (including analogy through legal reasoning), and equity through *ijtihād* or legal reasoning. *Fiqh* (Islamic jurisprudence) and *raʾy*, independent thinking based on the *Sunna* (the way of the Prophet, found in the Hadiths) and the Qurʾan contribute to choosing the most ethical way of life even when there is no legal ruling, while muftis and other religious legal scholars can issue *fatwās* - official stipulations on legal matters (Abd-Allah, 2008; Hallaq, 2009; Moosa, 2014). Deliberation through *ijtihād* has been seen in response to pandemics such as the plague or to disasters.

Several burial customs trace back to the battle of Uḥud during which several Muslims died and were treated as martyrs during their burial. They were not shrouded or washed, they were buried in their blood, and some were buried in mass rather than individual graves. These practices have been drawn upon in more recent legal reasoning, for example some believe that based on the *Sunna* and necessity, plague victims can be buried in communal burials though other martyrs should not (Al-Dawoody, 2017; Halevi, 2011; Petersen, 2013). Similarly, who is considered a martyr has been up for some debate. According to Al-Dawoody (2017) Muslims who fight non-Muslims die as martyrs, while Muslims who fight Muslim rebellion may also be considered martyrs. Additionally, those who die in childbirth or due to respiratory disease can also be martyrs (Al-Dawoody, 2017; Buturovic, 2017). It is not universally agreed that Muslims fighting other Muslims as in Somaliland can be considered martyrs. After the Srebrenica genocide and other attacks on Muslims throughout former Yugoslavia in the 1990s, the Muftis had to decide on best burial practices. They issued *fatwās* based on their conclusions, which included rulings indicating that all identified fragments should be buried as if they were complete individuals and that all were considered martyrs. This meant that the thousands of dead did not need washing and that the entire community had an obligation to fund and organize the funerals. Regional practices in Bosnia include inscription of the dead person's name on the tomb stone, which was performed after the atrocities based on the *fatwā* even when only a small fragment of the dead person's remains had been identified. Practice also came to change with these deaths as traditionally the dead would be buried at home but now they were all buried communally in the same grave yard (Wagner, 2008).

A lot of Shari'a legal reasoning on the topic of death and burial has been based on the *Sunna* as depicted through the battle of Uḥud, specifically related to the death of Ḥamza; the Prophet Muhammad's uncle who died in the battle along with several other of the Prophet's companions (Al-Dawoody, 2017). According to Ibn Ishāq's historical account, the fallen Muslims at Uḥud were mutilated and their body parts made into ornaments that the women of the opposing side proceeded to dress themselves in. During this time one of the women, Hind bt. 'Utba, cut open Ḥamza's abdomen and attempted to eat his liver. Hind proved unable to consume the organ and instead had to spit it out (Ishāq & Guillaume, 2004, p. 385). Guillaume interprets this as a "*survival of prehistoric animism*" and that Hind was eating the liver in an attempt to transfer the strength of the enemy to her own body (Ishāq & Guillaume, 2004, p. 385). An exchange of words between Hind and the surviving Muslims follow, during which the actions of Hind are repeatedly described as "*vile*" and "*insolent*" which is further connected to her "*disbelief*" (Ishāq & Guillaume, 2004, pp. 385-386). The Prophet was distraught as he found the body of Ḥamza and saw the mutilation of his uncle's body, bringing his surviving companions to urge for mutilation of the enemy in vengeance. However, God cautioned of vengeance and the Prophet instead forbade any mutilation and pardoned the enemy (Ishāq & Guillaume, 2004, pp. 387-388).

During the Prophet's time in Mecca barely any of his revelations included references to war and the Qur'an is near silent on warfare for the first 23 years. Though after his move to Medina ten years of conflict follows, leading to several Hadith and Qur'an sections on war. The Medinan revelations urge war to test the believers as God will fight alongside the righteous. Unfortunately, these sections give credence to those who equate Islam with violence though this view overlooks all of the Meccan Qur'an and most of the Medinan, which encourage defensive war and tolerance (Hashmi, 2010).

According to Halevi (2011) the early traditionalists (of which Ishāq was a member) were engaged in documenting the funeral practices of the Prophet since the kernel of social change lies within the treatment of the dead body. Halevi describes how treatment of the dead calls on social action and thus holds the capacity for reconfiguring social life, encouraging new Islamic ways that break with earlier traditions (Halevi, 2011, p. 5). Hind was engaging in an animistic ritual when she attempted to eat Ḥamza's liver. However, she was unable to complete the act when faced with the body of a Muslim. Hind's inability to consume Ḥamza's liver may symbolize the shift from pagan rituals to the righteous Islamic way. This passage of *The life of Muhammad* (Ishāq & Guillaume, 2004) thus entices an eschatological break with preexisting mortuary customs while ushering in new spiritual approaches, including forgiveness rather than vengeance.

Qur'anic approaches to death tend to focus on the soul rather than the body and burial, which facilitates a split from preexisting pagan ancestor worship where the body was in focus. Focusing on the soul rather than the body and how to care for it in death may stem from the belief in the Islamic resurrection: a focus on the physical death of the individual is redundant if God will ultimately recreate the dead from dust (Abdel Haleem, 2008; Halevi, 2011). However, treatment of the dead body after death has been the main topic of several Hadiths and it was a grave concern of the Prophet (Halevi, 2011, pp. 25-27). Interestingly, even though the Qur'an focuses on the soul rather than its vessel (the body), it also proclaims that identity lies in the bones and not in the soul. Halevi (2011) concludes that there is no Islamic consensus on whether the spirit of the dead resides in the transcendent soul or in the physical remains of the body.

BARZAKH & PUNISHMENT IN THE GRAVE

The concept of *barzakh* or *al-barzakh*, the liminality between death and resurrection, is at the root of Islamic mortuary practices as it anchors the tensions between the body - *jasad*, and the soul - *nafs* (Abdel Haleem, 2008; Buturovic, 2014; Halevi, 2011). In the Qur'an, *barzakh* is mentioned three times as a form of "waiting room" where the soul is exposed to forebodings of the afterlife while cutoff from the realm of the living (Buturovic, 2014, p. 129). Halevi (2011) describes how *barzakh* separates the dead from the living by time as well as space, complicating the relationship between the present, the future, and the afterlife. Buturovic (2014, pp. 130-131) furthermore refers to the changes that have come about since the Qur'an with more recent philosophical debates over *barzakh*, as it seems to connote an intimate connection between the body, soul, and spirit in the grave. There have also been several debates over the exact "location" of *barzakh* over the centuries, as some have discussed it as an ephemeral barrier between death and the afterlife or a bridge connecting the two, while early scholars attempted to pinpoint it on a map. For a while, it was believed that it was located somewhere between the Mediterranean and the Persian Gulf (Halevi, 2011, p. 216). According to Halevi (2011) *barzakh* has evolved from being described as a line to later being described as a wider space, found in the grave or the cemetery. This understanding of *barzakh* would furthermore constitute a powerful notion at

the time as it would indicate that cemeteries inhabited spirits of the dead, spirits ruled by laws of another space and time (Halevi, 2011, p. 217).

The Qur'an describes how upon death, the angels will stretch out their hands to grasp the soul from the throat of the dying and, once dead, the soul will transition to *barzakh* from where it can never return to speak to the living. However, several Hadiths describe how the spirit will return to the body in the grave where it can be punished for deeds committed in life (Smith & Haddad, 2002, p. 57). Little is written about this liminal space in the revelations, in comparison to the final judgement and the afterlife. The few things that are specified include how the soul comes out through the throat; that death can be seen as a process of flooding; that the dead cannot hear the living; and that the dead and living are different from each other. One cannot return from *barzakh* either to talk to the living or right the wrongs committed in life. Earlier Hadiths treated this time period as a brief (eye-blink long) moment, though later writings have dealt more with its intricacies, including the sparsely alluded to questions of the "punishment of the grave."

The body is to first be visited by the terrifyingly awe-striking angel of death 'Izrā'īl who does not orchestrate death, though he is informed of the death 40 days prior as a leaf with the person's name falls to the feet of God on his throne. A speck of soil from where the person will die is also supposed to accompany the semen upon impregnation, drawing the person to travel to the place where they will die just before it is their time to go (Smith & Haddad, 2002). Subsequently, the dead are believed to be questioned in the grave by two angels, Munkar and Nakīr and if they were pious a window with a cool breeze will open and if they were not, a door to hell will open and they will be tortured in the grave. The grave is also known as a horrid place of darkness and loneliness, the grave will even speak to the dead to tell them that they will lie inside the earth and be eaten by worms (Halevi, 2007; Petersen, 2013; Smith & Haddad, 2002).

The spirit is rejoined with the body in the grave before the questioning, though there is some debate over when the rejoining takes place. In some cultures the Imam will stay to help the dead through the questioning while in others it is believed that wailing and weeping will distract Munkar and Nakīr during the procession, which further tortures the dead (Jonker, 2003; Smith & Haddad, 2002). The intimate connection between the soul and the dead body in post-Qur'anic scriptures differs markedly from that of contemporary Christians for whom the soul is typically believed to leave the body with its last breath (Halevi, 2011, p. 223). According to Buturovic (2014, p. 130), eschatological debates over the intricacies of *barzakh* have "*profoundly shaped Islamic attitudes toward death and mourning.*" However, more recent interpretations of death in Islam focuses more on life and the afterlife as modernist approaches have treated *barzakh* more as a transitional phase rather than as an exact time period when the dead may feel pain. While traditionalists may still believe that the body can feel pain and that conduct during a burial, such as singing, wailing, or physical handling of the dead can hurt the body, modernists treat *barzakh* more as a symbolic feature of death than a state of the spirit (Smith & Haddad, 2002).

GRAVE FORM & BURIALS

The dead should be washed in very specific ways either by someone of their own sex or by a spouse, with some regional differences in practices. The body is then shrouded preferably in white so as to avoid extravagant shrouding and differentiation between the dead based on wealth in life. Overall, mortuary practices should be conducted in modest ways, the only difference between the wealthy and the less affluent should be that the wealthy give more alms or more alms are given on their behalf in death (Koshen, 2015). However, there is

a lot of regional variation in this regard and dead Muslims have been shrouded in colorful silk in some cultures, and some have been buried in extravagant mausoleums, the Taj Mahal being an extreme example (Petersen, 2013). Grave form also differs across regions though generally the dead should be placed on their sides facing the *qibla* – the direction of Mecca. Traditionally, graves should be shallow and men and women buried separately as much as possible (Halevi, 2011), while according to Petersen (2013) many Muslim burials have been quite deep. Petersen (2013) describes graves as found through archaeological practices and how some Islamic graves have been deep to ensure that the dead can sit up in the grave as they are being questioned by Munkar and Nakīr (Halevi, 2011; Petersen, 2013; Smith & Haddad, 2002). Some women's graves have also been deeper than men's so as to safeguard their decency when they stand up on judgement day. Similarly, shrouding serves to safeguard the decency of women and men (Petersen, 2013).

There has been a lot of debate over proper tomb stone inscription as some have proclaimed that only the name of the dead should be inscribed; others that only Qur'anic verses should be inscribed; and yet others that there should be no inscription or even a tombstone (Elaskary & Yun, 2017; Halevi, 2011). The first Islamic tombstones were ornate, though graves would gradually become more minimalistic in the 8th century AD due to traditionalist opposition to the luxurious burials in preexisting traditions (Buturovic, 2014, p. 136). This opposition furthermore grew out of the Qur'anic disapproval of idolatry as worshipping the dead and granting them elaborate burials make them saint-like thus challenging the power of God. Post-Qur'anic sources have expressed how raising of tombstones are like raising of flag posts, telling of power and riches and how this should not be done in Islam. For example, the practice of piling stones on top of a grave to make it stand out was condemned in the 8th Century under the Medinese leader Malik (Halevi, 2011, p. 35). Pietists during this time despised raised tombstones and inscriptions of the dead's name as it would encourage "*the 'idolatrous' custom of visiting tombs*" (Halevi, 2011, p. 36). The disapproval of idolatry and saint worshipping have been more common in Sunni communities while some Shi'i communities are more prone to grave and shrine visitations. Ever since the martyrdom of Hüseyn, the grandson of the Prophet, Shi'i communities have been preoccupied with martyrs and the associated commemoration of the dead. Additionally, Sufi practices involve creating shrines for the dead and other forms of "ritual behavior" frowned upon by more puritanical Islamic communities (Buturovic, 2014, pp. 138-139).

BURIAL CUSTOMS & THE COMMUNITY

Community has a central position in Islam with the very founding of the religion being based on the *umma*, the political Islamic unit encompassing all Muslims in a universal community (Karamustafa, 2014, pp. 93-94). The *umma* is furthermore supported by the "*normative framework*" of Shari'a, which facilitates and maintains communal identity across the Muslim world (Karamustafa, 2014, p. 102). Several features of Islamic burial practices hint at the communal importance of maintaining customs while upholding the communal perception of the dead's spiritual nature. According to Halevi (2011) rituals matter within the context of Islam and death as they enable ritual purity, which in turn has an impact on the community's perception of the deceased. Smith and Haddad (2002, p. 61) discuss a story in which a man had no light shining upon him in the grave because of his son's failure to pray for his father and give alms on his behalf. As the story goes, a neighbor is visited by the father in a dream and the father complains about the conduct of his son. In response, the neighbor visits the son who retributes the offence and the neighbor is rewarded by God for facilitating the light in the father's grave. According to the authors, this story conveys the

importance of conducting mortuary rituals for the benefit of the dead while also conveying the importance of the communal experience (Smith & Haddad, 2002, p. 61).

Several of the burial practices conducted since the dawn of Islam have been aimed at ritually as well as physically cleaning the body while masking the decomposition of the bodily tissues. The first recorded Islamic postmortem washings included stuffing cotton dipped in perfume in the orifices of the dead body to prevent decomposition odors. Additionally, bodies would be placed on planks rather than on the ground since it was believed to halt bloating (Halevi, 2011, p. 66). It has been believed that a sinner would more quickly decompose than a pious person as it hinted at the torment that was to come when the body broke down. The body of the corrupt would be tormented in the grave as they were eaten by worms and the walls of the burial narrowed in, crushing them in their grave (Halevi, 2011). According to Halevi:

“Noxious smells and signs of putrefaction would be to emerge quickly from the corpse, and these were interpreted as symbols of personal corruption, outward signs of past hypocrisy and religious shortcomings.” (Halevi, 2011, p. 233).

Halevi concludes that rituals are highly important since failure in properly washing and masking signs of decomposition would convey the sinful way of the dead and the torture they are about to experience (Halevi, 2011, p. 233). Additionally, spirits of the dead are believed to entice the pall bearers to speed up if they were pious Muslims or to slow down if they were sinners destined for torment in the grave (Halevi, 2011, p. 209). These accounts convey the importance of the community in general and within Islamic mortuary practices in particular. Hurried burials, intricate washing, and other features that mask decomposition serve to hide the signs of corruption for the benefit of the community and the community's perception of the dead individual. According to Halevi (2011) it was historically believed that pious conduct in life would store enough good will that the body would be impermeable to decomposition. Thus, safeguarding the smell and integrity of the body has been paramount to show to the community that the dead was a good Muslim in life and would be treated as such in the grave and in the afterlife. Islamic scholar Al-Dawoody (2017) has been working with contemporary populations after disasters and conflict. In his description, the smells of decomposition can hurt the living and he therefore recommends that refrigerated units are used in mass fatality contexts to ensure that families are not harmed by the decomposition of their loved one.

ISLAM, WAR, & ATROCITIES

According to Al-Dawoody (2017) there is a lot of overlap between International Humanitarian Law (IHL) and Shari'a. However, the differences between legal schools and regional approaches necessitate dialogue between forensic practitioners, Muslim communities, and local religious leaders. For example, martyrs are typically not subject to the ritual postmortem washing nor being shrouded in white, though who is considered a martyr in different communities is up for debate through legal reasoning - *ijtihad* (Al-Dawoody, 2017; Hallaq, 2009). Those who die fighting for Islam are considered martyrs along with those who die of disease or in childbirth, while Muslims who die fighting other rebellious Muslims may be considered martyrs depending on the context (Al-Dawoody, 2017; Buturovic, 2017; Halevi, 2011). After the 1990s atrocities in former Yugoslavia, the Muftis decided that all victims were martyrs, which meant they did not need washing and that all surviving members of the community had an obligation to fund and cooperate in the

burials (Wagner, 2008). Certain Muslim communities are opposed to having the name of the dead inscribed on a grave, which has a bearing on how reburial ceremonies should be conducted. Some even consider inscriptions borderline idolatrous, while for others it is customary to have grave inscription, visiting graves, and giving offerings to the dead (Halevi, 2011; Koshen, 2015; Lewis, 1998; Petersen, 2013; Wagner, 2008). In the former Yugoslavia grave inscriptions were common in the 1990s, while this has not been the case in Somalia historically (Koshen, 2015; Wagner, 2008). Somali mortuary practices are changing in Somalia and in diaspora communities, and they are becoming more “modernized” (Koshen, 2015). Jonker (2003) argues that children have not traditionally taken part in funerals in Muslim societies, though this is changing in diaspora communities as they tend to accompany parents who do not speak the language as well as their children.

The majority of Somalia and Somaliland have historically been Sunni, and many Somalis are affiliated with Sufi orders, though more puritanical Islamic denominations including Salafism and its derivative Wahhabism out of Saudi Arabia have gained ground since the Siad Barre regime. Scholars argue that the rise in extremism stems from state collapse and the accompanying power vacuum, the many cycles of conflict in Somalia, and the US war on terror in the Horn (Barnes & Hassan, 2007; Besteman, 2017; Jhazbhay, 2009; Koshen, 2015). Northern Somali communities have historically conducted pilgrimage-like travels to the shrines of the lineage ancestors outside of Hargeisa, typically while performing ritualistic dances and giving offerings to the dead (Lewis, 1998). However, opposition between branches of Islam over such grave and shrine visitations have been highlighted by the international community in recent years. Charges were recently brought before the ICC against Al Qaeda related Islamist groups for their destruction of mausoleums and other places of worship of less puritanical branches of Islam. Herman (2018) believes these costly charges may have been funded by the ICC in order to set an example against the extremist trend of targeting religiously and historically important sites, including ISIS’s destruction of historical sites across Syria in 2015. According to Elaskary and Yun (2017) the more puritanical branches of Islam that are engaged in tomb destruction draw their reasoning from the *Sunna*. The authors describe how the Prophet Muhammad spoke out against worshipping at his tomb upon his death and that he even condoned the destruction of tombs with idolatry on them. However, many extremist groups have taken this to mean that all tombs and monuments should be destroyed, even that of the Prophet, leading to attacks on such structures throughout the Islamic world with world leaders working to halt the fundamentalist attacks (Elaskary & Yun, 2017).

There have been several opposition between Islamic groups in Somalia, though these conflicts have been undercut by the clan system according to Barnes and Hassan (2007) as well as Abdulkadir and Ackley (2014). For example, the Islamic Courts Union, which ruled southern Somalia for a brief period in the early 2000s was the original incorporation of several Islamic courts first initiated by the Hawiye clan in 1994. The courts were meant to target rampant crime and opposition in the absence of state apparatuses, though Barnes and Hassan (2007) believes that the courts enjoyed more support than the seemingly corrupt war lords in the south. As the courts unified and took control over Mogadishu, Ethiopia and the US supported the Darood led transitional government in stifling their expansion. Several extremist factions were part of the court, including Al-Shabaab and Al-Ittihhad – another extremist group, initially a derivative of the Muslim brotherhood. These factions implemented policies through the courts that were not derived from Shari’a, which led to some public opposition. Others were opposed to the courts since they were primarily pushing Hawiye clan agendas (Abdulkadir & Ackley, 2014; Barnes & Hassan, 2007). Conversely, Al-Shabaab is believed to have emerged as several young men disappeared from Mogadishu at

the turn of the century, likely due to US anti-terror campaigns (Barnes & Hassan, 2007). Later on, Al-Shabaab would grow much stronger as US forces cooperated with them to seek out members of Al Qaeda. However, after funneling money into Al-Shabaab, a rift between them and the US would soon follow, bringing Besteman (2017) to suggest that the US created the very extremist organizations that they were aiming to stifle through their war on terror.

TRANSITIONAL JUSTICE & EXTREMISM IN SOMALIA & SOMALILAND

Recent scholarship on peacebuilding and transitional justice has suggested that the best approach for greater Somalia would include Islamic based law and *xeer* (Somali customary law) for restorative rather than retributive justice (Abdulkadir & Ackley, 2014; Jeng, 2014). Several scholars including Jeng (2014) and Robins (2011) argue that transitional justice frameworks need to be built in a bottom-up fashion rather than through localizing international approaches. The AU provides a model for transitional justice that may be more applicable to several African contexts. The AU's approach to economic development, peace, and stability are in line with those of transitional justice since they highlight the interdependence between justice, accountability, peace, reconciliation, national cohesion, gender equity, and victim's rights to remedies. However, the AU approaches differ from other transitional justice frameworks since they highlight social, economic, and cultural rights rather than civil and political rights in order to target colonial legacies and the effects of underdevelopment. The AU also focuses on gender inequalities, granting reparations for victims as a form of development fund, and implementing local as well as regional approaches to accountability, e.g., *Gacaca* courts of Rwanda pursued alongside international legal approaches (Jeng, 2014).

The central hurdles to transitional justice in Somalia are the cycles of violence that have disintegrated the pillars of law and order, which in turn have broken down social structures needed to govern justice administration both through kinships and the state (Jeng, 2014). According to Jeng (2014), the Somali customary law system, which is built on *xeer* along with features of Islamic based law, can provide a local approach to justice in line with the AU rebuilding model. *Xeer* includes mediation by clan elders and builds on kinship systems and connectivity. Jeng (2014) argues that this system has a long history in Somalia, is easily manageable, and has already been the fallback during cycles of violence. *Xeer* would thus offer a local compliment to global and state-centric legal models imposed on Somalia from the international community. However, *xeer* is not without its shortcomings, including a gender bias, and should therefore be further expanded upon and integrated with other transitional justice approaches (Jeng, 2014).

Abdulkadir and Ackley (2014) also highlight *xeer*, though through interviews with Somalia diasporas in the United Arab Emirates (UAE) they suggest that *qiṣāṣ* should form the central tenet of a future transitional justice approach. *Qiṣāṣ* or settling of accounts, is a feature of Islamic criminal law that includes offenses such as homicide and physical attacks, where families are the plaintiffs. In Islamic jurisprudence (*fiqh*), crimes fall under three different categories and punishments are determined according to the category of offense: the *ḥudūd* crimes are those for which punishments are named in the Qur'an or Hadith corpus, *ta'zīr* crimes for which punishments are not specified in scripture but rather determined by a judge or court, and *qiṣāṣ* crimes, which are perpetrated against a person or family group for which punishments can be decided upon by the victim or the family of the victim. Abdulkadir and Ackley (2014) interviewed 39 Somali women and men between the ages of 20 and 70 living in the UAE about their view on transitional justice processes for Somalia. A majority

of the interviewees supported *fiqh*, *qiṣāṣ*, and *xeer* as mechanisms of transitional justice since they together encourage forgiveness as well as *diya* (blood money compensation). Respondents repeatedly discussed the forgiveness that is inherent to both Islam and Somali traditions through *xeer*, and the majority believed Islamic principles would contribute to unity and internal/external peace, though many were also worried it would be misused by extremists (Abdulkadir & Ackley, 2014).

Abdulkadir and Ackley (2014) primarily point to *qiṣāṣ*, a feature of Islamic law that incorporates families and communities in working through grievances, arriving at mutual agreements for punishment or reparations, and focusing on forgiveness. They believe that both *qiṣāṣ* and *xeer* encourage forgiveness and grassroots level involvement in rebuilding and justice, which would suggest the most actor centered approaches to transitional justice in Somalia. They, however, also believe that Somalis are weary of contemporary extremism, partly since the Islamic Courts of the early 2000s exposed the power-hungry nature of their founders. Additionally, the courts were clan based and according to several of Abdulkadir and Ackley's informants they were more interested in their clan's (Hawiye) control than communal peace and justice (Abdulkadir & Ackley, 2014). Somaliland has not experienced the power vacuum of southern Somalia and extremism has not gained the wide footing seen in the south. Somaliland early on showed a disdain and fear of extremism and the first President of the autonomous region, Muhammad Ibrahim Egal, publicly ridiculed Islamist groups.

Somaliland has been discussed as a potential base for Western countries for fighting Islamist factions, something Somaliland may come to utilize in their bid for recognition (Ahmed, 2014; Bradbury, 2008; Jhazbhay, 2009; Mohamed, 2017). The rise in Wahhabism and Salafism seen in the south through Al-Shabaab, Al-Ittihaad, and the Islamic Courts have not been seen in Somaliland, though Saudi Arabian funding and diaspora community involvement is on the rise with little opposition from the government or business owners. According to Jhazbhay (2009), more puritanical movements typically stay away from intoxicants and smoking, including qhat, thus the Saudi investments fuel the economy and secures workers who are diligent and non-qhat chewing, unlike some local workers. Jhazbhay (2009) did not find that Saudi investments in public services contributed to extremism or other negative effects. Many of the Somaliland schools are funded by NGOs from Saudi Arabia, offering more widespread primary education than what would otherwise be possible (Jhazbhay, 2009).

In conclusion, transitional justice mechanisms in Somalia and Somaliland will ultimately differ due to the history and political climate of each region and, as will be explored in the following chapters, the tensions that remain between inhabitants. Many have indicated that Somalia and Somaliland require peacebuilding and that traditional methods along with features of Islamic law should be incorporated into a Somali transitional justice framework to secure lasting stability. Opposition to such measures have been based on the threat of religious extremism as well as clan agendas and tribal alliances. As previously described, certain transitional justice endeavors have been pursued in the region, such as the recovery of human remains. However, forensic investigations do not guarantee a straight trajectory toward justice, reconciliation, mortuary care, and healing. Graves are also entangled with questions of land, geopolitical borders, religious precedence, memory, trauma, state building, inequalities, and political control. This complex weave forms the basis of the research I conducted in Somaliland in 2018 and 2019, the timeline and methodology of which is the focus of Chapter Three.

CHAPTER THREE - MATERIALS & METHODS

FIELDWORK

This research builds on three separate field experiences in Hargeisa, Somaliland and surrounding areas: four weeks in 2014, two weeks in 2018, and five months in 2019. All ethnographic data collection for this study was conducted during the 2019 fieldwork. No interview data was collected during my first two trips, though they are included in this materials and methods section due to their impact on my research trajectory and research questions; my first two trips had a significant influence on my interest, understanding, and my inquiries about the Somaliland case.

FIELD SCHOOL 2014

As a new Master's student at New York University (NYU) in 2013 I was searching for any opportunity to engage in forensic anthropology and human rights work, as this was the reason for my moving to the USA from Sweden. I soon found out about the field school in Somaliland that EPAF had been organizing on a semi-yearly basis since 2012. I reached out to José Pablo Baraybar, founder and director of EPAF, and he offered me the opportunity to participate in the Somaliland field school in 2014 as a volunteer. This would entail working for free with various tasks, while only having to cover the cost of my flight. I ended up leading the osteology laboratory section of the field school during my time in Somaliland.

I spent four weeks in Hargeisa between February and March 2014, whilst remotely participating in NYU classes. I participated in excavation at the mass grave site on a few occasions, though my primary job was to make sure that the remains from the previous field school in 2012 were properly analyzed alongside those being exhumed. Fewer than ten individuals were exhumed during the 2014 field school, though there were over 40 individuals to be analyzed from the previous field school recovery. Our main task in the lab was to ensure the complete analysis of all remains so that they could be reburied during a larger reburial ceremony before our departure.

During my time in Somaliland, I found myself rarely questioning what we were doing and why we were doing it. Neither did I question how we were impacting the families and the society in general through our work. It wasn't until I returned from the field and began studying different "forensic human rights anthropology" contexts that I started asking myself these questions. Rather than a sudden epiphany that this needed to be my research focus, these questions and others materialized little by little as I read about Argentina, Zimbabwe, Bosnia, Peru, Indonesia, Cambodia, Rwanda, and many more places ravaged by mass atrocities and war crimes. I had read up on the Somaliland context, the war, and what had been done through forensic investigation before my field experiences in 2014. However, it did not occur to me until several years later how politically, socially, and psychologically impactful forensic investigations can be for survivor communities, nor that what we know about their effects on peace, stability, and mourning are still in their infancy.

Based on my experiences during the Somaliland field school in 2014 and my deepening knowledge of "forensic human rights anthropology" I decided in 2017 to focus on the Somaliland contexts for my dissertation research, to try and answer some of those nagging questions that had been haunting me since reflecting on my first trip to the field:

What was the purpose of the investigations? Were families knowledgeable about the work and did they support it? What social impacts was the work having?

PRELIMINARY FIELDWORK 2018

I returned to Somaliland for two weeks in 2018 to reestablish my connections with the WCIC, which we had closely worked with in 2014, and to assess my research questions. I planned my preliminary trip around the Somali Studies International conference, which in 2018 was taking place in Hargeisa. The conference presented the perfect opportunity for me to establish connections with local and international scholars on Somali and Somaliland affairs. During these two weeks I met with the WCIC personnel who were interested in my research plans, and I met with local scholars from Franz Fanon and Hargeisa Universities who were interested in future collaborations. I also spoke with doctors at Hargeisa Group Hospital about forensic capabilities, and religious leaders about mortuary practices, and I met with a couple of young professionals who offered to assist me with translation and finding interlocutors once I returned. This trip helped solidify my dedication to researching the forensic investigations in Somaliland and the need for further studies on political, social, psychological, and religious entanglements of the investigation. The preliminary trip was productive, though I left with many questions unanswered. However, I now knew what to home in on for my research questions, and which gaps in my knowledge needed to be addressed prior to and during my dissertation fieldwork.

DISSERTATION FIELDWORK 2019

I returned to Hargeisa in July 2019 for my dissertation fieldwork with the goal of conducting a minimum of 100 interviews with family members and practitioners the WCIC and other investigation-related institutions (religious leaders, legal professionals, and forensic practitioners). During this time, I engaged in several discussions with family members, survivors, NGOs, and war-time related interest groups alongside my semi-structured interviews. The majority of my interviews and discussions took place in Hargeisa, though I also traveled to Berbera (a larger city on the coast), Gebilay (a smaller city close to Hargeisa), and Boroma (a larger city located on the border with Ethiopia). Out of these cities, only Boroma has a primarily non-Isaaq population, and most of the data collected as part of this research focuses on Isaaq family and practitioner views though juxtaposed with some minority clan viewpoints.

ETHNOGRAPHY

INTERVIEWS

The majority of my data consists of semi-structured interviews with family members of those who were killed by the Siad Barre regime forces, and practitioners whose work is related to the investigations or general forensic and mortuary practices in Somaliland in different capacities. These practitioners included staff at the WCIC and local EPAF field school trainees; doctors who perform postmortem examinations; legal practitioners familiar with Somaliland jurisdiction; and religious leaders familiar with local burial customs. Most of

the practitioners spoke English allowing interviews to be conducted without an interpreter. However, few of the family members I interviewed spoke fluent English, requiring a local collaborator acting as assistant and interpreter to translate during interviews. Although ideally an ethnographer should speak the local language fluently, the use of translators may prove paramount in ethnographic research in order to pick up on subtleties that non-native speakers might miss (O'reilly, 2012).

During my first few months in Somaliland in 2019, I worked with several collaborators who acted interpreters and also assisted in identifying interlocutors for discussions and interviews. I often discussed my interview questions with these collaborators and adjusted terminology and phraseology in response to their feedback. During interviews these individuals acted primarily as interpreters, though I often engaged in discussions with them at the end of the day to hear their thoughts on the interviews or other conversations we had engaged in as part of data collection. I initially worked with a man in his early 30s who had previously worked for the WCIC – a man I will refer to as Hussein. I had met Hussein during the 2014 field school, and he became a dear friend and wonderful collaborator upon my arrival in Somaliland in 2019. Hussein was incredibly helpful in finding people within his network that we were able to interview during my first few weeks in-country. Early on during fieldwork I also worked with another young man and a young woman, both of whom I met through friends, both in their early 20s. However, both had other job obligations and only participated in my research for a short time and only translating a few interviews. Warsame (pseudonym) became my main collaborator, assistant, and translator (as well as dear friend). I met Warsame through professional contacts in Somaliland as he was a close friend of a fellow research's main assistant and collaborator.

Warsame was in his early 20s and held a degree in psychology from a local university. Not only was Warsame an incredibly professional and dedicated assistant and collaborator, but his psychology background helped fill a gap in my knowledge and experience. Despite working with communities who have suffered severe psychosocial traumas, I do not have a psychology or mental health background. Warsame plans to continue his psychology studies at the graduate level, in the hopes of bringing trauma assistance to the many Somalilanders who continue to suffer emotionally and mentally from the 1980s atrocities. I also worked with a man in his mid 40s who was from the Gabooye clan (one of the Somaliland minority clans). I will refer to this man as Yusuf. He was also the only collaborator I worked with who was not Isaaq. Warsame, Hussein, and Yusuf were each able to introduce me to members of their individual clans, subclans, and networks, which helped tremendously during my research. Each of them helped identify family members and professionals to interview, found groups to discuss the graves and the atrocities with, and themselves engaged in discussions with me on all questions and themes I was researching in Somaliland. Many of my interpretations of the ethnographic data, as well as my understandings of Somaliland communities and culture, stem from the insightful discussions I engaged in with Yusuf, Hussein, and Warsame and I hope to continue working with them in the future.

Along with these different collaborators, I completed a total of 104 interviews with 103 individuals (one interlocutor was interviewed first in the capacity of practitioner and then in the capacity of family member). Through a semi-structured interview protocol, I approached each interview with a set of predetermined themes with related questions. However, depending on the interlocutor's exposure to the different themes and their personal life-histories, each interview incorporated slightly different questions in a unique order. For the interview setting, my ethnographic protocols focused on accommodating the interviewee, which highlighted ensuring their anonymity and a sense of comfort and safety. Depending on

their preferences we would meet in their home, behind their market stall, at their office, in private dining rooms at restaurants, or at the WCIC offices. Interlocutors appeared to be comfortable with the presence of Warsame and the other collaborators, as they would first discuss their clans and potential familial ties before the more formal interview or discussion. Yusuf interpreted all conversations with those who were not Isaaq, to avoid possible tensions related to clan experiences from the war, the dead, or conflicts stemming from either.

All interviews were recorded with a hand-held audio recorder, and I took detailed notes by hand. Taking notes is imperative during interviews to capture features of ethnographic relevance beyond what is being said, such as hand gestures, facial expressions, body language, and hesitation, amongst other things (Emerson et al., 2011; Hollan, 2005). I studied Somali through online platforms and took informal lessons with my friend and fellow graduate student Idil Issak before my fieldwork, though I was nowhere near fluent by 2019 when I arrived in Somaliland. During my time in-country I took lessons with a local Somali and English teacher. We would meet at the Mansoor hotel once a week for a one-hour lesson, though I never fully mastered the language. Since I was not able to learn fluent Somali for data collection, I tried to establish a rapport with interlocutors through movements and emotiveness. I would pay particularly close attention to interlocutor body language, facial expressions, and the little Somali I had been able to learn. Interlocutors often expressed great appreciation and joy whenever I was able to understand parts of their statements prior to translation. However, my lack of Somali language skills was a shortcoming during this research. The interview audio recordings and transcriptions were and remain kept on a password protected hard drive and the online platform Google Drive through the University of Tennessee, Knoxville (per IRB request). All interviews were designated with a code and stripped of identifying information.

PARTICIPANT OBSERVATION & DISCUSSIONS

My research primarily relied on semi-structured interviews, I was also able to participate in community discussions and official practices related to the atrocities and the mass graves on several occasions. Warsame, and other assistants I worked with before him, would typically accompany me during these discussions and activities. Having a local translator was important not only to further understand what was being discussed around me but also to help facilitate interlocutors' acceptance of my presence as an outsider (Hoffman & Tarawalley Jr, 2014; O'reilly, 2012; Schenk, 2013). However, my positionality was a limiting factor, as was the potential power dynamics introduced as I (an international anthropology graduate student trained in forensic practices) inquired amongst family members about forensic work. The answers I obtained may look very different from those of a Somali researcher, man, a non-student, or non-forensic practitioner.

Additionally, the majority of forums where I participated were hosted and attended by older men exclusively. Though I originally collaborated with both male and female assistants, my more long-term assistant (Warsame) was male. Having a male assistant accompany me typically helped ease the tensions surrounding the presence of a non-Somali speaking, young, white woman. The public sphere is traditionally dominated by men in Somali societies, and I would typically be the only woman (let alone the only non-Somali person) present at interest group meetings or even restaurants. The few times that my discussions and participant observations primarily involved women took place at the market. Here curious women would often come up to me, ask why I was visiting Somaliland and, after hearing about my research, would give their input on the war, exhumations, and what needs to happen in Somaliland going forward. These interactions were written up as fieldnotes during my research and have

been informative for my overall findings as they reflect some of the more direct reactions to the investigations, as opposed to the results drawn from the formal, in-depth interviews. I also participated in several informal discussions on the graves and the need for trials and justice among the employees at the WCIC. Additionally, I met with a group of influential SNM veterans who were actively working to establish a memorial museum and I had discussions with religious leaders at the Islamic court and the MoRA. Finally, I met with doctors from Hargeisa Group Hospital on several occasions to discuss general forensic and medicolegal capabilities in Somaliland.

INTERLOCUTORS

My research primarily focuses on the views of those whose loved ones were killed during the war and may be exhumed as part of forensic investigation. A secondary focus lies within the structure and trajectory of the forensic investigations. Hence, I interviewed individuals whose loved ones died during the war as well as a number of individuals who I will refer to as practitioners. These practitioners included members of the WCIC, Somali students who were trained during EPAF's field schools (which I will refer to as affiliated with EPAF) and individuals who worked in law, medicine, or religious affairs. For the family member interlocutors, I was interested in speaking to a wide range of individuals in terms of age, gender, and experiences, such as those with personal memories of the wars and those who were too young to remember or were not yet born. I was also interested in speaking to individuals whose loved ones had been exhumed, identified, and reburied, those whose loved ones had not yet been found, and those who were not familiar with the forensic investigation. I employed a non-random (quota) sampling method to reach these specific interlocutor cohorts, i.e., families of the missing and killed of different ages, experiences, background, and genders. This method included key interlocutors (current and former WCIC affiliates and collaborators) as well as quota and respondent-driven (snowball) sampling within which interlocutors with specific experiences assisted in identifying other individuals with similar experiences. Quota sampling or stratified purposeful sampling is ideal for research that incorporates a set number of interlocutors from specific brackets such as age, sex, or ancestry (Bernard, 2011).

In order to identify interlocutors for interviews, I drew on the personal connections I developed with members of the WCIC when I participated in the forensic investigation in Somaliland in 2014 and when I returned to Hargeisa and the commission in 2018. The WCIC staff assisted in finding some individuals for interviews, though I identified most family member interlocutors through my collaborators, snowball sampling, and through local friends, some of whom had been affiliated with the investigations in different capacities. Considering the scope of killings in Somaliland during the 1980s, most older inhabitants were war survivors who personally lost someone or were familiar with a survivor who lost a close relative or friend. As such, it was not uncommon for individuals interviewed in the capacity of practitioner to also have lost a close relative or friend.

Somali societies are known for being open and communal, which proved true even for a large city like Hargeisa. Most of the city dwellers know each other or have a connection through a friend or relative or through their clan network. Additionally, word travels fast along the streets of Hargeisa, and I was often told when I had been somewhere in town because those who had seen me (being one of few white women traveling around town) had reported to their networks and word then spread to the rest of town. This word-of-mouth reporting was not threatening or intrusive, rather, it was always relayed to me in a warm and colloquial manner that people had seen me at, say the market the day before. In such a

setting, snowball sampling proved quite easy, and each interlocutor me and my collaborators identified was able to refer me to several additional family members or friends interested in participating in the research. On a few occasions individuals refused to meet me for an interview since they found it too traumatic to talk about the war. These were rare occurrences; instead, the majority of people I spoke to still felt indignation about what had transpired in the 1980s and wished to make their feelings known.

FAMILY MEMBERS

Family member interviews serve as the backbone of this research, partly as current anthropological convention holds that family viewpoints are the most important to human remains recovery. Thus, I employed an actor-centered approach, where families were considered the ultimate “actors” to be consulted for the purpose of informing forensic human rights anthropology theory. This research seeks to inform best forensic practices in Somaliland and elsewhere, which must ultimately be based on family perceptions, goals, and desired outcomes. As such, this research is primarily concerned with family member knowledge about the investigation as well as their views on handling and burial of human remains, perpetrator accountability, awareness and remembrance of the atrocities, victim recovery and identification, further mass grave exhumations, and the ways in which forensic investigation are having socially transformative effects. Additionally, I juxtapose family views with information gleaned from practitioner interviews and knowledge gained from discussions and participant observation.

I interviewed eight individuals whose loved ones had been recovered and reburied, and 66 individuals whose loved ones had not yet been recovered. Out of those 66 family members, 52 individuals had some familiarity with the investigation and 14 had not heard of them directly, as is reflected in Table 2.1. However, the knowledge surrounding the human remains recovery procedures was varied, with some believing that investigations only included reburying remains that had been exposed by floods and others believing that no investigations had taken place since the 1990s when a UNHCHR delegation led by Bill Haglund did a preliminary search. See Table 2.1 for additional family member demographic information.

PRACTITIONERS

Practitioner interviews serve several purposes in this research. Employees from the WCIC and EPAF affiliates were interviewed to elucidate the origin, purpose, and trajectory of the forensic investigations, as well as the level of community involvement and outreach that have accompanied them. Practitioners other than WCIC and EPAF staff were consulted either to situate the investigation into the wider Somaliland society and practices, or to address specific parts of my research questions. Religious leaders were interviewed for the purpose of understanding local mortuary practices and the parallel to the forensic investigation, while legal professionals were interviewed to understand the legal agenda related to the war as well as the legal agenda related to Somalia moving forward, from a local viewpoint. Religious leaders from the Islamic courts were interviewed for both these purposes. Medical professionals who conduct autopsies were interviewed to illustrate forensic capabilities and customs in Somaliland, and interviews with local human rights activists and practitioners facilitated my understanding of the human rights climate and trajectory as related to the dead, the war, and the current political situation. A few individuals

Table 2.1. Demographic information for family interlocutors

	Count
Family member interlocutors	74
Family member occupations*	
Service industry	28
Farmer, housewife, cook	9
Disabled, retired, unemployed	10
Soldier, law enforcement	6
Higher education profession	8
Laborer	6
Chief, elder	4
Clerical worker	7
Former SNM	9
Government worker	3
*Note that some interlocutors had multiple occupations	
Family member ages in years	
>61	15
46-60	35
31-45	22
<30	2
Family member sex/gender	
Female	34
Male	40
Family member clans	
Isaaq	66
Samaroon	4
Gabooye	3
Hawiye	1
Disposition of Victim	
Loved one found and reburied	8
Loved one not yet searched for	66
Familiarity with Investigations	
Familiar with investigation	60
Not familiar with investigation	14

were also interviewed for their expertise on the clan system, the associated local laws, and the *diya* paying system. Considering Somalis' complex clan structure, additional experts on orphanages and the relationship between adoption and biological kinship were interviewed to elucidate some of the potential intricacies around the use of DNA for identification. See Table 2.2. for additional practitioner demographic and professional information.

ANALYSIS

This research consists primarily of qualitative data analysis. The ethnographic data collected during fieldwork was analyzed for thematic relationships and interlocutor meanings and subtexts (Bernard, 2011) through the use of NVivo qualitative data analysis software.⁹ Several research questions dealt with subtextual matters, such as issues of justice as related to memory or power as related to knowledge. Other research questions were more straightforward with a practical application, such as how long the interlocutor would allow human remains to be stored in a lab space, or who should be allowed to visit the lab. In the following sections I describe the constituent features of the data analysis including demographic information compiled through NVivo and how data were prepared using coding functions and analytical tools in NVivo.

DEMOGRAPHY

A total of 74 family members were interviewed as part of this study, as well as one individual who was interviewed first in the capacity of practitioner (clan chief and elder) and subsequently as a family member. Demographic information was collected for each interlocutor including age, gender, occupation, and clan.

Family Member Occupations

Family member occupations were divided into the following categories: all individuals who worked at a market, owned a clothing shop, worked at a restaurant, as a tailor or as a qhat (a commonly chewed intoxicating plant) salesperson were designated to hold a "service industry" profession. Cooks, housewives, and farmers were grouped together, as were disabled, retired, and unemployed individuals. Soldiers, police officers, security guards and Special Protection Unit (SPU) officers (trained security escorts) were designated as "soldier/law enforcement." Those with higher education, including lawyers, journalists, teachers, engineers, doctors, nurses, and businessmen were designated as holding a "higher education profession." Construction workers, plumbers, electricians, caterpillar drivers, and masons were designated as "laborers." Chiefs and elders were grouped together as were all who held a position at a government office. Clerical workers, accountants, notaries, NGO staff, veteran's association staff, social workers, administrators, secretaries, and translators were designated as "clerical workers". The final category, "former SNM" is for individuals who were part of the SNM rebel movement during the war.

Several interlocutors held more than one position and were therefore categorized multiple times. Out of the 74 family members: 28 worked in the service industry; nine were

⁹ QSR International Pty Ltd. Version 12.6.1, 2019, available from <https://qsrinternational.com/nvivo/nvivo-products/>

Table 2.2. Demographic information for practitioners

	Count
Practitioner interlocutors	29
Practitioner affiliations	
WCIC	6
EPAF	3
Other	20
Practitioner areas of expertise	
Exhumations	9
Islam	6
Law	4
Documentation	4
Orphanages	2
Human Rights	2
Clans	1
Medicine	1
Practitioner ages in years	
>61	10
46-60	6
31-45	7
<30	6
Practitioner genders	
Female	5
Male	24
Practitioner clans	
Isaaq	27
Non-Somali	2

farmers, housewives, or cooks; ten were disabled, retired, or unemployed; six were soldiers or law enforcement staff; eight were in higher education professions; six were laborers; four were chiefs or elders; seven were clerical workers; nine were former SNM; and three were government workers (see Table 2.1).

Family Member Ages, Genders, & Clans

Family member interlocutors were grouped into four different age brackets: under 30, between 31 and 45, between 46 and 60, and over 61. This structure was chosen since those who were under 30 during the 2019 fieldwork would not yet have been born at the culmination of the war in 1988. The 31-45 age group includes those who were infants, children, or young teenagers during the war. The 46-60 age bracket includes those who were old enough to join the SNM rebel movement (this was the youngest age of any interlocutor who joined the SNM), which many did, and all individuals who were in their 20s during the war. The final age bracket, >61 includes individuals who were 30 or older during the culmination of the war. Out of the 74 interviewed family members, 15 were over 61 years of age, 35 were 46-60, 22 were 31-45, and two were under the age of 30 when they were interviewed for this research. Out of the 74, 34 individuals were female and 40 were male.

Though the majority of the family interlocutors (66 individuals), and the majority of the Somaliland population belong to the Isaaq clan family, I also interviewed eight family members who belonged to other clans. Out of the eight non-Isaaq interlocutors, four were of the Samaroon clan, three were of the Gabooye clan, and one was Hawiye (see Table 2.1).

Family Member Affiliations & Familiarity

Family members were asked about their loved one who died during the war and whether they had been exhumed and reburied or not, here referred to as their “Disposition of Victim.” Out of the 74 family member interlocutors, eight had loved ones who had been exhumed, identified (through clothing or personal effects), and reburied. The family members were also asked about their familiarity with the forensic investigations. The eight interlocutors whose loved ones had been reburied were familiar with the investigations and another 52 individuals were also familiar with the work to some extent. The remaining 14 were not familiar with the investigations. See Table 2.1 for all demographic data on interlocutors who were interviewed in the capacity of family member.

Practitioner Affiliations & Areas of Expertise

The individuals who were interviewed in the capacity of practitioner, meaning a professional with knowledge about constituent or related parts of the investigation, were grouped according to their workplace, here referred to as “Practitioner affiliations.” They were grouped as “WCIC,” “EPAF,” or “Other.” In total, six WCIC staff were interviewed, three EPAF affiliates (such as Somaliland students who had been trained by EPAF), and 20 practitioners of other affiliations. Though some of the WCIC staff are knowledgeable about exhumations, some are primarily concerned with legal matters and others with documentation. Thus, the WCIC staff alongside all other practitioners, were also grouped according to their area of professional expertise. All EPAF affiliates were designated as experts on exhumations. Out of the 29 total practitioners interviewed: nine were experts on exhumations; six on Islam, four on law; four on documentation of war crimes; two on

orphanages and biological kinship; two on human rights related concerns (e.g., staff at the Somaliland Ministry of Human Rights); one on the clan system; and one on medicine (see Table 2.2). Though this was the primary area of expertise for each practitioner, there was some overlap between these categories. For example, a Sheikh at the Islamic court was designated as an expert on Islam but not on law as related to Islamic affairs, even though he should also be considered an “expert” on Islamic based law and courts.

Practitioner Ages, Genders, & Clans

For the sake of consistency, the same age brackets utilized for family members were also utilized for practitioners (See “Family Member Ages, Genders, & Clans” for details on the age categories). Out of the 29 practitioners, 10 were over 61, six were 46-60, seven were 31-45, and six were under the age of 30 at the time of interview. The majority of the practitioners were male (24) and only five were female. All Somali practitioners were of the Isaaq clan family. However, two of the interviewed individuals were not Somali nor did they live in Somaliland on a permanent basis. These two individuals worked for international NGOs and were designated as “non-Somali” (see Table 2.2).

NVIVO

These data were prepared using the qualitative data analysis software NVivo, version 12.6.1, 2019. All interviews and notes were coded using the “Nodes” function, which allows users to nest coded topics in a hierarchical manner. Overarching or “Parent” nodes were based on the four research themes associated with this research, while nested or aggregate “Child” nodes dealt with research sub questions along with themes that arose during fieldwork. Each interview was also coded as a separate case using the “Case” function, for the purpose of recording and exploring demographic data. Hierarchy charts, comparison diagrams, and query searches were subsequently incorporated to explore the data and analyze relationships between the different research themes associated with this study. Tables and other graphical representations of data were created in NVivo and Microsoft Excel for Mac, version 16.43, 2020.

In the following chapters, I provide interview excerpts, discussions, and quotes from the interviews and conversations my collaborators and I engaged in with interlocutors. The data is primarily presented in narrative form, based on the raw data, alongside direct quotes. Each interlocutor (and collaborator) is referred to by use of pseudonyms to safeguard anonymity, though with each account I attempt to explain the setting; the mood and the emotions of the interlocutor; as well as the tone of the conversation taking place. In-text, I attempt to tell a narrative story that accurately depicts how the discussion transpired; the sentiments of the person sharing their views and experiences; and as much surrounding information as possible to describe the location and related events that transpired during each interview and discussion – including my own reactions to statements, body language, and surrounding events. Most of these descriptive data are drawn from fieldnotes, alongside interview recordings and transcriptions. I also generally explain how old the individual was that was giving a specific account or viewpoint, as well as their occupation. Unless otherwise specified, the individual is Somali of the Isaaq clan, since the majority of family members and practitioners interviewed were Isaaq locals.

PART II - FAMILY PERSPECTIVES: PATIENCE, KNOWLEDGE, & JUSTICE

“When you lost your loved one and you don’t know whether they are alive or whether they are buried it really hurts you, but the only thing that helped us survive and become stable is that religion said, ordered you that, however your loved one died it was something planned from God. So, you have to remain patient and accept that, since Allah decided that.”

- Abdirahman, Nov 6th, 2019

CHAPTER FOUR - LIFE & DEATH DURING THE WAR

The following sections serve to contextualize the ethnographic data before a more thorough discussion of the research findings and results in the following chapters. This chapter does not directly answer a research question or engage with theory related to the themes explored in this research. Rather, with the following accounts and discussions I attempt to engage with the experiences of each individual who participated in this research, to provide space for sharing many of the stories that family members shared with me. These stories touch on the dead and the mass graves, but many stories also go beyond these topics and give heartfelt and sincere descriptions of the harrowing experiences of those who survived the Siad Barre atrocities and attacks on Somaliland.

INTERLOCUTOR EXPERIENCES

Each of the semi-structured interviews that make up the bulk of my research data began with a few questions on the interlocutor's experiences during the war. The individual being interviewed was asked what they would like to share about their lives and their families' experiences from the Siad Barre regime. The majority of family members centered their answers to these questions around the bombing of Hargeisa. Many explained in great detail how the airstrikes started at night; how the house that they were in or next to collapsed; or how they fled through the bush and into the countryside, typically toward Ethiopia, ending up in a refugee camp. Several of these stories included detailed descriptions of family and acquaintance deaths, usually followed up with the explanation that the dead could not be tended to or buried since the family had to flee to survive. Some family members did start further back in time, explaining in detail what the political situation was like prior to the Siad Barre government, some even went back as far as British colonization and the original unity between British Somaliland and Italian Somalia. Most, however, spoke primarily about the war, especially the 1988 bombings. For example, Sahra, a 40-year-old market saleswoman had to flee to Ethiopia with her family, leaving all their possessions behind: *"When the Siad Barre regime bombed Hargeisa my family had to flee to Ethiopia and we stayed there as refugees. We lost everything during the wars"* she explained, *"our property, our loved ones."* *"We weren't even able to bury them, we just run away from them to Ethiopia in order to survive the attacks."*

The family members that I interviewed were themselves part of a bloody war and years of displacement, along with having loved ones executed and buried in mass graves or left to be scavenged by the hyenas. Several of the families also lost a loved one when their houses collapsed or while they were fleeing from the bombings. Many other forensic investigations after conflicts, including investigations in former Yugoslavia and 1970-80s Argentina focus on finding the enforced disappeared and seeking truth as to whether they are dead or alive and where they are buried. This is also true for some of the family members in Somaliland: many individuals were arbitrarily imprisoned and disappeared, and many others were executed and buried in clandestine graves. However, for the Somaliland case, the deaths and disappearances cannot be detached from families' personal experience of oppression and marginalization; having been chased from one's home; running for one's life from aerial bombardment; losing all property and possessions; and living as a refugee for several years. This is not to say that survivors of other conflicts do not also have personal experiences of oppression, or that families in other contexts were not also survivors of atrocities, war, or displacement. All conflicts and post-conflict contexts carry their own set of complex histories

and survivor experiences. For the Somaliland case, war and displacement form a big part of associations with the mass graves, thus here I begin with an exploration of interlocutor experiences during the war.

WAR, ATROCITY, & DISPLACEMENT

Following is an excerpt from my discussion with Nimcan, a 49-year-old journalist and former government employee, interviewed in a private room at a restaurant in Jigjiga Yar, Hargeisa: *“So, starting from May 1st, 1988 that is when the bombing business started, and the SNM officially came into the town. So, I think I slept until around midnight, and then, in two hours, lots of fighting began all over town. I woke up to the sound of the explosions and we just ran out and we realized SNM had come into the city. We had been hearing the sound of the fighting during the past few night, around Hargeisa. It wasn’t this noisy back then, so during the night you hear, you know, the artilleries. They were getting close when we heard the news that things were happening around town, then we realized, they were already in town! Explosion, the artilleries, and the tanks, everything started at once, so we start running around, and when I realized that it was the SNM that was in town, I was very happy.”* Nimcan laughed and continued his account: *“I climbed on top of the house, and everybody was shouting, because the bullets were flying around. I didn’t even notice, I was like yeeaaaah!”* I asked Nimcan why he was so excited, to which he replied: *“Everybody was so excited! Because people were fed up, everybody was looking for a way out, and this is the time, end of Siad Barre! You see, nobody had an experience with what wars would bring. Then SNM came, and we thought the government soldiers would be defeated, so everybody was happy. And then the fight continued the whole night, and then in the morning, every house start making chapati and tea and food for the fighters.”*

Nimcan laughed again, throwing his head back as he chuckled. *“Everybody was so excited. Most people took their guns to go fight with the SNM, it was total chaos. And then some people were even mistaken, they gave support and food and such to the government soldiers, thinking they were the rebels, the SNM fighters. Then things continued for the next few days, and the fighting got more intense. It was a surprise for the government - they lost the control of everything, and then they slowly they would get back on their feet. And so, then they decided to destroy the town, just to make sure everybody either died or fled, and then the fighters will not have any place to hide. So, then they were shooting everything that moved, including women, men, children, chickens, no matter what, everything that moved! When it got dark everything stopped. So, then you have the preparation for the next morning and then it starts at 5:30 in the morning again.”* He laughed again as he was remembering the tumultuous time. *“It wasn’t even safe at night,”* he continued, *“because both sides were preparing for the morning and placed snipers. So even in the night, if they notice somebody moving, they were shot. So, what happened was, this story happened...”* Nimcan stopped as the call to prayer sounded from the minarets and checked the time on his wristwatch. His tone of voice changed from excited and reminiscent to factual as he asked: *“Can I go to my place for a few minutes to pray?”*

As shown through this interview, the bombing of Hargeisa was an atrocious act that included killing indiscriminately and forcing all residents to flee the city. However, the start of the clashes was warmly welcome by the many inhabitants of the city who had been attacked and oppressed by the government forces for years. The majority of the family members primarily spoke about the hardship they endured as they were forced to leave their homes and as the fighter planes chased them out into the bush and beyond. Some recalled how the planes flew so low that they were able to see the faces of the men flying the planes

while aiming their artillery at the people fleeing. One woman described how she was pregnant during the bombing and after she fled outside of the city, she ended up having to give birth under a bush to get some shelter from the planes. Once the child was born, they picked the newborn up and continued running until they reached the Dulcad refugee camp in northeastern Ethiopia.

Dulcad, also known as Hartasheik, housed a majority of the fleeing population and was even known as the biggest refugee camp in the world at one point when inhabitants were counted at 400,000, later recounted at 250,000 in 1991 (Ambroso, 2002, p. 9). Roughly half of the interlocutors in this study (48 individuals) fled to Ethiopia and were forced to settle in refugee camps as Hargeisa was bombed, 22 of which settled in the Dulcad refugee camp. Dulcad was also mentioned several times during conversations with people in the streets and during participant observations and meetings. Typically, the families had remained displaced until 1991 when Siad Barre was overthrown, and Somaliland was self-declared an autonomous state. Starting in 1991 and for the next couple of years, the refugees began returning to rebuild the city, which had been completely destroyed during the war. The bombings were still evident at the time of fieldwork, as at one market where several interviews took place next to the remnants of a building that had not been tended to since the war.

Non-Isaaq Somalilanders were not spared from the carnage of the 1988 war. Several minority clan members were supportive of the Siad Barre regime and they were granted a certain level of protection by the soldiers. However, this meant that they were targeted by the SNM when the rebels entered the city and clashed with the government forces. This was the case for Xasan, a 60-year-old member of the Gabooye clan. He remembered being woken up at 2 am by the fighting outside of the city and later that morning the SNM rebels attacked their home. They killed his uncle, and the rest of the family fled. Xasan left all his possessions behind and fled with nothing but the clothes on his back. He and his family went south of the city to where the Siad Barre soldiers were stationed, since the army could provide them with some protection. They then ended up in one of the Ogaden refugee camps that had been set up during the war with Ethiopia. Soon, more and more of the fleeing minority population entered the camp and the food supplies that had already been low continued to dwindle.

Xasan eventually left the camp and went by foot to Berbera on the coast, and then continued on to Burco where he stayed at a military camp. His journey did not end there as he traveled on to Las Anod, a few other smaller towns, and eventually ended up in Mogadishu, along with many non-Isaaq residents from the north. His stay in Mogadishu would not last long as General Aidid would lay claim to the city and bloody conflicts followed, during which two of his uncles and his father were killed. Again, Xasan had to flee, this time to a town outside of Mogadishu, but the war followed him there as well. He fled to Ethiopia, then Djibouti, then back to Ethiopia, before ending up in the Otanga refugee camp in Mombasa, Kenya. He stayed in the camp for nearly four years, during which time he applied, unsuccessfully, for resettlement in the USA before the camp was burned down and he again had to find new dwelling. Xasan then travelled to Saudi Arabia by way of Ethiopia, Eritrea, and Yemen. In the end he did not have the proper visa to live and work in Saudi Arabia, so he was deported and ended up back in Hargeisa in 2002 where he has remained ever since.

Though most individuals I engaged with began their account of the atrocities with the bombing of Hargeisa, the flexible nature of the semi-structured interview did allow discussions to circle back to what the situation was like prior to 1988 and the airstrikes. For those living in Hargeisa this included a curfew and restriction of their movements and who they could visit or have visit their homes. Recollection of the curfew shifted between a 2pm

and a 5pm start, after which time the population was banned from leaving their homes until the next morning. One Isaaq man remembered not being able to leave his home after 3pm, and they were only allowed to have visitors if they had cleared the visit with the authorities. He recalled one instance where a family friend visited in the afternoon, though once the clock struck 3pm the person was not able to leave. The family was then not able to depart to report the visitor's presence in the house, and any random army search of the house (which happened frequently) would potentially result in execution or imprisonment of everyone in the home. Many interlocutors also described how Siad Barre's forces would come to their homes at all hours of the night in search of harbored SNM veterans or other unlawful behavior. These searches often resulted in property damage, the soldiers stealing valuable possessions from the homes, or individuals in the family being arbitrarily imprisoned, raped, or killed.

Individuals in other parts of the country, or who were living outside of Hargeisa at the time of the war, often had detailed stories of army conduct in public locations. The infamous army Colonel Tukeh (meaning the crow, allegedly so named for his dark complexion) had engaged in several harrowing acts against the civilian population in and around Gebilay, a small town located circa 60 kilometers west of Hargeisa. Individuals who lived in Gebilay up to the 1988 attacks recounted how family members or neighbors were dragged behind vehicles or killed and hung up in trees. Some victims were killed, mutilated, and had their eyes gouged out in front of the general population, as the army forced the living to watch under threat of killing anyone who cried or acknowledged familial ties to the victims. When asked who was being targeted during these killings, most would answer that this included anyone who was Isaaq, anyone thought to harbor SNM fighters, or affluent members of society who might in some way lend support to the SNM.

LOSS OF PROPERTY

I met with Aamina, a 60-year-old woman working at a Hargeisa vegetable market, behind her stall. She explained that during the refugee times, when Hargeisa was bombed, she and her family had to flee to Dulcad, the refugee camp in Ethiopia. When they finally returned, a few years later, their family house was gone. *"It was collapsed... Nowhere!"* she explained. Instead, they had to build a temporary house to have somewhere to live. *"Previously we had a farm and a lot of animals, and then we come back, and we had nothing, everything was disappeared, that is why we came to downtown Hargeisa now, in order to survive,"* referring to her business at the market. Since the early 1990s she had been running her small vegetable stall in order to generate income to feed herself and her children. *"That is what makes me sad, it makes me sad to remember this,"* she explained, *"everything, all gone, all the property, our farm, our animals, everything we had at that time, zero was left."*

Aamina's story was far from uncommon, as portrayed by the interview with Sahra discussed previously; most would mention the bombing, the displacement, the loss of life, and the loss of property in the same breath. There were countless stories of losing homes and having possessions confiscated by the soldiers prior to or during the attacks, often including cars. Several individuals pointed out how the Isaaq population was banned from owning certain high-status vehicles and that they or their friends and family had their cars confiscated by the authorities. Sometimes the owner may have gotten the car back in exchange for a bribe, but the vehicles would routinely be confiscated again. Some even described how certain high-end car brands were known as "Isaaq cannot own this car." Typically, stories of loss and poverty associated with the war would be raised at the start of the interview before moving on to discussions regarding the dead bodies and the forensic investigation. However,

for some family members, the indignation and trauma of losing all possessions and means of subsistence could not be detached from their sentiments regarding the dead and the human remains recovery and reburial.

These feelings were expressed by Khadara, a 47-year-old market saleswoman. I met with Khadara at a small restaurant close to a downtown Hargeisa vegetable market. We had to yell to hear each other over the sound of bargaining outside and the noise of the steaming espresso maker bouncing off the stone walls. *“It traumatizes me to see these mass graves”* she explained, *“whenever I see them on TV, I cry a lot, it makes me very sad.”* Especially when they show clothing, or remains that were tied together, that makes her the saddest, she continued. She also remembered vividly how the soldier had robbed them during the war and taken the jewelry that she was wearing. *“So, when we are running from Hargeisa, we left everything from the house, we never took anything”* she continued solemnly. *“We were not able to take anything from our property.”* Seeing the mass graves makes her remember these losses. I asked her if she was able to get any of her property back upon their return, to which she replied no: *“Nothing, nothing was remaining, they even took out the doors and the windows from our house, everything was empty when we came back.”*

It became evident early during the fieldwork that loss of property, both housing and items, had severe and lasting negative effects on the majority of individuals that I engaged with in Somaliland. Some had been affluent members of society or prosperous farmers prior to the Siad Barre regime and the bombing of Hargeisa. Most individuals lost their homes and their possessions during the airstrikes, if not before, forcing many even in their old age, to sell vegetables or second-hand clothing at the local market to support their children or their orphaned grandchildren. This loss was still evident in the bombed or derelict buildings around Hargeisa and by the changed landscape of the city since the war. One man described how he was in his house with his family and some family acquaintances when the building was hit by the artillery. One friend of the family died, and they were forced to bury him in the yard before fleeing the city. Today the area where the man’s house once stood has been transformed into a semi-public space that includes a restaurant, a courtyard, and a museum. Unbeknownst to restaurant and museum patrons, the remains of the family acquaintance are likely still resting in the courtyard.

HEALTH IMPACTS

It was common for family members to focus on their lasting health issues when inquired about their war, atrocity, and displacement experiences. One man brought x-rays of his head and hand to our interview to show how shrapnel had been lodged in his skull and limbs since the 1980s. Several others would show scars on their legs or arms associated with the bombings, torture, or attacks by soldiers. One woman who was in her 30s at the time of the war not only lost her mother, husband, and nephew, she was also shot by the regime soldiers with lasting implications for her health. The injuries took place as her uncle was shot and killed by the soldiers during the fighting in Hargeisa. In distress the woman rushed to her uncle’s side and in retaliation the soldiers shot her ten times with seven bullets hitting her in one leg and three hitting her in the other. The soldiers ended up bringing her to the hospital, but as she was also suspected of being an SNM informant, she was chained to the hospital bed, imprisoning her in the ward for a total of nine months. She lost a lot of blood, though due to the scarcity of hospital equipment there was no blood available for the injured. According to her recollection, the doctors had to scoop up the blood that she was losing from her wounds, to try and reinsert it into her weakening body.

During the course of the interview the woman showed her scars, both from bullets, from surgeries, and from being chained. Her wounds had gotten infected several times over the course of the years, and she still had issues walking and working to support her children. She could not presently afford to go abroad to get proper surgery, and all the doctors in Hargeisa could do for her was to prescribe antibiotics to fight the recurring infections. During her imprisonment she was dragged into a courtyard for interrogation several times and the soldiers contemplated killing her on multiple occasions. By strokes of luck, she was saved from execution three times: first because an army general suggested that they continue to interrogate her; on a second occasion because the gun was not working; and on a third occasion because one of the commanders knew her personally and spared her life. Similar stories were recounted by other former prisoners as well. A few individuals explained how they had been saved from execution by acquaintances who worked for the regime, or by Isaaq commanders in Siad Barre's army who refused to kill prisoners or civilians. Many of these Isaaq members of the army would eventually be killed themselves, some en masse. However, not only Isaaq commanders spared the lives of the civilians. One man who had been imprisoned in Berbera was saved from execution once by a commander who was of the Samaroon clan and once by a commander of the Dulbahante clan.

Mental health was another prevalent theme among the families interviewed. Many individuals would speak of their own or their family members' mental health issues, how they were medicated, or how relatives had died from trauma and shock associated with the killing of their loved one. Some would describe how their mother, father, or sibling "went mad" after the atrocities and how eventually the trauma associated with the memory killed them. Though I am not trained in mental health, my main assistants, translator, and close friend Warsame, is a trained psychologist. During the fieldwork he was in the process of applying for graduate training abroad, in the hopes of bringing trauma treatment back to the many Somalilanders who still suffer mentally from the atrocities and the war. Having Warsame to lean on was helpful during some of the interviews that presented difficulties, such as when an individual had emotionally charged responses to the topics. For example, during one interview, Warsame assisted me in communicating with an individual who suffered from mental health issues associated with the war, a man in his early 30s named Ahmed. In this context, Warsame helped ensure Ahmed's wellbeing during the interview while also assisting in navigating the trajectory of our conversation, which tended to go off track. Ahmed insisted on speaking English despite his difficulty in understanding me and communicating his experiences and feelings. He also tended to change the subject mid-sentence, making his accounts hard to follow, and reacted strongly to certain questions.

Ahmed was a young boy, only a few years old, when the city was bombed. His mother died while they were fleeing as did several of his brothers, and he ended up alone, fleeing to Ethiopia with other displaced Hargeisa residents. He mentioned a few times that he was medicated and that several of his family members still suffered severe mental issues from the war. It was a warm October morning and we sat in a private hut at one of the older downtown Hargeisa restaurants. The smell of Somali tea filled the rooms and seemed to emanate from the straw walls. Somali tea is a heavily sweetened and spiced hot drink made from camel milk, giving it a rich smoky flavor. The tallest trees I had seen in Somaliland decorated the courtyard outside and towered over the restaurant, making it feel as if the huts were located in a magical forest, not on a busy dirt road in a large city. During the course of the interview Warsame continuously interjected in Somali, though Ahmed kept interrupting him, switching between Somali and English while only occasionally speaking to the interview topics. He had a piece of paper on the table in front of him and throughout the time that he was talking he would fidget with the paper, write down words, fold the paper up and

then unfold it, and continue writing sporadic words. His expression also changed quickly throughout the interview, he would go between smiling, laughing, and joking, and whenever we touched on the subject of the war, he would sob, whisper, and sometimes laugh quietly.

“Now I am feeling happy, but sometimes when I remember all these, my brothers... I feel something” Ahmed explained and began softly crying. *“We have no right so far to help us”* he continued, *“my father is suffering, and one of my brothers is also suffering, he has damaged mental health, and my father also damaged all bones, everything.”* Ahmed explained that his father was physically impaired during the war, and that his brother and sister both suffer from mental health issues all because of the war. They need help, Ahmed explained, they need to get their rights! So far, they have not been able to get any help with their physical and mental issues. Additionally, another one of his sisters died only a few months prior. When I asked how she died, Ahmed answered that she died *“by the effect of all that remember, all that remembering.”* Ahmed again stared at the table, at the wall, whispered something inaudible, and began scribbling on his piece of paper. Suddenly he began talking again, mixing English and Somali in every sentence: *“when my family sees other families, a father and mother, a complete family, they feel sorrowful... All this remember, it is not good for us.”* Ahmed explained that he is medicated himself, but his family has not had any help with their psychosocial issues, and that makes him very sad, he cries a lot. *“I need to help my father and my sisters and brother”* he continued, *“my father needs medical checkups, and my brother and my two sisters they need medical treatment so that they can become calm.”*

This particular interview conveyed to me the ways in which mental health issues are prevalent for the survivors. Ahmed’s direct accounts from his family shows the continued mental health problems since the war, as did many of his own reactions to the topics and questions. Despite these issues, he was an educated and ambitious young man who held a steady job in higher education, and he was spearheading different social justice activities. He had been able to overcome his lingering health issues and he had a successful career at the time of the interview.

By the end of the interview, it became clear to me how the forensic investigations and the deaths from the war, including that of his own mother at a very young age, were continuing to affect Ahmed and his family to this day. Ahmed’s reactions and experiences, though not the norm, are not uncommon in Somaliland. His stories and his mental health issues are important testaments to the lingering effects of the war, issues that need to be addressed to properly account for survivor losses and the crimes committed. Toward the end of our discussion, after I had conversed with Ahmed about the forensic investigation and the remains of the war dead, we discussed the subject of remembering and publicly discussing the war. At this point, it became abundantly clear to me how entwined remembrance was with tangible mental health issues in his family. *“It is very bad to remember the past!”* he exclaimed, *“Because you see, your mind focuses on the bad things, and the killings and...”* Ahmed trailed off. He believed that the investigations were causing the people, especially his family, to remember the past – something very hurtful to them. *“The people, my family especially, they might be worse than now, worse than the dead ones.”* Ahmed again spoke in Somali for a few words before he continued in English: *“They might become mad, made mad maybe, they might even die when they see...”* He trailed off again and fell silent for a few seconds. *“I need my family to be positive, to stay positive and not remember”* he asserted, *“every night and every day I go to them and try to make them laugh, try to make them happy.”* Ahmed began laughing and then softly crying, before concluding: *“I try to keep them from temper.”*

Alongside traumatic experiences while running from the bombing, seeing loved ones killed and not being able to care for them, and losing all property and possessions, the lingering physical and mental health issues from the war continue to govern the survivors' lives. Some family members were primarily interested in speaking about their own health issues, pointing to the need for medical assistance. Many would also point out the irony in focusing on the dead when so many of the family members and survivors need direct medical and mental health attention. Others with severe injuries would still find forensic investigation important for different reasons. However, all interlocutors with injuries preventing them from working and supporting their families believed that the government and the international community should support the survivors first and foremost. Some even suggested that the forensic investigators should be obligated to assist the survivors financially since they were finding the dead and reminding the relatives of their traumatic experiences during the war.

LOSS OF LIFE

Loss of life and seeing loved ones killed or even mutilated was something many in Somaliland experienced, hence the reason for the forensic investigations and the reason for this research. These experiences in turn have had severe psychosocial as well as economic tolls on the survivors. Foosiya, a market saleswoman in her 70s, lost her son during the war in Hargeisa as the Siad Barre forces were bombing the buildings and attacking the civilians. The soldiers had come to her home and shot her son and his wife, the parents of her six grandchildren. As she explained: *"Siad Barre killed many, many families in Hargeisa, he didn't show any kindness to us, he was determined to destroy all of the Hargeisa families."* I asked Foosiya if the soldiers would attack anyone, to which she replied: *"they were only targeting civilians, that government, they were targeting the civilians in their houses. They were not classifying anyone"* she continued, *"everyone was a target, since the guns and this artillery they don't have eyes, so they would hit anyone."*

Foosiya cried whenever she mentioned her son, though she also focused a lot of her accounts on the hardship of her six grandchildren that were orphaned and had been in her care since the war. She had been forced to sell vegetables at the market since returning to Hargeisa in order to support and feed them. Foosiya highlighted the same thing as many others I spoke to: how the Siad Barre forces killed indiscriminately and how the deaths are connected to lasting logistical and financial issues. Several family members believed that the most appropriate form of compensation for their losses would be education for the young. Since war and displacement interrupts schooling, families often indicated that justice would entail education for their children and grandchildren. This is something that has been raised in many other post-conflict contexts as well, including during research amongst families of the dead in Guatemala and northern Uganda (Kim & Hepner, 2019; Sanford, 2003).

The remainder of this dissertation will deal more exclusively with the dead and their remains, as well as the families' perceptions and understandings of the forensic investigations and how they would like to see the work unfold going forward. However, considering the death toll and number of displaced persons from the war, personal experiences and memories of the dead are inextricably linked to the stories touched on here: stories of property loss and health effects, of traumatization, and inability to engage in income generating activities. Though many of the families interviewed for this study lost a loved one prior to 1988 when the city was bombed, others lost someone to the artilleries, to the bombing, or lost friends and family during the bombing as well as during earlier government executions. As described to me by family members, practitioners, local friends, and even taxi drivers who were interested in my research: everyone lost someone. There is no single story of loss and hardship in any

post-conflict context. For Somaliland, each story is connected to personal losses related to death, destruction, and displacement. As will become evident, no survivor account of death and loss is comparable to another, neither is the ways in which the dead were treated or how they were disposed. Additionally, there are many more stories of death and loss that are not covered in this work, including deaths due to lack of proper healthcare, deaths due to malaria in the refugee camps, or issues associated with death and burial while displaced.

CHAPTER FIVE - NECROPOLITICS, POWER, & GOVERNMENTALITY

My first research theme involves approaching the human remains recovery operations in Somaliland from the perspective of necropolitics, necropower, and negovernmentality. As such, my first research questions ask:

What are the goals of the forensic investigations in Somaliland? And,
How are the investigations connected to Somaliland's bid for secession and international recognition?

In this chapter I answer these questions by accounting for apparent government motives behind the investigation, as well as how the investigations are connected to international recognition according to the WCIC and according to family members of the dead. These questions are furthermore tightly connected to my follow up research questions, which ask:

Are families able to express concerns with and resistance to the investigations? And,
What are the connections between clans, class, and power over the forensic investigations?

Although I begin with discussing the results of my first two research questions and subsequently discuss issues of family information, knowledge, and influence over the investigations, as well as issues of clan, class, and power, these questions are interrelated. Hence, in this chapter, I revisit each of these research questions continuously, and conclude with a unified perspective on this interconnected relationship.

GOVERNMENT MOTIVES & CONSTRAINTS

"History is made by the winners but here, there were no winners here, so it is a very difficult situation."

- human rights advocate and Somaliland government employee, September 2, 2019

These words were uttered by an influential government employee and commissioner, based in Hargeisa. During our interview, we discussed the atrocities, the investigations, and the motivations behind the forensic work. This quote conveys some of the underlying political tensions from the war: there were no winners and seemingly no clear political agenda to be supported in the Somaliland case. In the aftermath of civil wars and mass atrocities there is often a "winning" party, be it the authoritarian government that committed the crimes and continues ruling, or the new administration that took over after totalitarian rule. Each of these governments would have their own historical narrative to support, something that can be influenced by the symbolically potent remains of those who died at the hands of a ruling government or an insurgency group (Verdery, 1999). For example, those who have died at the hands of an incumbent government are often not repatriated to families, nor are families allowed to care for or bury their dead. In these contexts, "subversives" are often "disappeared," which serves to instill terror and stifles political dissent. This was true in the Dirty Wars in Argentina, South Korea during the US-Korean War, and Franco's Spain, amongst other contexts; all regimes where "subversives" were "disappeared," i.e., killed and disposed of by the government (Fondebrider & Scheinsohn, 2015; Kwon, 2015; Renshaw, 2016).

Times of historical silence will often follow in the footsteps of atrocities and political oppression, silences surrounding the atrocious acts and the bodies that remain unearthed, unmourned, or unidentified. Franco's 1936-1975 rule in Spain, the 1944-1946 Greek civil war, and the 1978-1982 massacres (La Violencia) in Guatemala were all followed by a

historical silence imposed by the hegemonic power of the state that was complicit in the killings, or subsequent regimes that chose to avoid the subject (Renshaw, 2016; Sanford, 2003; Stefatos & Kovras, 2015). Conversely, to a new “winner” regime those remains hold symbolic power that can be harnessed to support the new government. As in Rwanda, the genocide memorials where human remains are placed on display as a reminder of the violence as well as the narrative of “genocide against the Tutsi” (Lesley, 2015, p. 229) lends credence to the “new” Tutsi led government (Paul Kagame’s government which still rules today, almost 30 years after the genocide). For Somaliland, the current government is not only different from the war-time government, the region also seceded from Somalia (in practice, though the self-rule was never internationally accepted). This, along with the fact that the secession is not recognized geo-politically, adds additional layers to the type of historical narrative that the government might be interested in supporting, as will be explored here.

In Somalia the ruling government was overthrown in 1991 and the leading northern rebel group – the SNM – took control over the northern territories while other factions took control in the south (Albin-Lackey, 2009; Jhazbhay, 2009; Lewis, 2008). Thus, Somaliland in essence seceded from the totalitarian government in the south, which was disbanded. However, the SNM was not originally created for the purpose of northern secession, even though this would eventually become a goal after 1988. The SNM control of Somaliland after the self-proclaimed autonomy was intended as a transitional solution before elections could be held. The new Somaliland state consisted of both the Isaaq clan members, who had been the main target of the Siad Barre’s atrocious campaign in the north, as well as minority clans who had supported the regime. Though this caused some conflict at the outset, the reconciliation conferences of the 1990s would help Somaliland gain some stability and peace between the clans (Bradbury, 2008; Jhazbhay, 2009). This is the backdrop against which the statement *“History is made by the winners but here, there were no winners here (...)”* was uttered.

However, during the self-proclaimed autonomy, and arguably today as well, there were citizens who were not interested in Somaliland secession – yet Somaliland seceded, under the Isaaq led SNM. Perhaps then the questions should be: who had the most to win from the secession and who had the most to lose? Additionally, if human remains can be politically powerful in framing the past - who has the most to gain from controlling the trajectory of the human remains recovery operations, what narratives might the remains support, and in what way are they being called upon? In this chapter I discuss the political agendas that are currently coexisting in Somaliland related to the mass graves, and how the symbolic capital of the dead can serve those agendas. As will be further explored here, the forensic investigation in Somaliland was originally driven by the community and the families of those who died, yet the trajectory of the investigation is controlled by the Somaliland government. In this section I attempt to disentangle some of the intricacies behind the forensic investigations in Somaliland and how they resonate with the observation that “there are no winners.” I begin by discussing the governmental motivation for forensic investigation and the obstacles that have arisen during its implementation.

Several different motivations for the forensic investigation were highlighted during the ethnographic work. These motivations included the need to accurately assess how many individuals died during the war; to identify the dead and give them back to their families; for proper burial according to Islamic principles and rights; for international knowledge of the atrocities; for an accurate historical narrative for the young generations in Somaliland and abroad; to collect evidence to prove a mass atrocity (or genocide) took place in Somaliland; and to support the struggle for international recognition. Here I begin by focusing on the

motivations for the investigations on the part of the government(s) of Somaliland since the fall of Siad Barre. However, one of the difficulties in defining the governmental goals is the fact that while the WCIC is a governmental organization, it is not clear through this study if the objectives of the organization are shared by the central government. According to the WCIC employees, as well as other interlocutors familiar with their work, the organization is receiving limited funding from the government. For example, during interviews, the WCIC employees pointed out how their offices had not been relocated or renovated since the 1990s: they were still working out of colonial-era, concrete buildings despite their requests for new offices. Analyzing what kind of support the government is granting the organization is also complicated by the shifts in administration that have taken place since the foundation of the WCIC in 1997. There have been several elections since this time, such as presidential elections in 2003, 2010, and 2017 (Pegg & Walls, 2018). The relationship between the central government and the WCIC differs with changes in administration, according to WCIC employees and other practitioners with whom I engaged. The staff did not feel comfortable elaborating on those differences, though at the time of fieldwork the WCIC had recently been placed under the Ministry of Justice after decades of more autonomous management.

The WCIC's central mandate is to document war crimes committed under Siad Barre, and they are compiling reports on the mass graves as part of their work. During the forensic investigations, the relatives of the dead should also be reconnected with their loved ones' remains, when possible, to allow them to bury the body according to proper Islamic burial customs (Hoehne & Bedoya Sánchez, 2020). The ultimate goals of the forensic investigations were not clear during fieldwork, though WCIC staff shared with me their personal views on the work. According to the staff, the investigations are being conducted for the purpose of "justice" for crimes committed during the war and, according to some employees, for the purpose of recognition. Several staff also mentioned teaching the younger generations about their recent history and showing the international community what happened in Somaliland under Siad Barre. The intention of showing the international community would be to seek justice and accountability, preferably through international courts or criminal tribunals.

Several WCIC employees stated that if the international community knew what happened in Somaliland, the country could achieve international recognition, which would help separate them from Somalia. One staff member described how the most important facet of the work was to show that the dead had been killed by the Somalian government, and that this was not just a case of Somalis fighting other Somalis, i.e., that this was not "just" a civil war. Similarly, some of the six interviewed WCIC staff members emphasized the need to show that a genocide or government-led atrocity took place in Somaliland. Some staff pointed out that families want the remains of their loved ones exhumed by the WCIC so that they can bury them properly. However, because few families knew where their loved ones were buried, this was not considered a main goal. Instead, the focus of their work was to investigate what had happened in the hopes of pursuing justice for crimes committed under Siad Barre. It was generally understood by the WCIC employees that few family members were aware of the location of their missing loved one's remains, but that all would prefer to have the remains returned to them for proper burial if possible. However, without further funding and technology they could not match family members with the dead or in other ways identify the many individuals still in mass graves. Similarly, local students trained by EPAF also thought the WCIC's main goals included returning remains to families, to support proper burials according to Islamic burial practices, to show the world what happened in Somaliland under Siad Barre, and to use the remains as evidence for international trials.

During the interviews with the WCIC employees, we discussed the different types of obstacles preventing them from achieving their goals and barriers that stood in the way of the

forensic work. According to the staff, there was a lack of knowledge of forensic practices, a lack of funding and capacity building, issues of clan conflict, and the lack of recognition and support from the international community. As described by one WCIC staff member:

“The main thing that I want to say about the work, is, since Somaliland is not recognized, we do not know how to make international prosecutions, and we are not member of the ICC. So, we need to get training, to get education on how to collect such crimes, trainings about those issues, because it would be helpful for us, if we go to Rwanda and see how the prosecution and the matters are going on, how to collect data, how to collect information from witnesses, because even witnesses need protection. This institution needs financial support, because the government of Somaliland does not have sufficient money to cover everything, because they do not get sufficient money from international community to cover or support the work. The funding comes from the government, from the taxes that are collected from the civilians. We need international support from the international community to continue this and reach all areas, because the war crimes or crimes against humanity, the genocide happened in all of Somaliland all the reaches of Somaliland, it is not only based in Hargeisa, so we need to reach the far areas.”

As defined by the employee, the different issues and obstacles to the work are all interwoven. There is a lack of education and training in forensic matters, which is hard to rectify without further financial assistance. Financial issues in Somaliland are in turn related to the lack of international recognition and support. However, several family members believed that the organization had enough funding, and that the issue instead was their priorities. These individuals believed that the organization did not spend their funding on education and outreach, and that more could be done with the funding that was available to them. Others believed that there was not enough funding because of certain politicians’ hesitancy in supporting investigations into crimes committed during the war.

One local student who had been trained by EPAF believed that President Muse Bihi, and the President before him (Ahmed Mohamed Mohamoud “Silanyo”) had been interested in supporting the forensic investigation since they had both been part of the SNM and were of the Isaaq clan. They wanted to find their fellow SNM fighters to rebury them properly, he posited, unlike some of the Presidents prior who were of clans that supported Siad Barre during the war. This would suggest that Presidents who were of the Isaaq clan and were ex-rebels were more interested in funding the forensic process and the WCIC. Conversely, others believed that prominent politicians who had been part of the SNM would not be interested in funding war crimes investigations, since they would have engaged in criminal activity as part of the insurgency. For example, President Muse Bihi was accused of war crimes by a rival presidential nominee during their 2017 election campaigns (Pegg & Walls, 2018, p. 332). The “political will” of prominent leaders was thus pinpointed as both beneficial and detrimental to the work of the WCIC and the forensic investigation. In addition, several individuals – practitioners and family members – discussed the “will” of the politicians to keep Somaliland stable, and how this keeps them from funding activities that can fuel conflict between the tribes.

As previously alluded to, tensions exist between the different clans in Somaliland. These tensions are related to the war, where the Isaaq-led SNM fought the Siad Barre government, while other clans supported the regime. Since the majority of mass graves in and around Hargeisa consist of Isaaq victims, it has been suggested that human remains recovery fuels aggression from Isaaq clan members toward those who sympathized with the Siad Barre

government. These tensions have led to fear among practitioners and family members that forensic investigations will lead to renewed conflicts and thus need to be handled with caution. These tensions were mentioned by several practitioners as well as two different government employees from the fields of Human Rights and Law, all of whom believed forensic investigation needs to be handled with utmost caution to not challenge the peace and stability of Somaliland. According to Hoehne and Bedoya Sánchez (2020, p. 27) the fear of disrupting the peace in Somaliland even held president Egal back from further pursuing investigation and legal action in the wake of UNHCHR's 1997 investigation. They believe that the creation and maintaining of the WCIC offices is a performative response to the citizens outcry for action against perpetrators of the killings. However, by underfunding the government is avoiding the subject in an attempt to stifle violent flareups or renew civil war (Hoehne & Bedoya Sánchez, 2020). In interviews conducted by Hoehne and Bedoya Sánchez (2020) several individuals expressed how investigations would harm the peace, and one former SNM fighter even expressed how opening the mass graves would “*destroy Somaliland*” (Hoehne & Bedoya Sánchez, 2020, p. 33).

The way that the investigations in Somaliland are unfolding are indicative of wider political and hegemonic control, specifically necropolitical or necrogovernmental acts that reflect governmental necropower. The terms necropolitics and necropower were introduced by Mbembe (2003) to apply Foucault's definitions of “biopower” specifically to colonial and postcolonial contexts. According to Mbembe, biopower, or the state's sovereign ability to control life and death, does not adequately account for the ways in which this power can be used for the purposes of subjugation as experienced by colonial subjects. Necropower therefore includes the control and demolition of territories, governing who is a subject and who is an object of government control, and the inserting of war and death into everyday lives, creating a form of living death (Mbembe, 2003). The concept of necrogovernmentality (during “post-conflict” periods especially), introduced by Rojas-Perez (2017), builds on these themes but more specifically targets the control over the dead bodies. In comparison to necropower and biopower, post-conflict recovery and reburial of human remains, has an air of “governmentality.” Based on the definition by Foucault (2007) and engagement with the term by Fassin (2010), governmentality refers to the procedures, institutions, and analyses that make state power over a population possible. To Rojas-Perez, a core issue of the term “governmentality” centers on how to “*conduct the conduct of others*” including children, populations, and bodies (Rojas-Perez, 2017, p. 267). He believes that:

“While the forms of necropower that Mbembe sees at work in contemporary politics operate within frames of sovereignty, the form of power concerned with dead bodies in contexts of mass violence works within a frame of governmentality— that is, it aims at structuring the field of the possible action and speech of survivors, relatives, and the population so as to conduct their conduct as free subjects.” (Rojas-Perez, 2017, p. 17)

Within the framework of necrogovernmentality, human remains are recovered after conflicts for the purpose of recreating a political community. Additionally, as the landscape where human remains were once buried is being reorganized through exhumations, so is the associated memory. The recovery of human remains also increasingly reflects the proliferation of international human rights law norms. In this sense, investigations also serve to modulate the language associated with remains, encouraging terms such as “trauma” and “rights,” whereby the reburial of the dead becomes a fulfillment of human rights obligations

and a step on the road to protecting communities from atrocities, rather than a reflection of religious or social traditions (Rojas-Perez, 2017, p. 17).

Necrogovernmentality also reflects the analysis by Verdery (1999), focusing on political and symbolic power associated with human remains after conflicts, or more specifically, in the aftermath of socialist regimes. She defines politics as a process that encapsulates kinship, ancestor–living relationships, and control over culturally relevant objects and concepts. As such, Verdery does not view the dead as symbolically powerful for the purpose of political control as much as human remains underscore cosmologies and relationships between the living and the dead within a process of reconfiguring time and space. How dead bodies may legitimize a political order is not the main object of Verdery’s concern; instead she focuses on how and why reburials of dead bodies become invested with the power to grant political legitimacy, and who or what reburial events aim to politically legitimize (Verdery, 1999, p. 51).

In light of this symbolic power of the dead, necropower, and necrogovernmentality, it may appear as if the Somaliland government is attempting to exhume the mass graves for the purpose of lending credence to the state’s sovereignty and authority, or to frame the reactions and actions of the people as they are faced with the remains from the graves. In fact, this was my assumption as I embarked on this research. On the contrary, I found that the investigations are conducted in a concealed fashion, with the “power” associated with the dead and the control over the dead being muted and hidden. However, as I will attempt to define, this muteness, whether premeditated or not, appears to itself guide how communities see the graves and respond to the symbolic power of the dead.

The creation and continued funding of the WCIC is indicative of the Somaliland government’s support of forensic investigation. However, practitioners from the WCIC and other Somaliland institutions have suggested that the lack of additional support and sufficient funds are hindering the organization from properly investigating mass graves from the war. The lack of additional support is also hindering the WCIC from matching living family members with their missing loved ones who are being exhumed with the limited funding available for costly identification efforts, such as DNA testing and comparisons. Some individuals I engaged with suggested that the reasons for this lack of support is due to fear of reprisals, as several prominent politicians fought in the war and may become the object of legal processes were there to be a tribunal for Somaliland and Somalia. Other reasons are similar to those proffered as obstacles to the WCIC’s progress, centering on the risk of renewed violence and clan conflict considering the ongoing tensions between the clans in Somaliland. The majority of the dead in Hargeisa were Isaaq clan members who were killed by Siad Barre’s forces; however, the SNM also attacked minority clan members who were supportive of the government. As such, it has been suggested that investigations can both renew the resentment held by each side during the war and fuel aggression from the majority Isaaq population toward the minority clans.

Rather than guided by political motivations, government investigations thus seem held back by constricting factors at play amongst the politically powerful. When flooding in the late 1990s exposed mass graves, the government hesitantly responded to the Somaliland people’s outcry for justice and reburial (Hoehne & Bedoya Sánchez, 2020). Instead of an intentional motivation to harness the symbolic power of the dead (Verdery, 1999), or guide the way that the dead are talked about and dealt with, in line with Rojas-Perez’s analysis, the government seems to be continuing to respond to the population’s interests in ways designed to avoid threatening the peace and stability of the nation. According to Hoehne and Bedoya Sánchez (2020) the forensic investigations in Somaliland create new forums for discussing the dead and re-constructing their importance as related to the survivors. In their view:

“At least for some actors, these proceedings entail a development from silencing to voicing. As was to be expected, voicing involved gaining the power to interpret the past” (Hoehne & Bedoya Sánchez, 2020, p. 34)

My findings, rather than portraying the power behind harnessing the forensic investigation, hints at a continued hesitancy toward that power – at least at the political level. While the WCIC appear to have several goals attached to the forensic investigation, the government is not overtly supporting those goals. Neither have all goals been highlighted and announced alongside the forensic investigation, in my experience nor in the experience of the individuals I engaged with in Somaliland. The motivations for the forensic investigation thus appear muddled by opposing interests and constricted by fears of conflict and accountability. The fact that there “were no winners here” as expressed by a governmental employee, seems to be hindering a clear trajectory for and reason behind forensic investigation. The Isaaq family members did not “win” – hundreds of thousands of Isaaq members died at the hands of the government. Neither did the SNM truly “win” – their original aim was not to take control of Somaliland for the purpose of secession. Although perhaps it can be argued that they “won” in the sense that the governmental soldiers retreated, though again with such a large death toll behind them and the Isaaq, it would have to be considered a costly victory.

Resentment between the clans remained after the self-declared autonomy, and peace and stability came through regional conferences rather than through subjugation or “winning” a war. Now the agreement to keep the peace is being threatened by unearthing and re-discussing the past and the dead. As mass graves are being exhumed and the narrative surrounding the dead are being redefined, the power associated with the investigation is taking on an importance that seems beyond governmental control or even beyond “governmentality” (Rojas-Perez, 2017). Rather than overtly creating parameters within which the families and the public are allowed to interact with the dead, the government has shrouded the investigation, mystifying the practices and goals of the work. At the onset the shrouding seems to stem from a fear of conflict and an attempt to safeguard the status quo. However, perhaps this vagueness is serving further purposes, whether consciously intended or not.

KNOWLEDGE & NECROPOWER

In November 2019, I met with 39-year-old engineer Guleid at a coffee shop in Jigjiga yar, Hargeisa. Guleid was young during the war, though when his two uncles were killed by the Siad Barre regime, he decided to join the SNM despite only being 16 years old. He was not very familiar with the forensic investigation, though he had heard about them from friends. *“I have some friends who work with those investigators”* he explained, *“I know that they are exhuming mass graves that are surrounding the city.”* He went on to describe how the innocent people including women and children were killed by the soldiers and buried in mass graves, now they are being unearthed and the investigators are trying to see if they can recognize who the dead were in life, for example by looking at their clothing. I asked Guleid if he knows how the dead are analyzed or any details about the forensic practices, to which he responded that: *“I think that they take the bodies to another country, since I do not believe that Somaliland has any lab for analysis.”* Intrigued, having heard this misconception (as far as I was aware) for the first time, I prompted Guleid further on how this process takes place. *“I think that they take a picture and then analyze that picture in another country”* he concluded. If this was in fact how things were being done, it was new information for me and

certainly not how the investigations were performed in 2014. Most likely, these misconceptions had come about as the communities were speculating as to how the work was taking place as there appeared to be little information shared with families and communities.

Although most family members had heard about the forensic investigation, their knowledge was often limited to the exposed remains from 1997 or President Egal's TV appearance related to the flooding events. Several others had heard about "the foreigners" and their forensic investigations, presumably meaning EPAF and the field school participants, though few were aware of the exact origin of these foreigners. Families had heard about the investigation through word of mouth, from TV appearances, from newspaper journals, from the radio, and some through social media. The WCIC and members of EPAF have posted updates about the field schools on social media platforms and shared documentary films related to the investigations, such as "Kill All But The Crows" (Jama, 2016). A few people I spoke to had seen these and similar posts and had participated in sharing them on Facebook and retweeting statements from the WCIC on Twitter. However, the majority of family members could not distinguish between the work that took place in 1997 and the forensic investigations that had been going on in collaboration with EPAF. Additionally, many family members would lump what they had heard about the field schools together with other forms of grave exhumations, such as when remains were found during construction work on private lands. It was not uncommon for family members to begin talking about the mass graves from the Egal era, only to transition into talking about remains that were reburied by a neighbor, and then to seamlessly move on to talking about the foreigners who had come to look at skeletons.

Like Guleid, family members typically knew little about the forensic investigations and the details of forensic practices. Not a single interviewed family member was aware of how forensic investigation takes place in the field and in the lab, neither were they familiar with how skeletons are analyzed and the type of information that can be derived through such practices. When asked specifically about how the analysis takes place or "what can be seen in the bones," family members would either say that they were not aware or that you can try to tell who someone was by looking at their clothing or perhaps their teeth, including the presence of gold teeth (commonly found in Somaliland). Neither was there a clear understanding of the purpose or the goal of the forensic investigations, instead many different reasons were pinpointed for carrying out the mass grave exhumations. Family members believed that the forensic work aimed to identify the dead and rebury them in a better or proper way or to protect the remains from flooding and cover them back up after being exposed. Yet others believed the work aimed to know where a loved one was buried or for loved ones to know how and why a family member was killed. To others it was the "memory" of the investigation that was the main driving factor - to show the international community what happened, to inform the historical record, and teach the young what happened under Siad Barre. Some believed the driving factors were more legally related, aimed to show that there was a genocide or that innocent people were killed; to see who was "genocided" and not just "regularly" killed; to find the perpetrators and hold them accountable; to show that innocent people were killed; and to get support from the international community for the survivors and the families. To some the investigations appeared aimed to prove that Somaliland cannot reunite with Somalia. Yet others believed the aim was to see how many people died, or to get relief from the pain of losing a loved one, to forget, or to move on. However, to some the very investigation was a goal in and of itself, as one man explained:

“Whenever a mass grave is found, the international NGO must come and film it to share with the rest of the world.”

Many family members believed remains should not be exhumed unless the grave had already been exposed by flooding and several individuals assured me that no one was opening graves that had not already been opened in natural ways, since this would not be supported religiously. Many of these themes emerged in a conversation between 50-year-old market saleswoman Caasha and I: *“I have heard some mass graves emerge after flooding”* Caasha described, *“and that they are being opened to show the people what happened to the dead, in order to show internationally what happened in Somaliland.”* Caasha believed that the goal of the investigations was to show the international community that there was a genocide in Somaliland. She also thought that the investigations were useful for informing the young what happened under Siad Barre and helped *“to keep in mind that Somalia was the enemy, and to keep remembering that Somalia is the enemy – that is the main goal of the investigation,”* she continued, which she *“fully supports.”* Caasha had never been contacted by the WCIC or anyone else about the investigations, though she had taken part in them at one point or at least observed them. *“When I heard that the investigations were taking place, I ran there, we all ran there in order to see what is happening”* she explained.

Caasha’s experience was not uncommon; several family members had heard about the investigations informally, either during regular conversation, or as investigations were going on. Many explained how when they heard about on-going mass grave exhumations they and others would hurry to the site, since most people in Hargeisa lost someone during the war and were unaware of where they were buried. Additionally, as defined by Caasha, many individuals believed that forensic investigation was important for the purpose of memory and politics, to remind the people that Somaliland cannot reunite with Somalia. These accounts may have looked different if family and community expectations had been managed and more information about the investigations had been communicated to them. In this way, misconceptions such as those held by Guleid might also have been mitigated.

According to the WCIC, few family members know where their loved ones are buried, and thus only a few have been contacted and have been collaborating with them and EPAF during forensic investigation and reburial. Out of the 74 family members that I interviewed, 15 had seen a presumed loved one (uncorroborated with statistical certainty) exhumed and reburied or had in other capacities participated in the investigations. These individuals included elders, and individuals who possessed useful skills or equipment, such as caterpillar drivers and local handymen who assisted in the exhumations even though their loved ones were not in the grave being investigated. The majority of these individuals were supportive of the investigation, though some believed that their expectations had not been met in the aftermath of the work. One of these individuals was Hussein, a 64-year-old elder and chief of a regional district in Berbera. I met with Hussein at a hotel and café situated along the coastline in Berbera – one of the larger Somaliland cities.

The air was salty and smelt faintly of kelp and fish, and the crows were weighing down the tree crowns above our heads, waiting for scraps of our breakfast. The crows and the cats tended to gather around the tables, eagerly awaiting the remnants of the fish staple meals along the coast. The sounds of crowing and meowing continuously filled the air and interrupted interviews and casual conversations held at the restaurant. Hussein explained how *“when those investigators came, we thought that good results may come out of these investigations, but we realize that there has not been any outcome at all, they just come and exhume but there was no result at all – that is a major issue to us.”* I asked Hussein what kind of result they were hoping for, to which he responded that first of all they hoped for the

investigators to assist in taking the criminals to court and advocate for the survivors. Secondly, they wanted the investigators to reach the rest of the world, to tell the international community about the Somaliland atrocities. *“We were also expecting those investigators to help the survivors who have become handicapped and got injured from the wars”* he continued, *“but our expectations were not met, they did not meet any of them.”*

Some graves, primarily in smaller communities outside of Hargeisa consisted of members of one family. The WCIC had been able to contact the surviving family members to ask if they wished to participate in the investigations and the reburial ceremony in these contexts. However, none who I spoke to had been consulted prior to the investigation or asked if they wanted the investigation performed or not. The majority of interviewed family members who had not yet been part of the investigation expressed an interest in participating in a potential exhumation of their dead loved one, many also wanted to come to observe as the remains were being analyzed in a lab space. Some family members believed that it would be too traumatizing for them to observe the analysis. Others discussed how the forensic work should be advertised so that anyone interested could come observe the exhumation and the analysis. This view was not shared by all, some found that only close family members should be allowed to take part and that remains should not be exposed to the public, to safeguard the privacy of the dead body. Similarly, Al-Dawoody found that family members in Islamic communities often prefer for remains to be covered from public view during ICRC human remains recovery operations after disasters and conflict (A. Al-Dawoody, personal communication, April 12, 2019).

Although researchers claim that the Somaliland residents have “moved on” from the atrocities and made their peace with the past, this did not resonate with the Somalilanders I spoke to in 2019. Rather than being *“more concerned about daily survival than about legal proceedings against members of the former Somali regime.”* (Hoehne & Bedoya Sánchez, 2020, p. 34), most were both interested in investigations and in holding perpetrators accountable. Even though there was limited information about and participation in the investigation, an overwhelming majority of the family members were supportive of human remains recovery operations. After discussions regarding the forensic work, during which I would answer questions about how the practices take place (including possibilities and obstacles to the work), family members tended to find one or more facets of the investigation important and needed (Kim et al., 2022).

During interviews I found that only seven family members out of 74 were unsupportive of forensic investigation and two were unsure. Out of those who were against investigation, two were Isaaq and the other five were of the Somaliland minority clans Gabooye and Samaroon. However, the other non-Isaaq individuals (two from the Samaroon clan and one from the Hawyie clan) were supportive of some facet of the forensic work, with some contingencies. All other family members were supportive of one or more facet of the work, including but not limited to reburial, identification, legal processes, and osteological analysis to investigate trauma and other information from around the time of death. But there was still hesitancy, even among many who supported the forensic investigations. For example, some believed that investigations should not be performed unless remains were already unearthed by floods, but once remains were exposed they should be investigated, identified, and properly reburied. Others believed that neither identification nor analysis was important, but that forensic investigation should still proceed for political reasons.

To 48-year-old market saleswoman Leila, the forensic investigation offered an opportunity to remind the young of what happened in Somaliland while proving to the international community that Somaliland deserves recognition. Leila and I met close to a downtown Hargeisa restaurant on an October evening in 2019. As is customary between

women in Somaliland, she grabbed my hand and kissed it, and while holding on to mine she moved her hand up to my mouth so that I could kiss hers. She had a large grin on her face and laughed loudly several times during our discussions. While I introduced myself, she nodded her head deeply and slowly while continuously responding “yees” in a slow and reassuring voice. Excitedly I asked her if she speaks English, she answered “yes!” while smiling big. My collaborator Warsame suspected that this was not the case and translated the question. “Maya!” (no), she forcefully replied once she had been asked in Somali. Throughout the remainder of our talk Leila would answer all my queries with a deep head nod and a “yes” (or several) in English before the question had been translated by Warsame. Leila had seen the forensic investigations on TV and found them important since it reminded the people what happened under Siad Barre’s regime. *“It’s very important, they help the people, like the young generation, get more knowledge about what happened in the past”* she asserted, and went on to explain that *“this also shows the international countries what happened in Somaliland and through that it can help us get international recognition.”* She also believed that the investigations helped instill a love for Somaliland: *“when they see these mass grave investigations, the people will have more hate for south Somalia and the Siad Barre regime soldiers and all these things, so that also leads the people to love their country more than before.”*

I went on to ask Leila’s thoughts on forensic analysis including trauma and identification, and for some time we discussed her knowledge about identification through DNA and if the government should invest in DNA capabilities. Leila was not aware of forensic practices nor DNA analyses. She had only heard about the forensic investigation through media, and she did not think it was possible to find any of the family members of the dead, since they were unidentifiable skeletons or fragments by now. We spent some time discussing what could be possible through forensic analysis, along with the obstacles there might be to investigations in Somaliland. After our discussion, Leila asserted that identification was not important, nor investment in those capabilities since that money should be invested in the living – they need support, she concluded. Toward the end of our interview, I asked her if she had any additional thoughts she would like to share with me, to which she replied that: *“this investigation leads the young generation especially to know more about the past events, and their history, they learn that when we were united with Somalia they killed a lot of people, innocent people.”* She again reiterated her former point that it helps remind the people that Somalia is the enemy. As we were about to part ways, I asked if she has any recommendations or anything to add, and she replied that she wishes the investigations to continue and expand, to reach all the mass graves throughout Somaliland. Finally, I asked her if she would like to personally take part in the investigations, if there were more exhumations. She stared at me for a brief moment before smiling wide and answering in English: *“why not?”* This was a common phrase amongst people I engaged with in Somaliland when replying to something obvious.

It was common for family members, especially the market saleswomen like Leila, to repeatedly discuss the need for international recognition and the collective victimhood of the Isaaq under Siad Barre. To others the most important part of the investigation was the forensic analysis of the human remains in the hopes that evidence from the remains could be used to hold the perpetrators accountable. As to one elderly man who had assisted with the investigation alongside chief Hussein *“Just to rebury is not enough, they will also need to follow up with trials and so on, do a full analysis!”* Yet others were primarily interested in identification and reburial in a known location (chosen by the family or the government), such as 30-year-old Nimco whose father died during the war while she was a baby. To her, finding the remains of her father was essential since she had never met him. Getting to see his

bones and holding the perpetrators accountable were the most important facets in her view. Nimco was well aware of DNA methods and applications, as she was a lawyer who had worked with victims of gender-based violence. She believed that the establishment of DNA capabilities was a necessity for justice in Somaliland and for the purpose of the forensic investigation. She did not see any point in exhuming remains and reburying them unless the dead were also identified.

While a few of the family members seemed uninterested in digging into the Siad Barre era graves, none appeared to have “*made their ‘peace’ with the past*” as suggested by Hoehne and Bedoya Sánchez (2020, p. 34) save for perhaps one older man. Instead, there were many different reasons for supporting or not supporting the forensic work, and less than 10% of the family members interviewed believed that forensic investigation should not take place at all. During my work, family members were considered the authority on their loved ones’ remains and how the remains should be treated, including whether they should be exhumed and reburied. This actor-centered approach builds on post-conflict transitional and transformative justice research that encourages survivor-led interventions and survivor-based evaluations of ongoing reconciliation and rebuilding efforts (Gready & Robins, 2014; Robins, 2011). Family support for forensic investigation has also been a leading principle to many forensic human rights anthropologists, going back to the family-centered approaches pursued by the EAAF in the 1980s and 90s (Crettol & La Rosa, 2006; Fondebrider & Scheinsohn, 2015; Stover et al., 2003; Stover & Shigekane, 2002).

The lack of information about the investigations and the forensic practices in Somaliland suggests that the families of the dead have not been actively engaged in or consulted on the human remains recovery operations, nor have there been community sensitization for the many who are unaware of where their loved ones are buried. Although the elite Isaaq may have had access to the investigations, it is generally the rumors regarding the forensic work that is being discussed amongst the communities serving to influence “truth” and “memory” as defined by Hoehne and Bedoya Sánchez (2020). According to the WCIC, the lack of sensitization and inclusion in the forensic work is due to the vast number of individuals in Somaliland who lost someone during the war, and the gargantuan task it would be to reach out to all families and link them to the grave of their loved one. However, further community sensitization in regards to the forensic practices and the strategies pursued during the investigation could still have assisted in managing expectations, as was seen during ethnographic research into war time burials in northern Uganda (Kim et al., 2020). By continuously interweaving sensitization efforts, the research team (of which I was a member) was able to convey information regarding forensic practices in Uganda, while targeting and discussing misconceptions and cultural tabus related to the human remains.

Kim et al. (2022) suggest that a Community Based Participatory Research (CBPR) or a Participatory Action Research (PAR) framework can undergird collaboration with local communities. According to the principles of CBPR/PAR (henceforth CBPAR), researchers act as facilitators and local communities take the lead in terms of actions to be taken and models to be incorporated (Schensul et al., 2008). This framework also resonates with Kim’s “integrated forensic approach,” which posits that forensic practitioners are uniquely positioned to work with families and communities affected by mass violence to allow them to define how forensic practices can best respond to their needs:

“An integrated forensic anthropological perspective requires close collaboration with local-level communities to identify grave-related problems, competing peacebuilding or transitional justice interventions, and survivor needs. Through acknowledging the

context-specific needs as well as the role of existing peace initiatives, practitioners stand to mitigate persisting violence and suffering.” (Kim, 2018, p. 45)

These frameworks offer ways to decolonize both the participation in research in local communities and the knowledge being created. Although incorporated into social science research for several decades, the frameworks have not yet been fully integrated into forensic human rights work. However, the principles of actor- and family-centered approaches pursued by forensic teams around the world do follow in line with the principles in CBPAR in many ways. The investigations in Somaliland, for example, have been locally led, though further collaboration seems necessary to involve families of the dead in the goal-orientation and knowledge creation of the forensic work. Research regarding family wishes during and after conflict have followed CBPAR principles and actor-centered approaches, though there is a lot left in terms of allowing forensic practices to also be defined, molded, and utilized by survivor communities according to their needs.¹⁰

Forensic practices do not fall within the realm of “social research” (the area in which CBPR and PAR emerged) but the practices are lodged within a wider network of social impacts and cosmological understandings. As defined by Wagner (2008), family perceptions are vital to the “success” of the forensic work. During her research among the families of the missing in Srebrenica, the former Yugoslavia, she observed the incorporation of novel technologies at the time, such as identification through DNA analysis. Although this technology offered the most state-of-the-art approaches for analyzing unknown remains, they would not be successful unless the family members accepted the identification result. Early on, families were not sure why they were asked to donate blood or how the procedure worked, neither were they convinced of the accuracy of the method, and many refused to cooperate. Several of the Srebrenica family members rather wanted to find their loved one by looking at the personal possessions and clothes, including those that they had themselves helped make or patch. However, clothes can be changed, stripped, or stolen and were deemed unreliable for the purpose of identification. Wagner argues that ultimately the families needed to be convinced of the usefulness of the DNA process to accept the identifications. The scientific “facts” needed to be recognized by the relatives, not just by the practitioners (Wagner, 2008).

In Somaliland, there has not yet been any community-wide outreach or sensitization efforts, instead those who lost someone during the war are left to make their own interpretation about the goal, scope, and practices involved in the forensic investigation. Some know what they have observed after “running to the grave” while exhumations were going on. Others combine their interpretation of the forensic work with their knowledge of the 1997 floods, and/or personal experiences from community reburials during building projects. The forensic work is continuously being discussed and reinterpreted by the Somaliland communities, without managing expectations or the opportunity to participate in or influence the work. Hoehne and Bedoya Sánchez (2020, pp. 35-36) argue that the forensic work has allowed stakeholders in Somaliland to call upon the “objective” truth of tangible human remains, even though that “truth” is constantly being re-interpreted. The majority of family members who participated in this research, seemed unaware of the “truth” that bones can or cannot offer. The dead and the circumstances that lead to their death, rather than the

¹⁰ See Elgerud, L. M., & Kim, J. J. (2020). Mapping the intangible: forensic human rights documentation in post-conflict Uganda. *The International Journal of Human Rights*, 25(4), 594-615. for a discussion on how to allow forensic mapping to lend itself to wider sociocultural and political needs.

bones, did appear to be continuously discussed and re-imagined by the survivors. A wider community sensitization effort or the incorporation of a CBPR/PAR framework for the forensic investigation might assist family members in further engaging with the remains and utilizing the available knowledge to answer questions or reach goals they themselves are formulating. Perhaps families could even engage with the knowledge itself, allowing the practices and the process of knowledge creation to be informed by their needs. This could feasibly assist in overcoming adversities outlined by Hoehne and Bedoya Sánchez (2020) while allowing family members to engage with the practices so as to arrive at what they accept as objective truth.

Power & Authority: Hostages to Peace?

The tiny Chinese car jostled and shook as we drove across terrain barely accessible to the four-wheel drive vehicles flooding downtown Hargeisa. We seemed to have driven for hours, though that might have been due to the lack of air conditioning in the vehicle, forcing us to keep all windows open, which filled the car with the dust from the desert landscape. Neither was there any room in the vehicle - between the Dhaweeye driver (Dhaweeye meaning “take me close” - Somaliland’s Uber), myself, Warsame, and the middle-aged woman guiding our way, the car was packed far beyond its intended capacity. We were going to the outskirts of town, though by the looks of it we were far past the “outskirts.”

With nothing but sand dunes in sight and the stout, dry plants you find in arid climates, we finally arrived at a small cement-block house. There were chickens running around the yard and a large metal cistern across from the entrance, presumably to collect the little bit of rainfall the city gets. Several women ranging from about 30-60 years of age were sitting on the ground in front of the house with children playing around them. Our guide went over to chat to the women while Warsame and I went about explaining to the driver that he must wait for us. We paid him to stay in order to take us back to the city after the interview, making sure Warsame and the navigator got back in time for the evening prayer. We would have struggled finding another driver that would have found the location and gotten to us before sundown, let alone brought us back to the city before then.

I was eventually led into the main, and perhaps the only, room of the house. There was a large king size bed with a dark brown, shiny frame in the middle of the room, and a similar style wardrobe in the corner. Several garments, rags, and shawls were piled on the floor, on the bed, and over the wardrobe. The women and children assisted an elderly woman into the space from the yard. Some of the older children brought us bright blue plastic chairs, while the old woman sat down on the bed. As we started the interview, we asked her if she would like to tell us about the war - she nodded her head. She began explaining how she had four sons and three of them were taken by the Siad Barre army and none of them came back. She hadn’t seen her sons since this time, and friends of the family had informed her that the soldiers killed them. I asked her why she thinks they were detained and killed, and she responded that the only reason for killing them was because they were Isaaq.

After we had discussed the war and the forensic work for some time, periodically interrupted by children screaming and playing outside of the open door, I asked her view on trials or other legal processes to target the perpetrators. She retorted that no trial could bring her children back, so she would rather “*leave them until the hereafter court*” i.e., let Allah judge the perpetrators in the afterlife. I went on to ask her how she would respond if the government decided to exhume her sons’ graves for the purpose of evidence collection. “*If the government is doing, I am ok with that*” she responded. I then asked if she thinks the government should consult with families prior to opening a grave, or if families should be

involved in the process. Resigned and with little reaction (beyond seeming a bit annoyed with the question) she replied that *"It's something that the government has authority to do."*

Our conversation continued to other topics, and eventually we began discussing identification and whether the remains being exhumed should be identified. Again, she referred to the authority of the government: *"If the government wants to do that it is ok, I am not familiar with this issue, it is up to them."* I then attempted, in as clear terms as possible, to explain how identification can be done, including the basis of DNA analysis, to which the woman responded: *"if the government wants to do that, I will support it."* After discussing how DNA analyses might be done, some of the shortcomings, and the funding that would need to go into it. I then again asked her about her personal thoughts on identification, specifically her thoughts on the government investing in DNA capabilities, to which she responded: *"if the government is doing that it is ok."* I continued: *"If the government gave you a choice, if the government asked you if you want the remains to be identified, what would you say?"* Again, she responded *"I will agree the government."*

Though many family members and practitioners were skeptical of the government and the forensic investigation, the old lady's response was not rare. During several interviews, family members would refer to government authority over the remains, over the graves, over the reburials, or over any other facet of the forensic work. Perhaps these responses had more to do with me and my position as a foreigner and researcher, and someone they did not necessarily trust, or perhaps I could have been seen as an informant for the government. However, there were several people who believed that the government has the ultimate authority to decide what happens to the remains but that ideally, they should consult with the family members. Some, like the old lady on the outskirts of town, fully deferred to the government's authority over the graves. In contrast, others would have strong opinions on what should be done with the remains, or even strong opinions against forensic investigation but would still explain that the government has the ultimate authority.

Several post-conflict communities have observed a historical silence in the wake of tumultuous and atrocious regimes. Guatemala after the 1978-82 "Violencia," Spain after Franco's 1936-1975 rule, and Greece after the 1944-1946 civil war, have all been defined as silenced under the hegemonic power of the state (Renshaw, 2016; Sanford, 2003; Stefatos & Kovras, 2015). For all of these contexts, the investigation of wartime graves has provided a space for altering the silence, for speaking up, or for challenging the power of the state. According to Stefatos and Kovras (2015, p. 177) the act of remaining silent is active and ongoing, and not simply a passive stance. However, in Greece, a community in Lesbos chose to challenge the hegemony of the state by engaging in mass grave exhumations in the 1950s and 1980s, despite a nationwide commitment to silence. I posit that the referral to governmental authority in Somaliland also reflects a form of silence: an effect of hegemonic power, not in regard to forgetting the past as in Greece, but rather a silencing of dissidence against the forensic practices and related governmental decisions. The government has not actively engaged in silencing efforts, it is not even clear that the government itself is in support of the investigation. Nonetheless, there is a refraining amongst the Somalilanders, especially amongst the "working class" females (women at the market primarily) from challenging the government's authority.

Like it was for the Greek community in Lesbos, the act of investigating mass graves in Guatemala could be seen as an act of challenging state power. For the targeted Mayan communities, the silence imposed on them was broken both by the opening of mass graves, which transformed a mass grave site into a communal space of healing, and through truth-telling processes. Sanford (2003, p. 181) discusses the act of giving testimony by survivors and defines it along the lines of Foucault's view that truth is imbued with a "corrective

quality” when truth is spoken to power. As such, truth becomes less grounded in evidence and more reflective of the risk taken when speaking out against those with power over the official narrative. For Somaliland, the objective air of truth as connected to the mass graves may be harnessed by local stakeholders (Hoehne & Bedoya Sánchez, 2020). However, the specific practices involved in the forensic work are not being shared with the families of the dead nor with communities in Somaliland. Instead, I postulate that it is the story surrounding the mass graves that is influencing memory and truth, rather than the information gleaned from the remains. What is silent, is the act of human remains recovery and the practice of forensic analysis. Instead of the remains existing within the space of necrogovernmentality, where families are interacting with the dead as free subjects under the state (Rojas-Perez, 2017), the families are unaware of the details of the investigative work. As such, the dead are still within the framework of necropower, free to be interpreted under the umbrella of violence inflicted by the Somalian state (or “the enemy” as Leila had called them).

Some family members have resisted the forensic investigation: families who believed that the forensic practitioners were confiscating the remains to sell in their home countries have shown up at the gravesite to challenge to work. One man whose father and brother were killed by Siad Barre forces was contacted by the WCIC when his father’s grave was being exhumed by EPAF. He participated in the work and his presumed father was eventually reburied. According to the man, some people were upset when they thought the foreigners were taking the bones to sell them, but once they learned about the forensic investigation, they were happy and “adapted” to the forensic work. Again, these family members were not aware of the details of the forensic work since it had been performed in a “silent” manner – until they engaged with the forensic practitioners. The mass graves thus appear to emanate the power of Somalia to dictate who lived and died prior to Somaliland autonomy, though when viewed in the light of resistance, the power is transferred to the actors operating under the Somaliland government. In the context where families arrived at the forensic site to challenge the work, they were demanding the truth about the remains and resisting the forensic practices. Once the families had been informed about the work, they were supportive of the investigations and came back to assist and participate in the exhumation.

In such contexts, the remains are transformed from existing within a space of necropower to that of necrogovernmentality. The remains, once removed from the ground and professionally analyzed, become inserted into the framework of governmentality. However, there is still hegemonic power in the institutions, practices, and language with which the remains are exhumed and reburied (Rojas-Perez, 2017). Those who broke the silence surrounding the investigation in Somaliland were allowed into the necrogovernmental space, with its associated power structures. While there is hegemonic power in the silence around the investigation, the power is transformed and reimagined for those family members who are invited to engage with the remains as subjects of the state and individuals once the remains are removed from the ground. Necropower (political and governmental) then appears as a set of nested structures that operate and fluctuate in different ways depending on who is entrusted with access and information about the forensic work.

The necrogovernmental framework, i.e., those structures that operated once family members were entrusted with the details of the forensic work, have partly been influenced by the Somaliland Ministry of Religious Affairs (MoRA). As defined by 32-year-old Mohamoud who was trained in forensic practices by EPAF: *“The MoRA participated in the forensic investigation to persuade the people that it’s okay to extract the dead bodies.”* I asked Mohamoud if people were unsupportive of the investigations at first. *“Yeah, some of the people weren’t happy about the work”* he replied, *“but after MoRA participated, the people were convinced.”* *“Why do you think that they were not supportive at first?”* I asked. *“You*

know this kind of thing had never happen here before, it was the first time and so it was strange, so people were wondering if it was okay with Islamic religion or not, that's why" Mohamoud explained. In terms of the practices, Mohamoud recalled that the MoRA gave directions on how to rebury the dead, but they did not specify how to open the grave or how to conduct themselves or handle remains during the exhumation and analysis.

Both religious authority and governmental authority was referenced by family members during our interviews. However, their interaction is complex and the hierarchy non-linear. As defined by a Somaliland Sheikh during our discussion, the MoRA is a governmental organization though it is up to the President's discretion to follow their directives. The more influential Sheikhs typically operate outside of the government, though the Sheikhs who work for the MoRA will cooperate and communicate with Sheikhs outside of the organization. The president is expected to listen to the advice of the Sheikhs, but may choose not to do so. Additionally, Somaliland recognizes a Western (governmental) legal system, Shari'a based courts, and community level (traditional) problem solving through consulting elders and clan chiefs. Thus, religious authority is partly connected to government authority, but this also fluctuates between communities and individuals, and the questions being asked.

Some family members would defer to government authority when asked about the forensic work, and quickly follow this up by discussing how safe and peaceful the society has been since Somaliland autonomy. Primarily older individuals would discuss how under Siad Barre's rule you could not leave your house in the afternoon, and that your identity as Isaaq made you a criminal. However, there has been peace and stability since autonomy and that is all that is needed, they would explain. For example, some family members would talk about how "keeping the peace" was the only important issue and would answer every one of my questions by referring to "keeping the peace." As one 58-year-old Isaaq member and former prisoner under the Siad Barre regime described: *"Bad things happened to everyone including me, but now I keep patient, since whatever happen to us - we keep patient."* He continued: *"Now we are in good morals since we have peaceful country, and no one is eager to hurt us, we live independent, free lives."* He explained that Somaliland under Siad Barre was like being in prison: *"while I was in jail, the soldiers ordered us to go back to our cells when it reaches five - at five o'clock in the afternoon everyone must go back to his room. When I was released"* he continued *"I came to Hargeisa and it was the same as in the jail, everyone must go to his home when it reaches five also, I came from one jail and ended up in another jail."* To the man, the life he had led since Somaliland became autonomous, his life in Hargeisa without curfews and without being arbitrarily imprisoned, was all the life he needed: *"We do not want more than this life, we don't worry about anything, no wars or anyone hurting us, we just live a normal life."*

This fear of disrupting the peace was more typically seen amongst older individuals who vividly remember the Siad Barre regime, and the abuses inflicted by the soldiers during this time. Due to this fear, Somalilanders have been called "hostages to peace" or as defined by Albin-Lackey (2009) of Human Rights Watch in his book of that title:

"Somaliland's painful memories of war have left most of its population desperate to avoid any threat to their fragile and hard-won peace. This has proven to be a double-edged sword. On the one hand this fact has helped create space for the painstaking processes of consensus-building that are at the heart of Somaliland's continuing stability. But when the Riyale (former) administration has pushed past the legal and constitutional limits of its power, failed to hold elections, and banned public protest of its controversial actions, the same fear of threatening the peace has often precluded

any kind of effective opposition. And many Somalilanders who openly criticize the government's human rights record or other failings find themselves confronted with accusations that they are undermining Somaliland's chances of international recognition. Many Somalilanders describe this dilemma by saying that they are "hostages to peace"—so desperate to avoid the risk of instability that they look the other way even when their rights have been infringed." (Albin-Lackey, 2009, p. 15)

Interlocutors' deferral to government authority alongside their anxieties about breaking the peace and stability of Somaliland does seem in line with the concept of "hostages to peace." The deference to government authority that I came across during my interviews may be partly rooted in the fear of going back to civil war and government oppression if the authority of the government is challenged. Despite personal opinions about the forensic work and identifying the human remains, allowing the government to operate as it chooses will perhaps help avoid renewed conflict. However, some locals have begun resisting this imposed label. The concept of "hostages to peace" is well known in Somaliland, I heard it discussed several times, particularly during the "Academic Dialogues" hosted by the Hargeisa Cultural Center under Dr. Jama Muse Jama.¹¹ Local discussants would counter this concept, claiming that Somalilanders are not hostages to peace – conveying how the population is resisting being pigeonholed by foreign academics as inactive and subject to the status quo.

RECOGNITION & NATION BUILDING

Sairab, a 58-year-old market saleswoman was one of several people who believed that international recognition for Somaliland was intimately connected to the forensic work, and that recognition would help the people overcome some of the lingering trauma from the war. To her: *"if Somaliland gets recognition, we can forget our loved ones' death and the sadness and we would become happy, that is the only thing that is needed."* She continued: *"before we worried more about our loved ones, but when Somaliland gets recognition, we can forget about those events and enjoy peace."* This conversation illustrates how the goal of international recognition is embraced by many inhabitants of Somaliland. Several of the family members I engaged with, Isaaq and non-Isaaq alike, believed that international recognition is important for Somaliland, and some believed there was a link between the forensic investigation and international recognition. Sairab's views on international recognition were shared amongst several of the individuals I spoke to, especially amongst the marketplace saleswomen and men. Her view that the atrocities could be forgotten once Somaliland had recognition was less common. The majority of individuals I engaged with believed investigations were important for the purpose of remembrance.

International recognition is a concern that is ever-present in Somaliland society, so much so that it has almost become its own entity – a political and social gestalt rearing its head in most local discussions. Recognition is continuously debated, and in my experience any opposition is not outspoken nor taken lightly by the people. Additionally, the majority of research coming out of the region (by local and international scholars) relates to the political situation and the yet unrecognized autonomy. However, the connection between the forensic investigation and international recognition is a step removed. Although political capital may be garnered by the forensic investigation, Somaliland recognition is an implied rather than an overt goal of the investigations. Several WCIC staff saw recognition as an eventual goal of the work that they are doing, though their more official purpose was investigating war

¹¹ <http://www.hargeysaculturalcenter.org/Events/events/academic-dialogue-in-hargeysa/>

crimes. Additionally, interlocutors suggested that the government harbors anxieties about the forensic investigation due to the potential clan conflict that may result from the work. Recognition is another factor that is connected to clan loyalties, especially for the clans that inhabit the border region between Somaliland and Puntland where some would prefer to remain part of Somalia (Hoehne, 2015). As such, there might potentially be more at risk with the forensic work if the official goal was to promote Somaliland recognition. Recognition was also voiced as an obstacle to forensic investigation, pursuing accountability, and to human rights. Primarily practitioners (those with expertise in human rights and law) believed that due to the lack of recognition there are no clear goals of the forensic work, since they cannot hold accountable the perpetrators who are currently residing in Somalia, the USA, or Europe. Some practitioners also suggested that the region is currently suffering since it cannot be part of international law treaties and that there would be more funding for human rights and forensic practices if there was international recognition.

In Somaliland, conversations about the war or human rights are typically related back to the question of recognition and of the country's ambiguous geopolitical status. This also means that the forensic investigation continuously leads to rhetoric regarding political recognition. As defined by Hoehne and Bedoya Sánchez (2020) the forensic work allows for voicing that which was previously silenced, i.e., grievances from the past. They believe that the voicing comes with reinterpreting the past, which in turn is linked to the question of recognition in the Somaliland case (Hoehne & Bedoya Sánchez, 2020, p. 34). Although this was also the case amongst many of the family members interviewed for this project, several family members did not think that the forensic work would contribute to international recognition. According to 46-year-old clothing shop owner Saeed for example, recognition was not of importance while many other facets were. To him: *"the investigation has nothing to do with recognition. There are two main goals with this investigation"* he explained, *"one is to know exactly the number who has been killed by the soldiers, the second is for victims to know how their loved ones have been killed and why they have been killed and then to be able to rebury them in a proper way."*

Though it was more common for Isaaq family members to discuss international recognition for Somaliland and assume or hope that the forensic work was connected to it, not all Isaaq clansmen homed in on recognition. Like Saeed, many thought there was no connection between the forensic investigation and recognition. Yet others who did not believe that recognition would come out of the forensic work still found the investigations important since it would show the international community that Somaliland cannot reunite with Somalia. Though opposition to reuniting with Somalia is a similar goal to international recognition for Somaliland, the former is more concerned with the fear of Somalia and the latter more so with a right to self-governance. The vast majority of individuals that I engaged with were both supportive of recognition and believed that Somaliland deserved self-rule after their treatment during the war – the majority of interlocutors being of the Isaaq clan. A common view was that because there was a genocide against the Isaaq (according to Isaaq clan members) Somaliland deserves to be recognized. Some, such as 61-year-old security guard and former SNM fighter Keyse, believed that it would bring justice to all of Somaliland if the region received international recognition. As he expressed during our interview: *"The only justice is to be separated from those who did us to this, this kind of genocide to us, so we have to be separated, two separate countries. That would be justice to all Somaliland"* he assured me.

Keyse was an SNM fighter during the war. Two of his brothers were killed in their homes, two brothers were killed while fighting (who were also part of the SNM), and several uncles also died during the war. As we discuss their burials and their remains, Keyse pointed

to a sandy hill some 20 yards from his home. He explained that this is where one of his brothers was hurriedly buried during the war, after he was shot dead by the Siad Barre soldiers. Keyse chose to build his home close to where his brother was still buried. He was familiar with and supportive of the forensic work and said he would like to be part of it if his family members were ever exhumed so that he could give them a proper burial in a known location. He would also like to see the perpetrators held accountable, though he explained that he would forego trials if Somaliland could have international recognition. Like Keyse, many Isaaq family members, both those who witnessed atrocities firsthand and those who heard about them from family members, saw a connection between the injustices to the Isaaq clan during the war and their right to self-rule in its aftermath. Some would describe to me and my collaborators that there was a terrible genocide during the war and that the Siad Barre soldiers would target anyone who was Isaaq even though they were innocent and had done nothing wrong. Could I imagine, they asked, what it is like when your identity becomes a crime?

The traumatic memory of the war and the atrocities committed against the Isaaq population thus seem to have transcended individual experiences and taken on the form of a collective trauma as defined in the field of psychology:

“The term collective trauma refers to the psychological reactions to a traumatic event that affect an entire society; it does not merely reflect an historical fact, the recollection of a terrible event that happened to a group of people. It suggests that the tragedy is represented in the collective memory of the group, and like all forms of memory it comprises not only a reproduction of the events, but also an ongoing reconstruction of the trauma in an attempt to make sense of it. Collective memory of trauma is different from individual memory because collective memory persists beyond the lives of the direct survivors of the events, and is remembered by group members that may be far removed from the traumatic events in time and space.” (Hirschberger, 2018, p. 1)

Many of the family members I spoke to during my research were direct survivors and had personally witnessed the detention, torture, or death of a close family member or friend, or several. However, these experiences were rarely discussed in terms of personal loss; more often the experiences were tied to being Isaaq, to experiences of all other Isaaq clan members in Somaliland, and the needs of all survivors in Somaliland. Even those who had not lost a loved one or had not been present during the atrocities would describe how “everyone here lost someone” during the war, or how “all Isaaq were victims.” I see this as a collectivization of memory, one related to Somaliland nationhood and the call for international recognition.

Collective trauma has mostly been addressed in psychological studies, although it has also been explored in political science scholarship to address victimhood narratives when called upon for the purpose of nationalistic pursuits (Lerner, 2019, 2020; Lim, 2010). According to Lerner (2020) there is an inherent tension between the collective trauma and the way that it becomes narrated for political purposes. This tension, he believes, is also the basis of what has been referred to as “victimhood nationalism.” A traumatic event can add to a sense of national identity when reframed as a neat and relatable collective experience and political capital can be gained from exploiting such narratives. Though victimhood nationalist narratives can be purposefully crafted by politically invested parties, they can also emerge “somewhat organically” (Lerner, 2020, p. 69).

Despite the mobilizing power of collective traumas when narrated for political purposes, the “Isaaq genocide” narrative appears more organically derived. Those with more

political clout in Somaliland may indeed be deliberately reframing the past while “*voicing grievances*” (Hoehne & Bedoya Sánchez, 2020, p. 34) related to the forensic investigation. However, the vast majority of family members who expressed to me their interest in Somaliland recognition and its connection to the human remains from the war, were neither politically engaged nor wealthy or highly educated members of society. Many would tell me about their lack of education and their poverty, typically due to the atrocities and displacement under Siad Barre. Neither were the typical recognition-focused family members aware of the forensic investigation in any detail, nor the practices and possibilities of the work (reassociation of remains, identification, trauma analysis). Instead, a communal narrative had emerged surrounding the mass graves that allowed for a unified description of what they represent: the atrocities against the (Isaaq) population and thus the right to officially secede from Somalia. However, other clans were also targeted and killed during the war, by the SNM or by Siad Barre forces, and there are mass graves that contain victims of other clans. Additionally, the government of Somaliland has not been orchestrating the investigation, rather, they appear to have been allowing the investigations to continue with minimal support and funding to appease outraged family members and survivors.

Whether premeditated by the government or not (not seeming to be the most likely answer), the forensic investigations appear to have garnered a collective narrative of trauma, or victimhood nationalism as defined by Lerner (2020) perhaps due to the lack of funding and thus the lack of information about them. Indeed, the very mystique surrounding the investigations have allowed them to be more readily narrated to fit into the victimhood nationalism that in turn is supporting the government of Somaliland and the call for international recognition. The collective trauma that is being called upon in association with the forensic investigation may not lead to international recognition by itself, though it does reflect a politically useful tool in unifying the population for nationalistic purposes.

NECROGOVERNMENTALITY, CLANS, & CLASS

“In 1988, the SNM took members of my group, in a hidden way, because they believe that they were the supporters of the Siad Barre regime and that they were spies” Abdi told me. *“One day they collected 17 members of my relatives and still to this day, nobody knows where their remains are”* he continued. *“They were all killed, targeted because of their clan, their identity.”* The conversation stopped suddenly as the door flung open and a waiter brought our Somali tea on a plastic tray lined with a bright pink floral paper. The only audible sounds on the interview recording, taking place in a private room at a downtown Hargeisa hotel and restaurant, was the clinking of teaspoons and cups sliding around on their oversized ceramic saucers. We were quiet, the waiter was quiet. The clinking of the cups bounced off the ceramic tile floor and the tinted glass windows and door. Did the waiter notice that we stopped talking when he entered? Did he know that Abdi is not Isaaq? Did he know what we were discussing?

Abdi and all other interviewees had informed me that there was no conflict now, the clans were getting along in Somaliland. Although I still couldn’t shake the feeling that our conversation was unsafe. Not unsafe because anyone would be aggressive toward us or hurt us if they overheard it. But rather, the conversation would spark a flame from a fire that had been extinguished for decades. Perhaps I had a feeling that Isaaq members would find the account offensive or would claim the right to the trauma from the war. I had a similar feeling each time I interviewed a family member from the minority clans. Our conversations were always quiet, whispered even, and quickly halted if anyone approached or entered the room. These manners stood in sharp contrast to the conversations with Isaaq family members, most

of whom would smirk at my consent process, replying that they wouldn't mind if their stories and their names were known or even if I took their pictures. Most were eager to share their experiences and identities with me and the rest of the world.

After the waiter left, I asked Abdi about something he mentioned on the phone as we were organizing our meeting, that some of the minority clan members had wanted to register their lost loved ones with the WCIC in the 1990s, but that they were not allowed. *"Yes, the WCIC was not interested, they said that their mandate was only to collect information on the people who were killed by the regime, by the government only."* Hence, since Abdi's family was killed by the SNM, they were not under the WCIC "jurisdiction." *"They don't care about those other deaths"* Abdi continued *"even though the rebels themselves were massacring people, they were killing a lot of Ogaden refugees, minority clans, people who are living in different regions of Hargeisa - they killed a lot!"*

The majority of the information drawn upon for this research comes from interviews with Isaaq clan family members, and both Isaaq clan members and minority clan members would describe to me that the decedents in the mass graves in Hargeisa were Isaaq, primarily. It is not unknown that the government targeted the Isaaq clan members in Somaliland during the war: it was primarily the Isaaq clan that was being arbitrarily imprisoned, abused, and killed by the Siad Barre soldiers and secret services in the north. However, the government was targeting Somalis outside of Somaliland as well. Additionally, in retaliation to the government attacks in Somaliland, the SNM was targeting clans that were in support of the government. Minority clan members, and some Isaaq clan members explained to me that there are mass graves outside of Hargeisa that contain primarily non-Isaaq individuals. Though WCIC practitioners expressed an interest in exhuming mass graves outside of Hargeisa this was difficult without further funding and, as expressed by Abdi, minority clan members harbored doubts about their interest in exhuming non-Isaaq remains.

Abdi, a human rights advocate and NGO worker, believed that the reason for this disinterest could be traced back to the 1990s Somaliland reconciliation conferences. During these conferences it was established that there should be no animosity between the clans in Somaliland: the survivors should forgive each other and forget the injustices from the war (Hoehne, 2015; Hoehne & Bedoya Sánchez, 2020; Lewis, 2008). The Somaliland perpetrators of crimes during the war were thus granted an *"unconditional amnesty"* (Hoehne & Bedoya Sánchez, 2020, p. 25), which Hoehne and Bedoya Sánchez discuss as a form of local transitional justice measure. Several individuals brought up the conferences during our discussions, and some believed either forgiving or (more commonly) forgetting should still be respected to ensure that all clans continued to live in peace and harmony. Some, like Abdi, instead believed that the conferences were used as a shield to protect the government from investigating crimes committed by the SNM. He posited that only deaths attributable to the Somalia government could now be investigated, since the conferences had stipulated that no Somalilanders should be held accountable for their actions during the war. Other individuals who mentioned the conferences also believed that these "rulings" were legally binding and due to this, the government's hands were tied – they could not investigate Somalilanders' actions during the war even if they wanted to.

Only eight of the family members in my study were not of the Isaaq clan, thus further studies are needed to investigate non-Isaaq views on the investigations. The minority clan perspectives are important for a comprehensive analysis of the forensic investigations. However, since primarily Isaaq clan members are buried in the mass graves that have been exhumed so far, I primarily focused on Isaaq family members' views during fieldwork. Additionally, there was some overlap between the views amongst Isaaq families and those of minority clans. For example, three members of non-Isaaq clans were supportive of some

facets of human remains recovery operations. Out of the minority clan members who were less supportive of investigations, some, like Abdi, thought that the work should only be conducted if it included all dead and all injustices from the war. Since the WCIC has only focused on the Isaaq dead so far, he believed the investigations could be harmful and should not be conducted. While he did not find the investigations harmful at the time of our conversation, since he believed that few people knew about them, he anticipated that the investigations could be a cause of conflict in the community if more people were aware of them. His perspective on this was based on the aggression his community felt after graves were exposed in the 1990s.

Similar sentiments were to be found amongst the other minority clan members. One elderly man of the Samaroon clan believed that even if all graves were being investigated, it would still lead to hostility and should thus not be done. Similarly, a middle aged Samaroon man explained that it would be nice to find his dead family members, to know what happened to them if possible, and to get to rebury them in a known place. However, the investigations would also cause conflicts, he believed, and should only be done if the peace and stability of Somaliland could be safeguarded. Some non-Isaaq clan members were also in support of recognition, though most were in support of reuniting with Somalia. Few conclusions can be drawn from these data, unfortunately, since only eight interviewees were not Isaaq. Additionally, these individuals were identified through snowball sampling, and those with a particular set of views may have been in contact with individuals of similar views and therefore may not be considered representational of larger minority clan community viewpoints. However, it is still important to highlight these views since even just eight non-Isaaq clan members added a lot of contrast to the majority, Isaaq responses.

The topics of clans and clannism have been debated for decades in Somali studies. According to Besteman (1996), conflicts throughout Somalia in recent decades have wrongfully been blamed on ancient clan violence. She believes that the more recent conflicts are the result of Siad Barre's centralization of land and placing land in the hands of the elite. Additionally, these conflicts stem from an influx of foreign aid controlled by the elite along with the militarization of the Horn of Africa. According to Besteman (1996), kinship and clans have been held up as core features of Somali society, without taking into account the tensions and inequalities that have been tainting Somalia since the 1980s. Warlords and warring factions in Somalia have been organized along clan lines, but these affiliations have been continuously developed and reconfigured since Siad Barre's rule and its aftermath. Instead, Besteman believes that the ongoing conflicts in Somalia (specifically in the Jubba River Valley) stem from struggles related to class and race – rather than clan – and that clan affiliations have come as a result of the conflicts, they were not a reason for it. She finds that the Gosha people have been racialized within the pre-existing clan structure due to their stigmatized history as immigrants and former “slaves,” making race and class more important to regional conflicts than clan.

My research does not focus specifically on race or class issues, but some discernable differences were apparent between the more affluent and the “working class” or less affluent in Somaliland. Those who had strong feelings for or against the forensic investigations were typically more affluent: English-speaking individuals who held higher status jobs (such as in journalism, education, NGOs, or the business sector). There were more diverse responses to the investigations, recognition, and the risks of conflict among these individuals and more voiced concerns about these topics. The victimhood narrative, where the dead were equated with the trauma of the Isaaq population, was found primarily amongst the working-class Isaaq clan members: those who did not speak English, had little education (many were illiterate), and worked at the market, were housewives, farmers, or unemployed. The majority

of these individuals were struggling financially, something many would mention during the interview, occasionally while discussing how the investigations should come with funding for the war survivors. These less affluent individuals would typically know very little about the investigation, sometimes only what they had heard from friends and family or what they had seen on TV from the Egal era.

Thus, there are some differences in access to information about the investigations between classes, as well as some difference in the ability to question and “voice” their disagreement with the forensic investigation. Moreover, the less affluent Isaaq clan members would more readily defer to government authority. Few of the less affluent non-Isaaq clan members would defer to government, or to religious authority. Rather, the non-Isaaq were quicker to question and condemn the investigations (even if these sentiments were whispered). Some affluent Isaaq had exerted power over the forensic investigation, most notably businessman Cabdiasii Maxamed Ciid who personally encouraged and financed EPAF’s initial foray into the Somaliland post-conflict landscape. However, the investigations have been led by the WCIC, seemingly with little input from outside the organization, save for recommendations from the MoRA. The power to question the motivation behind or the trajectory of the investigations, or “voice” grievances about the work was almost exclusively found amongst the more elite Isaaq clan members. This may be due to a silencing around the mass graves from the side of the government, for the purpose of avoiding clan conflicts – i.e., the little information communities had received about the work.

Anthropological theories of power have been criticized for distilling individuals down to passive subjects who fall into either a powerful or non-powerful category, doomed to reproduce power relations. There can be power in resistance and in everyday acts that may appear more mundane at the onset, as the “powerful” communicate in closed circuits impenetrable to the “powerless” (Gledhill, 2009; Scott, 2008). When voicing issues with the investigations, the elite Isaaq are exerting their power in ways that the less affluent cannot or would not. In contrast, the less affluent were typically unaware of the forensic work, more prone to deferring to government or MoRA authority, and more supportive of recognition for Somaliland based on the hardship of the Isaaq under Siad Barre. Although the less affluent non-Isaaq also voiced their concerns, these appeared more subdued, perhaps due to the more adversarial nature of non-Isaaq stories of trauma from the war in Somaliland. Clan and class are connected to power over the forensic investigations in Somaliland, both in terms of voicing and silences surrounding the investigation and in who has been granted access to information regarding the forensic work.

CONCLUSION: THE POWER OF SILENCE

History is written by the winners, and there were no winners in Somaliland. The Isaaq-led SNM declared Somaliland an autonomous region, but with over 50,000 clansmen killed under Siad Barre rule, the Isaaq were not exactly victorious. With their property destroyed, assets confiscated, and having been forced from their country across the desert landscape to refugee settlements, few Somalilanders can claim to have “won” – Isaaq or non-Isaaq. The country seceded after Siad Barre was overthrown and factions fought over control in the south, but the secession is still being debated over 30 years after the war. The country has grappled with economic and political issues associated with their unrecognized status, while struggling to keep the peace after a time when the entire fabric of society was unraveled by civil war, atrocities, and displacement. The governments of Somaliland have been accused of supporting primarily Isaaq-centered policies, and individuals I spoke to accused the WCIC of ignoring non-Isaaq remains.

During my fieldwork, non-Isaaq clansmen tended to be less supportive of the forensic investigation, typically due to the fear of aggression from the Isaaq clan as wartime graves were being unearthed. However, while the rhetoric tended to circle back to the Isaaq versus non-Isaaq dichotomy, there were also class differences in opinions and viewpoints related to government policies and perceptions of the investigations. The majority of families I spoke to, Isaaq or otherwise, were still struggling to survive the effects of the war: physical injuries; loss of caretakers of elderly and young relatives; loss of income generating abilities and assets; and mental health issues from years of marginalization and attacks from the government during the Siad Barre regime (or attacks from the SNM, for the Siad Barre supporters). With such ongoing effects from the war, it is not surprising that the graves have strong symbolic capital in Somaliland, and that the government harbors anxieties about the graves and their investigation. However, the strategies pursued so far – to support investigations in theory but to limit the WCIC funding and to forego wide scale sensitization and outreach efforts – are affecting victimhood narratives and (collective) identity creations, and fuel tensions between clans and between different segments of society.

Scholars suggest that the government has pursued investigations into Siad Barre atrocities to appease the outraged families after human remains were unearthed by floods in 1997 (Hoehne & Bedoya Sánchez, 2020). However, the WCIC that was created under the government to investigate war crimes has only received limited funding and the forensic investigations that they help oversee have also been limited in funding and scope. During this study I found that the majority of families of the dead, especially less affluent families, have had little access to information about the exhumations and even less knowledge regarding the forensic practices. The lack of publicly shared information about the investigations has led survivor communities to create their own assumptions about the reasons for and possible outcomes of the investigations. For example, various families believed that the investigations were showing who has been killed through genocide and who has been killed for other reasons, that the investigations were showing how Somalia is the enemy, or that the investigations were showing the reasons why someone was killed. Others found the investigations traumatizing or believe that they have violated Islamic restrictions.

A unified victimhood narrative has emerged among the less affluent, non-elite Isaaq family members where the dead symbolize the genocide of the Isaaq and due to this collective trauma, the country deserves international recognition. According to Lerner (2019, 2020) victimhood nationalist narratives can emerge organically or be crafted by politically invested parties. Whether the narrative in Somaliland has emerged as a result of purposeful political strategies or not, the current shroud of vagueness surrounding the forensic investigation is serving to support the victimhood narrative and the community call for international recognition. Although it has been suggested that stakeholders are free to utilize and manipulate the “truth” that is being produced through the forensic investigations (Hoehne & Bedoya Sánchez, 2020, p. 35), I found that the truth about the remains are forming little part in the conversations. Rather, as explored in this chapter, the narratives that are being reimagined focus on the stories surrounding the killings, they do not focus on the remains or the information gleaned from them during the forensic work. Some individuals have been privy to the information around the investigations, including the few families that know where their loved ones were buried; more affluent Isaaq members of society; and those who protested investigations because they believed the practitioners were stealing the bones. Few other individuals know the scope, goal, or practices involved. Thus, whether premeditated or not, the details regarding the investigations remain unknown to the majority of the population, despite the fact that most Somalilanders lost someone during the war – as many people pointed out to me during my time in-country.

The power surrounding the investigations is kept within the realm of necropolitics or necropower in the sense that, without further sensitization about the forensic work, the graves are still testaments and reminders of the violence of the Siad Barre regime. For those who are allowed into the inner circles of the forensic work, the power affiliated with the graves transforms to exist within the space of necrogovernmentality. For those who have participated in the investigation or been “convinced” of the “usefulness” of the investigations (such as families that arrived at the site to protest the human remains recoveries, but later became participants in the work) the graves have been transformed and now reflect the power of institutions associated with Somaliland regimes. Where previously the graves echoed the power of Siad Barre, inhabitants are able to engage with the remains as “free subjects” once the remains are unearthed and reburied. However, the engagement with the dead is still controlled by the government, as exhumations regulate the possible field of action and rhetoric to be associated with the remains (Rojas-Perez, 2017, p. 17). Nevertheless, the vast majority of inhabitants are not allowed into this space and the graves remain shrouded along with the information surrounding them. It may behoove the government to keep the graves in the space of necropower, as testaments to the destructive power of Somalia, though the government has initiated and supported the forensic investigation - in a “silent” or shrouded way. Perhaps it could be argued that this shrouding of the forensic work is helping to stifle clan conflicts that may arise from investigations into Siad Barre era atrocities, conflicts that both Isaaq and non-Isaaq clan members alluded to during fieldwork. However, I posit that the shrouding is adding to the government’s political capital as many Isaaq family members are recapitulating the narrative that Somalia committed a genocide in Somaliland and thus the region deserves recognition – a narrative that seems supported by the lack of information around the forensic investigations.

Despite these “benefits,” it is not clear from this study if the shroud surrounding the forensic investigation has been intentionally created and maintained by the government. The vagueness of the investigative work is, however, leading to misconceptions and (as for chief Hussein) unmet expectations. Some of these issues may be overcome if the WCIC and the government incorporated a CBPR/PAR, or CBPAR framework where families and community members are allowed to participate in the work and even be part of formulating the questions to be asked prior to forensic investigation. Although few family members know where their loved ones are buried and cannot know without large-scale identification efforts, there can still be community outreach efforts to sensitize the population and share information regarding the dead and family sentiments. These shortcomings may be due to the limited capital available to the government and the population in general, something that interlocutors also suggested was due to Somaliland’s unrecognized state and thus the lack of international support and funding. Other individuals suggested that community outreach could be done without wider financial support from the government or the international community and that it was a question of will. Hoehne and Bedoya Sánchez (2020, p. 30) argue that any effort to target human rights violations from the war will lead to a politicized narrative that follows clan allegiances or other national subdivisions. By incorporating families into the work and engaging in wider outreach efforts to manage expectations and discuss the possibilities and shortcomings of the work, such obstacles may be overcome – or at a minimum they can be laid bare and potentially mitigated. The majority of people engaged in this research supported forensic investigation for one or more reason, these individuals deserve to be informed of not only how the remains are being investigated, but also what forensic investigations entail – including all shortcomings.

According to Verdery (1999) human remains are symbolically endowed during times of societal reconfiguration, thus the important questions to ask include who is calling upon

the legitimating power of the remains and what they are attempting to legitimize. The remains in Somaliland may be symbolically powerful for the purpose of supporting international recognition, especially if the atrocities can be considered a genocide against the Isaaq clan. Several facets of the Siad Barre violence fits with the legal definition of genocide (the intent to destroy a group), particularly the Somali memorandum to “*liquidate the Isaaq problem*” (Ahmed, 1999; Bradbury, 2008, p. 60; Jones, 2010). However, human remains are not necessary to support this ruling, in fact the graves are not themselves indicative of genocide or even who was killed by whom – especially not without further investigation into identifying the exhumed. The remains can still be important for many other reasons, as pointed out by individuals I spoke to, such as to find the dead; to bury them properly; to have a known grave site; and to inform the historical record, amongst other things. The way that the investigations have been conducted have only supported some of these desires, and few family members, survivors, and community members are able to take part in the work. The human remains are instead existing within a complex nested power structure where some are trusted with the information and “truth” associated with the graves and the remains, while others remain within the silent space where the investigations are shrouded, and the information kept under wraps.

Although this shrouding is contributing to brewing clan tensions while fueling political narratives that may support the government in different ways, it is not clear from this study if any of these processes were crafted by government affiliates or even if this political capital is being harnessed. Nonetheless, the government currently seems to be benefitting from their minimal investment in the investigations and the lack of community-wide sensitizations. The air of mystery that is surrounding the investigations allows space for family members to make up their own minds about the goal, trajectory, and constraints associated with the work, often to the government’s benefit. However, as has recently been stated as the goal of “forensic human rights anthropology”: the families of the dead need to lead, arbitrate, and be the ultimate authority on what happens to the remains of their loved ones – something that has yet to be seen in Somaliland.

CHAPTER SIX - JUSTICE & MEMORY

JUSTICE & THE REMAINS

This chapter focuses on a research theme that emerged early during my time in Somaliland in 2019: justice. Additionally, justice was not only a central and formative concern amongst family members of the dead as well as practitioners, but justice also appeared lodged within the realm of memory, perhaps due to the time since the conflict, taking place primarily in the 1980s. Family members would often emphasize both injustices and lack of accountability, though there were also some inherent tensions involved in discussing justice, including fears of retraumatization and geopolitical entanglements. For these reasons, discussions on justice would often transition to focusing on the need to remember the atrocities to teach the younger generation, to inform the world of the atrocities, and to inform history. Hence my two primary research questions within this theme asks:

Is justice and accountability important to families of the dead? And,

Is memory and remembering important to families of the dead?

Although the first section focuses on justice and the second focuses on memory, I consider the two themes interrelated, even more so than either is to issues of necropolitics or mortuary practices. Hence these topics were combined for the purpose of my ecological model.

Justice and accountability were not originally part of my research focus when I entered the field in 2019. However, it soon became clear as I discussed the war and the mass graves with family members that the dead do not simply exist as emblems of loss or bodies that need to be found and reburied. Questions of reburial and mourning could not be detached from the abuse, marginalization, and injustices committed under the Siad Barre regime. Justice was intrinsically linked to all questions I was asking, and I felt prone to foregrounding the topic after my first few discussions with family members. Although I was aware of the importance of justice post-conflict prior to fieldwork, I soon learned that justice and the injustices of the war were more central topics of the mass graves than I had previously anticipated. Some family members would brush off questions about human remains and forensic practices and move straight to discussing the crimes that were committed under Siad Barre – but not all interviews followed this pattern. Others would focus on the human remains while concurrently raising issues of injustice, inhumanity, and culpability.

In response, I began shifting my questions to incorporate justice and accountability early on in my interview protocol. I treated justice as a fundamental concern regarding the human remains and mass graves, one that could not be sidelined in favor of my initial questions. However, since this was not an original focus of my research, I approached justice as a topic that needed to be addressed as part of the discussion on human remains and the forensic investigation, rather than treating justice as a feature in and of itself. “The meaning of justice” to the families of the dead; whether legal proceedings could be pursued in Somaliland; and who is responsible for committing what form of crime during the war are all questions beyond the scope of this research. While human remains recovery is an important part of transitional justice processes, my research does not cover wider legal efforts or reconciliation work that has taken place in Somaliland in the past or may take place in the future.

Here I will account for family views on justice only as related to the remains of their dead loved ones. For this purpose, I inquired about who they believed was responsible for the deaths and what should happen to the perpetrators (if anything), as well as their thoughts on legally related processes such as formal trials and truth-telling. This approach builds on

Robins (2011) work in Nepal, where he analyzed victim families' views on transitional justice measures. By focusing on the relatives of those who were forcefully disappeared during the early 2000s Maoist insurgency, Robins seeks grassroots' perspectives on transitional justice processes. During this work it was found that family responses centered around three issues: "truth" about whether the disappeared were dead or alive; receiving economic support for income lost due to the disappearances; and seeing the perpetrators held accountable.

In similarity to Robins (2011), I discussed these topics with the Somaliland families and, when applicable, probed further on how justice should be pursued; who should be held accountable for the deaths; and what transitional justice measures should be pursued, such as reparations and truth and reconciliation commissions. As such, this research does not account for potential future legal processes. Rather, I aim to disentangle the ways in which the dead are embodying injustices, while touching on what future transitional justice processes should include according to the families of the dead. This has been a central focus of the ongoing research project in Acholiland, Uganda of which I have been a team member since 2017. Although while the Somaliland case involves gauging family responses to the ongoing forensic work, in Uganda we have gauged what forensic investigations may entail were they to become more widely performed (Hepner et al., 2018). My research also builds on Robins (2011) and Gready and Robins (2014) work, which focuses on bottom-up approaches and "transformative" rather than "transitional" justice. However, I will primarily refer to "transitional justice" when discussing features that have traditionally formed part of post-conflict rebuilding and reconciliation to date since this is the commonly referenced framework.

As explored in the previous chapter, the remains of the dead are connected to Somaliland's political status and necropower processes in intricate, though muted ways. In addition, several of the Isaaq families I spoke to identified the need to hold accountable those responsible for the deaths of their family members. Several interlocutors extended this argument to lend support for international recognition by way of legal processes. Others believed that accountability was a goal in itself – a more significant goal than the autonomy of Somaliland. However, few thought that accountability could ever be achieved considering the time that had passed since the war and the unrecognized status of Somaliland. Interviews also exposed tensions related to the Somaliland-Somalia relationship. For example, some family members believed that pursuing legal processes might lead the international community to encourage Somaliland reunion with Somalia, which the Isaaq inhabitants were not interested in pursuing. Generally, the Isaaq individuals I spoke to were more supportive of international recognition and had no interest in reuniting with Somalia – a country that many still considered "the enemy." Several non-Isaaq individuals were also worried about tensions that could arise with legal processes, since they felt targeted whenever grievances from the war were being discussed in their communities.

In the following section I discuss the views of family members, as well as some practitioners, on justice and transitional justice processes related to the dead in Somaliland. I employed a victim-centered approach, partly since according to Gready and Robins (2014) and Robins (2011) affected family and community views on reconciliation are key in post-conflict transitional and transformative justice work. I also employed this approach to treat the mass graves and the human remains as focal points that anchor wider post-conflict debates, such as who is responsible for crimes; if there is a need for truth-telling practices to discuss grievances and wrongdoings; or how atrocities and war should be remembered and memorialized. As was seen in Uganda, the dead are related to political, legal, and psychosocial ripple-effects from the conflicts that produced the graves (Hepner et al., 2018;

Kim & Hepner, 2019). Therefore, the results presented here reflect views on the remains that go beyond the forensic practices, touching on concerns that may appear only tangentially related to the graves but remain anchored to the dead.

Justice & Evidence

Omar threw his head back and laughed. My collaborator and assistant Hussein joined in, though his laugh was more hesitant. The jovial mood made me chuckle too, and I asked what they were laughing at. We were at the WCIC downtown offices. Half an hour earlier, 58-year-old Omar had come over from his job with the local police force to speak to us about his brother who died during the war. I had just asked Omar about his thoughts on justice and accountability. Omar and Hussein had conversed and laughed a few times during the interview at this point, so I did not think much of this tickled response to my question. However, I had a sense something was amiss when I noticed a trace of intensity, perhaps fear, in Hussein's eyes as he turned to me to translate Omar's response. *"He thinks that justice and courts are important to others,"* he explained, *"though he got his revenge, his justice. 'The group who killed my brother, they were killed by my hand,' he says."* Omar was the only one out of the individuals I engaged with who said he had "gotten his justice." As he again put it later during our discussion: *"There is not anything any court could do for me; I already had my revenge."*

To most other family members, there was a lack of accountability, which they wanted to rectify. Some believed that the perpetrators would get their comeuppance in the afterlife as they were judged by Allah. Similarly, Hoehne and Bedoya Sánchez (2020, p. 34) found that many Somalilanders had made their peace with the past, typically following Islamic guidance to leave judgement to Allah and to be forgiving. Similar perspectives arose amongst a few of the family members I engaged with, although none had explicitly made their peace with the past. Several of these family members believed that even though Allah is the ultimate arbitrator, the perpetrators should not be forgiven or remain unpunished.

Scholars have suggested that transitional justice mechanisms for Somali contexts should build on Shari'a principles, including *qisās* (settling of affairs), and *xeer* (Somali customary law) and potentially an emphasis on forgiveness found in these institutions (Abdulkadir & Ackley, 2014; Hoehne & Abdullahi, 2021; Jeng, 2014). An emphasis on forgiveness was not necessarily supported during my research, as few family members believed that forgiveness or amnesty should be granted to the guilty parties. Neither did family members emphasize *xeer*, though several pointed to Islamic criminal law principles for the purpose of holding perpetrators accountable. However, as portrayed by the interview with Omar, family viewpoints will depend on personal experiences – Omar's experience being one of the most extreme. One part of Omar's account was echoed by others: a common opinion amongst families was that the perpetrators should receive the death penalty.

A number of family members were asked what justice for the killings would mean to them. Responses ranged from punishment and compensation, to exposing what happened and for the public to know that the perpetrators are criminals. Some family members believed that the very purpose of forensic investigation was "justice" for crimes committed, specifically punitive measures and holding perpetrators accountable. As explained by Fatima, a 60-year-old clothing shop owner: *"I heard that those human rights activists are to exhume the graves and the victims will get their justice as the perpetrators will be put on trial."* Not all family members were under the impression that forensic investigation would lead to legal proceedings or to some form of justice, though many wished it would. To further tease out family member views on the connection between the investigations and legal processes, I

inquired about their interest in evidence collection from the remains to support legal proceedings. During this line of questioning, my collaborators and I clarified that collecting evidence from the remains may not actually lend support for trials, and that legal proceedings may not even take place. Nonetheless, I felt it was important to understand family members' views on and knowledge of evidence collection from human remains in order to understand how the dead fit into wider post-conflict debates in Somaliland.

Some family members seemed to be unfamiliar with the concept of evidence collection from the dead, so we had to first discuss what type of information could be gleaned from the skeletons (Kim et al., 2022). Others were more familiar with this concept and were quick to point out that they did not find exhumations and reburials important unless there were also analyses to look at what happened to the dead, whether it was for evidence collection for legal purposes or simply to know what happened to a loved one. Both family members familiar with forensic analyses and those who were not, tended to see a connection between the exhumations, evidence collection, legal processes, and justice. Many interlocutors believed that the responsible colonels and officers were “living their lives” in Somalia, Europe, or America and that this was unfair since it should be known that they committed horrible crimes, something that could be achieved through the forensic work. As such, these family members did not necessarily believe that the forensic investigation could or should lead to a formal legal process but that some form of justice could still be achieved by announcing the perpetrators' culpability.

There were other views on justice that were further removed from legal processes and evidence collection: some family members equated justice with a formal separation from Somalia through international recognition; that the current peace in Somaliland was all the justice that they needed; or that justice would mean financial reparations to help with the loss of breadwinners, livelihoods, or covering children's education. Table 6.1 shows a selection of interview excerpts on the topic of justice and evidence collection related to the dead that illustrate some of the nuanced views on these topics. Keyse's perspective, presented in table 6.1, was one of the more extreme: *“I believe that the only justice is to be separated from those who did us to this, this kind of genocide to us, so we have to be separated, two separate countries. That would be justice to all Somaliland.”* He believed that recognition was more important than any legal proceeding or transitional justice measure. To Keyse, recognition would supersede any attempts at holding perpetrators accountable. Other family members were adamant that while recognition was a significant goal, the perpetrators needed to be put on trial for what they did and that if evidence could be collected from the remains it should lend support to the legal proceedings. Some also pointed out that it was important to collect evidence even if there were no legal proceedings – it needed to be known what happened to their relatives.

Out of 74 family members, 63 (85%) were highly supportive of a legal process to target the perpetrators while the other 11 individuals were either ambivalent or non-supportive. Eight of the 11 did not believe that there should be a legal process mainly because they thought it could lead to tensions between the clans. Four minority clan members were of this opinion. Similarly, some minority clan members mentioned that they had an interest in seeing their loved one's killer held accountable, but that they would rather leave it in the past since trials would lead to more conflicts. Several Isaaq and minority clan members believed that there was no point in pursuing the criminals since the war occurred so long ago and many of them have since died. Others discussed that too much time had been wasted worrying about the past when the need is to focus on the present and the future – such as the 78-year-old man quoted above. The majority of family members who found accountability

Table 6.1 Selection of views on justice

Interlocutor	Views on Justice
48-year-old market saleswoman	<i>“It is important that information from the remains are collected and used in a trial if possible. This evidence also leads those who believe in reunification with Somalia to know that cannot happen again, since many people were killed without any reason. Families lost everything from that war, none of them were safe.”</i>
41-year-old unemployed teacher and businessman	<i>“Everyone who did these crimes must be put on trial, that is the only thing that gives relief, nothing else.”</i>
60-year-old market saleswoman	<i>“If it is available a court would be good, I don’t know these international laws, but I wish trials could happen one day.”</i> When asked specifically about evidence collection from human remains, she answered that: <i>“We can’t do anything about that, the government has the responsibility, it is their responsibility to decide - we cannot do anything about that. But I personally, I would not accept it since I won’t get back my husband, it doesn’t make any sense. If they find him, will he be alive again?!”</i>
50-year-old housewife	<i>“It will be good to us if those criminals could be put on trial and be punished for what they have done to us, that would be better for us if it happened, but I do not believe that will happen - we don’t have ability to do that, but we wish, inshallah.”</i>
87-year-old market saleswoman	<i>“Most of the Isaaq are victims and they want to bring the perpetrators to court and get their justice back since they faced this terrible genocide. I was not even able to forget what happened during that time, it always flash back.”</i>
78-year-old unemployed former government employee	<i>“We don’t know anyone of those criminals now, most of them they are passed away. Now, we are just to live, we are not going to search and look for those criminals, we just leave them, and we are now willing to just live a good life in Somaliland. We didn’t make ourselves busy for that issue, we only focus on our pride, our future, Somaliland’s future. Now everything is finished. We don’t know who we can put in prison or put on trial. If they established an international court I would support it, but I am not ready to take part. I am old now; I need to focus on my own businesses. I don’t want to lose more time on past issues, I only focus on my future and my present life instead of past events. I am old now - I have little time to live. We lost 30 years; it is impossible to lose another 30 years.”</i>
Keyse – 61-year-old security guard and former SNM fighter	<i>“I believe that the only justice is to be separated from those who did us to this, this kind of genocide to us, so we have to be separated, two separate countries. That would be justice to all Somaliland.”</i>

important were also supportive of forensic investigation for the purpose of collecting evidence for a trial. During our discussions, we would begin by going over family knowledge of the investigations and the forensic procedures, as well as the purpose of an analysis. Since few family members knew the details about forensic analyses and what human remains could reveal (or not), we typically spent time on the basics of forensic anthropology. I would inquire about their knowledge on the subject and answer any of their questions (See Kim et al., 2022). I would also inquire whether this information should be used as evidence, if that became a possibility, as well as whether family members found it important to learn all available information about the dead.

Many found it important to know all details about a loved one's death and their remains, while others believed it would be too traumatizing to learn this information or found it redundant since it would not bring the dead back. Some individuals felt that analyses were important for the sake of evidence collection though it was not important to share this information with family members as it could be scarring. For example, family members who had witnessed the deaths of their loved ones were typically uninterested in scientifically corroborating their stories – they already knew what happened – though they believed evidence collection could still be important. Yet others did not see a point in forensically analyzing the dead unless the perpetrator responsible for the killing in that specific case was known and could be held accountable. One of the family members who pointed this out was himself a former SNM fighter, which may explain his view on the topic. Some individuals I engaged with suggested that SNM rebels were uninterested in legal processes since they may also be held accountable for crimes committed during the war.

According to 39-year-old salesman Ibrahim, there needs to be trials to hold perpetrators accountable and evidence should be collected so that the trials are as fair as possible. Ibrahim met me and Hussein at the WCIC offices one early morning in August. A staff member brought us a bright pink plastic container full of Somali tea as we got acquainted and each picked out an office chair – there were more chairs than desks in the small, concrete office. Few of the chairs had retained their cushioning or a full set of wheels, and they tended to topple to the side when you leaned back. The doors and windows were all open and flies and mosquitoes buzzed in and out of the small room as we pulled our chairs around the space to find the most comfortable set-up for the ensuing conversation. While we would have preferred to close the room off to ensure Ibrahim's account remained anonymous, the lighting was too poor in the old 1960s building where the WCIC offices were housed so doors and windows had to remain open. Instead, the staff from the rooms next to ours vacated their offices and went to have a tea break in the courtyard, leaving Ibrahim to speak privately.

Ibrahim explained that although he was very young in the 1980s, he could still vividly remember what the soldiers did to his father. His family had a small farm in Sheikh, outside of Berbera on the coast, and one day when he was young child – less than 10 years old – his father was resting next to their field when two soldiers came up to him and kicked him awake. He later learned that the soldiers were from Mogadishu and that they had recently transferred to Sheikh. The soldiers started questioning Ibrahim's father, who continuously explained to them that he was just a farmer tending to his land. The soldiers dragged him away from the field into a nearby valley. They forced the man to sit down and ordered him to stay seated – he was not allowed to move unless they gave him permission. Then the two soldiers walked a few steps away, both aimed their guns at the man and shot him. Ibrahim witnessed the whole event: *"I was just seeing, I was young, I just cried, I shouted, I just... I started hitting them! They grabbed me with their hands and picked me up because I was very young. I remember the blood of my dad, his shouting and how he was dying. My dad was just*

bleeding... Dead... And they were laughing, they were happy, feeling happy!" At that time, the soldiers went back to the family home and searched for any other men. They found Ibrahim's grandfather and they killed him in the same way.

Ibrahim told us that no one had ever asked him before how his father died and who killed him. He believed that there were many other families who have never shared their stories of what happened to them, but that all of them should be interviewed so that it could be known what these soldiers did. Perhaps that way the perpetrators could be held accountable, and all these people could get their justice. After discussing the forensic investigation, including what human remains may or may not reveal, we asked Ibrahim what justice would mean to him, to which he replied: *"Although I don't have the power to judge them, the only thing that would give justice is through international courts."* He continued: *"If the courts receive all the information on what happened here, I am confident that the courts would judge these people properly - that's the only thing that would make me happy."* I asked Ibrahim if he thought that evidence from the graves – what they can see in the bones – should be used in the courtrooms, if possible. *"It could maybe help, it may not help"* Ibrahim responded, *"but it is better than to not give any information because although what I am saying is real, I do not want to accuse anyone who is innocent - everything that I have told you is 100% real but sometimes the truth is hidden"* he posited, *"but I believe one day this information will help us."*

Minority clan members were typically less interested in legal proceedings, and hence our discussions did not touch as much on their preferred legal forum or their views on forensic investigation for evidence collection. Those who were interested in trials did not believe any trial in Somaliland would treat their cases fairly and so they would rather leave it in the past. Additionally, a few minority clan members that I engaged with were interested in international recognition for Somaliland, though most were not. In fact, the only people who supported reunification with Somalia were from the minority clans. When Somaliland first self-declared independence there were several minority opinions against secession and some of these views have persisted (Hoehne, 2015). Likewise, several of the minority clan members I engaged with were not interested in legal proceedings or other processes that may support Somaliland secession and independence.

I primarily account for Isaaq clan family views since they comprise the majority of my interlocutors and arguably the majority of family members of the dead in Somaliland. The few interviews I conducted with minority clan family members show some of the differences in opinions on matters related to the dead, though I do not claim to account for all such views or to target opinions from all non-Isaaq clans. It is therefore important to emphasize that the information in this section is predominantly Isaaq derived: matters related to the "perpetrators" or "crimes" mostly involve Siad Barre forces and other government affiliates who engaged in arbitrary violence and killings. Only when indicated does a "perpetrator" or a "crime" refer to an SNM rebel or another person engaged in violence against government supporters and other non-Isaaq civilians. This does not mean that non-Isaaq individuals did not experience arbitrary violence and killings in their communities nor that the SNM and other non-governmental groups did not commit crimes.

Trials & Accountability

Legal processes to hold perpetrators accountable for the deaths of loved ones were a primary focus amongst family members, for this reason they were also asked who they believed were responsible for the deaths of their loved one. They were also asked if the perpetrators should be held accountable in their view, and if so, how they should be held

accountable, following actor-oriented methodologies employed by Gready and Robins (2014) and Robins (2011). This approach was also pursued to assess the hypothesis that transitional justice mechanisms in Somali communities should be based on Shari'a and *xeer*, with an emphasis on restorative justice and forgiveness as has previously been suggested (Abdulkadir & Ackley, 2014; Hoehne & Abdullahi, 2021; Hoehne & Bedoya Sánchez, 2020; Jeng, 2014). As family members in Somaliland defined justice, only soldiers forced to carry out orders should be "forgiven" and not held accountable, all others – army commanders and colonels – should be punished according to the law, preferably Shari'a based law.

Somaliland has three interrelated legal systems: Somali customary law, state or formal law, and Islamic law (Hoehne & Abdullahi, 2021, p. 10). The three systems are interrelated, and as defined to me by a commissioner from the Ministry of Justice – families can seek justice and council from whichever of the three institutions they prefer. However, he also indicated to me that there is some complexity in this system and some inherent flaws, partly because few legal scholars are trained in all three systems. Though I will not attempt to define how state law versus Shari'a based law or *xeer* functions in Somaliland, some family members indicated that they would prefer to see the perpetrators from the war tried in an Islamic law court.

As discussed by Hussin (2021) and Hallaq (2009), colonization and the incorporation of state law in many Islamic communities would come to alter the fluid and contextual nature of Shari'a. In states that recognize Shari'a as a basis for criminal law, laws based on the Qur'an are assumed to be equivalent to laws of the state, or as defined by Hussin (2021, p. 4):

"The demand for Islam is therefore very often expressed as a demand for state interventions, through law; contention over the place of Islam in the state is based on an assumption that it is the law of the state that will define contain and deliver Islam."

In Hussin's study of Islamic law in Malaysia, she has found that when called upon, Islamic law can refer to the presumed black and white, state infused Shari'a, or the gray zones between state law and Shari'a based law, but it can also refer to the more culturally applicable Islamic law of the society as passed down in the family and community.

Here, I do not attempt to analyze Shari'a in the community and in Islamic criminal law in Somaliland, nor how Islamic law and state law intersect and permeate one another. Rather, during conversations with family members of the dead, I inquired about legal action for those who emphasized the need for formal legal justice. During these conversations family members would typically state that the Somaliland Islamic criminal law-based courts would offer the most appropriate punishments, though considering Somaliland's unrecognized status – they would prefer to see perpetrators tried in international courts that could "get the perpetrators." The possibility of applying Somaliland Shari'a based law in an international trial, or in a criminal tribunal is beyond the scope of this research. However, as explored here, this is typically what family members emphasized: their support for international legal action, and punishment based on Islamic criminal law as recognized in Somaliland.

The topics of justice and accountability were introduced early during fieldwork, though due to the flexible nature of the semi-structured interview protocol, not all conversations remained within the realm of law and justice. The topics were only briefly touched upon during certain interviews, while other conversations continued deep down the rabbit hole of what should happen, what could happen, what constitutes justice, and who should be held accountable and why.

About 40 out of 74 family members (or ~54%) homed in on accountability and were hence asked specifically who they thought should be held accountable for the deaths of their loved one. These discussions tended to circle around whether the person firing the gun, or other weapon used for execution, was the ultimate perpetrator, or whether they were simply foot soldiers who had to carry out orders given to them by higher members of the army, such as officers and commanders. Out of the 40, 26 believed that only those giving orders to execute were to be held accountable. The 26 family members would typically reason that the soldiers were made to carry out orders and had no choice and were thus not accountable for the deaths. This differs from communities in Nepal where a majority believed the direct perpetrators were responsible, and a minority emphasized the accountability of those giving orders. Though the Nepal communities did also generally favor trials against members of the higher echelons of the army and political structure (Robins, 2011, p. 90).

Family member Canab, a 39-year-old housewife, had the following to say about those who killed her father, an innocent man on his way into town to get provisions for his family: *"I would like to see those higher members of the army put on trial since the soldiers are ordered from the higher members. The lower members, they say to them - go and kill the Isaaq!"* Canab explained *"so the higher members are responsible."* She continued: *"sometimes they may come to a city and shoot whoever they meet and those who gave the order they were not Isaaq, they were from the other clans, Somali clans."* Canab recounted how the soldiers would ask if anyone knew the person who was dead, but you could not admit if you were since then the soldiers might kill you as well. *"If you say that I know this person you would also be killed"* she described *"if they say - you know this person? You have to say no, no, even if the dead body is your mother, you have to say no in order to survive."*

Out of the 40 individuals who homed in on accountability, 14 believed that all who took part in executions during the war should be held accountable for their actions. Additionally, one family member explained that the airmen who bombed Hargeisa in 1988 needed to be held accountable for him and his family to get their justice, since the pilots were responsible for his family's deaths and losses. Some specified that those who only carried out orders should be given a lesser punishment, though all were culpable if they took part in the killings and should be judged according to the law. To 60-year-old housewife Safiya for example, all who took part in "the genocide" should be put on trial. The Siad Barre forces killed several of her family members including cousins, nephews, nieces, uncles, and her own 9-month-old son. It was in 1982 that her baby was killed by the soldiers, while she was holding him in her arms. The Siad Barre forces had entered their home and forced her and everyone in the house to permanently vacate the property, simply for being Isaaq. Safiya showed us a scar on her arm, a mark from an injury she sustained as the soldiers hit her with a pistol while forcing them out of their home. She was one of several family members who did not discriminate between foot soldiers and commanders, instead she believed that: *"All of them took part in this genocide - the soldiers, the officers, so we need to take all of them, those who can be found, who are still alive, to a court one day, inshallah."*

Family members who emphasized the formal legal aspects of justice were also asked what type of courtroom should ideally be handling the cases if they ever were to be officially addressed. Most family members were familiar with the legal cases against Ali Samatar and Tukeh in the USA and mentioned these trials while discussing accountability. Individuals were generally favorable toward these trials and would support additional prosecutions against the Siad Barre commanders in the USA or elsewhere. A few family members pointed out that it was far to travel to America if they wanted to participate, so proceedings should take place nearer by – perhaps Ethiopia or Kenya, they proposed.

Unlike the communities in Nepal that Robins (2011) engaged with, the Somalilanders were more favorable toward international rather than domestic trials. While the Nepalese survivors were uninterested in international processes, the Somalilanders would prefer international trials for two main reasons: 1. They did not believe that the Somaliland legal structure was well enough established to deal with high profile cases, and 2. Since Somaliland is unrecognized, other countries would not be able to extradite and relocate any perpetrator to the territory for trial. This latter view seemed engrained amongst the communities, many repeating in a near identical way how they would not be able to “get the perpetrators” since they are in other countries, hence international legal processes would be preferable.

Some family members believed that they were incapable of pursuing legal proceedings from inside Somaliland, due to funding restrictions and little access to legal aid. For this reason, it was up to the diaspora communities in Europe and the USA to pursue the issues. One family member also pointed out that based on the agreements from Somaliland’s reconciliation conferences in the 1990s, it was not possible to engage in legal proceedings in the country so grievance would have to be dealt with internationally. Few were opposed to domestic trial alongside international processes, many indicating that they would be supportive of any court that could target the criminals. Several family members also mentioned that once Somaliland gets recognition perhaps domestic courts could do more to deal with grievances from the war, although this could take a long time and the perpetrators should be dealt with as soon as possible thus international trials were favorable.

Minority clan members typically highlighted international legal trials or leaving the injustices in the past. These family members were supportive of international trials since they did not believe their cases would be dealt with fairly within Somaliland as the perpetrators in their cases were part of the SNM rebel group. Alternatively, there should be no legal proceedings, they indicated, preferring to leave the grievances in the past for the sake of keeping the peace. Fadxiya, a 36-year-old medical professional of the Samaroon clan was one of the minority clan members not interested in legal proceedings. Though her uncle was killed, and her family had to flee their home and land, she did not believe there should be investigations into the dead or crimes committed during the war. Fadxiya, interviewed in her home, had the following to say about legal proceedings: *“what has already been done is in the past, it has gone away, is it is not important to look into now. There is no importance to talk about what has happened before”* she continued, *“trouble will be created if people start investigating what happened during that time.”*

The question of where and how the perpetrators should be tried, if at all, was raised in 60 interviews with family members, two of which did not provide a clear answer. Out of the remaining 58, only three would prefer a domestic court and were not interested in international criminal proceedings. The remaining 51 individuals (88%) were either supportive of international trials foremost or would simply like to see the perpetrators tried no matter the court. About half of the 51 individuals who preferred international trials would also be supportive of domestic proceedings but did not believe this would be possible for some time or until Somaliland had received international recognition. A few family members believed that the International Criminal Court (the ICC) or the Hague (the International Court of Justice or ICJ) would ideally handle these cases. However, some of the practitioners who were interviewed as experts on the forensic investigation or legal matters pointed out how the atrocities took place prior to the establishment of the ICC so the crimes were outside of the court’s jurisdiction. Additionally, one local legal practitioner pointed out that Somaliland cannot pursue human rights litigation since they are not recognized and cannot sign

international treaties. For this reason, they explained, international recognition could assist Somaliland in both investigating human rights violations and ensuring a more just society.

Most of the interviewed practitioners were supportive of international legal proceedings, typically in the form of international tribunals, and none believed domestic trials would be possible, maybe not even after international recognition had been obtained. Instead, the practitioners tended to emphasize the need for an international criminal tribunal for Somaliland and Somalia, since this would guarantee that the perpetrators would be forced to attend the hearings. However, practitioners also tended to point out that any such efforts may result in the international community either: 1. Supporting reunion with Somalia, or 2. Encouraging discussions and agreements between the two regions – something few believed the inhabitants of Somaliland were ready for. When asked about discussions with Somalia specifically, family members tended to emphasize that they were not interested in discussions, that Somalia was “the enemy,” or that the Somali government denies what happened under the Siad Barre regime so any legal proceedings would need to take place internationally, driven by other countries.

A couple of family members believed that the atrocities were committed by the government of Somalia and hence it was up to the current government of Somalia to rectify the wrongs committed and to officially apologize. Conversely, one practitioner believed that the government of Somalia should not be targeted since the government had changed since the Siad Barre regime; instead, individual perpetrators needed to be held accountable. During a conversation with Caasha, a 50-year-old market saleswoman at a downtown Hargeisa café and restaurant, she expressed hesitation to any attempts at holding the perpetrators from the war accountable since it might stir up disputes between Somaliland and Somalia. Caasha had the following to say about international legal proceedings: *“Since we are now two separate countries each has its own issues.”* She explained that to Somalilanders, Somalia is considered the enemy: *“we are enemies of that country Somalia and the people killed were millions.”* In her view, Somaliland had become peaceful and free since the wars, so they should all focus on the peace for now. *“No one can capture those criminals, so Allah is the only one who is able to target them”* she explained *“one day he will put a court of judgement for them.”* To Caasha, there were too many victims in Somaliland to be able to hold anyone accountable: *“People were killed massively - planes killed them, everything killed them, there are too many of them for there to be trials in the here and now so, only Allah can charge them.”* She concluded that: *“We are now two separate countries - we don’t interfere with them and we don’t want them to interfere with us.”*

Caasha pointed out several times that Somalia was the enemy, and that the most important thing is to remain separate countries even if that means there cannot be trials to target the perpetrators from the war. Several other family members similarly believed that international legal proceedings would lead the international community to encourage dialogue with Somalia, and that during such dialogue the international community would end up supporting Somalia rather than Somaliland since they are a stronger and internationally recognized country. However, other family members believed that Somaliland has been ready to cooperate, but that Somalia has not since they continue to deny what happened to the Somalilanders during the war. Nevertheless, as pointed out by one legal practitioner engaged in human rights law in Hargeisa, any legal proceeding targeting grievances from the war should include Somalia as well, since there are many victims amongst the southern communities who also deserve justice.

A couple of family members and practitioners believed that obstacles to international legal proceedings were due to the Somaliland government and their reluctance, rather than due to Somalia’s reluctance. One 49-year-old family member and journalist believed that

there was plenty the government could do but there was no political will, perhaps since several members of the current government of Somaliland were SNM fighters during the war and could themselves be held accountable if there were trials to target war crimes or other criminal acts. Similarly, one 65-year-old practitioner working for a local development focused NGO had a skeptical view on the government's interest in legal proceedings. He believed that what happened in Somaliland in the 1980s was a good justification for international recognition and that the government was attempting to harness this potential leverage. If there were legal proceedings or some form of truth telling, the information that would come out of it would be used by the government of Somaliland to distance themselves from Somalia. As he put it: *"They would use it to say, 'look what they have done to us,' that is why we have erected so many of the planes at the city center to maintain that kind of momentum here."*

He was referring to the monuments in downtown Hargeisa depicting the fighter jets that were used to attack the population during the bombing of Hargeisa in 1988. The monuments stand at the center of the city in what appears to be a testament to the communal trauma from the war, and perhaps as a reminder of what had once happened and needs to be avoided in the future. Several family members and practitioners would mention the monuments during our discussions, typically to emphasize how horrible it was that the government sent off planes from the very city which they proceeded to bomb. Many of these individuals also told me that what happened in Somaliland had never been seen before: *"nowhere else had a government set off planes from the same city they were aiming to destroy,"* they asserted.

Punishment: Shari'a, Amnesty, & Compensation

"There should be punishment, punishment, punishment"

- 37-year-old Market Saleswoman

A majority of Somalilanders were supportive of legal processes to target the perpetrators from the war and the atrocities committed against the Isaaq under Siad Barre. A few of the non-Isaaq family members were also interested in legal proceedings - if they were conducted outside of Somaliland and if they incorporated all perpetrators from both sides of the conflict. The majority of those who were emphasizing legal proceedings were asked how they would prefer to see the perpetrators reprimanded, to which replies ranged from apologies and compensation, to *"the hardest punishment possible"* and the death penalty. A majority of family members believed that the perpetrators should be given the death penalty or that they should be sentenced to the same fate as what they did to other people. While some did not identify how the latter punishment would play out, others were more specific and emphasized that the perpetrators committed murders hence they should also be killed.

To 70-year-old Ali, interviewed in a private room of a northern Hargeisa restaurant, only the death penalty was suitable for those who killed innocent people during the war: *"Most of victims and their families, mostly they are not alive, but those who did those crimes who are still alive, if it is available, they must be taken to court."* I asked Ali what he thinks their punishment should be, if they were held accountable, to which he responded: *"Death penalty! Since they killed many innocent people - it's countless, the people they killed, countless."* Ali had the following to say about justice, and what would bring him justice for the crimes committed during the war: *"the people, especially the victim families, they need to put one day those criminals on trial, and they must meet what exactly what they have done to the victims' loved ones. If they were killing people, they have to be killed - the death penalty"*

he continued, *“in order to give justice to all victim families.”* Ali explained that families have three choices: *“the family should be asked if they want the death penalty, if they want compensation, if they just forgive - it depends on the family - that is the Islamic way, Shari’a.”*

Similarly, 35-year-old Xasan also described how families have three options when their loved one has been murdered: *“in our religion there are three ways when a murder case happens - either the criminal should be killed, the death penalty, or the family has a choice to forgive the criminal, the murdered, and also the family can request compensation”*. *“So, it should be up to the family to decide what happens to the perpetrators from the war?”* I asked, to which he responded that yes – it depends on the families. However, as our conversation homed in on a legal process to target the perpetrators from the war specifically, Xasan explained that he believes the people in Somaliland will want the perpetrators punished and to receive compensation, showing how the three choices are not incompatible or mutually exclusive. Although he did not believe that the families would be happy to forgive the perpetrators.

Overall, I discussed the subject of a suitable punishment with 45 family members, 14 of whom believed that the death penalty was the only suitable punishment. An additional 16 family members believed that the perpetrators should have done to them that they have committed toward others. Ten individuals did not specify a sentence, but instead believed that the perpetrators should be judged according to the law and that they would accept whatever punishment the courts appointed. Another two individuals believed that the most important punishment is for perpetrators to know that they are criminals. One individual believed the perpetrators needed to go to prison and two individuals (including Xasan) believed it was up to the families to decide on the sentences, following Shari’a customs. Several family members also explained that they would be happy as long as the perpetrators received a very severe punishment, such as 60-year-old housewife Rooda. While discussing the appropriate place or courtroom for holding perpetrators accountable, she expressed her view that any court that would punish them *“very, very, very hard”* would be appropriate. *“I would prefer the international courts, especially those that punish them hard, in a hard way!”* she continued.

Conversely, some family members did not believe that the perpetrators deserved to die for their actions. Thirty-five-year-old teacher and human rights activist Ahmed was one of the people who was not interested in the death penalty, though he believed that it was important that it was known to the perpetrators and the rest of the world that they are criminals. Ahmed’s mother was killed while they were both fleeing Hargeisa with their family during the 1988 bombings. Despite Ahmed losing his mother when he was a mere toddler, he still believed that the perpetrators deserve to be treated fairly. According to Ahmed, they should be judged according to the law and taken to prison, that way the perpetrators will still be granted their rights. *“Prisoners have rights,”* he asserted.

Neither did 30-year-old lawyer Nimco hold that the death penalty was the most appropriate sentence for the higher-ups who commanded her father to be killed while she was a baby. *“I think the perpetrators should pay compensation and go to jail”* Nimco explained, *“I don’t want them to die - me personally, I don’t want them dead, but they have to face the justice, and to let them know that what they did was awful!”* I asked Nimco what would bring her and her family justice for the crimes committed during the war, to which she responded that: *“if they go to jail, that is enough, most importantly, those people have to know that they are guilty, that they did something bad to the people. So, instead of enjoying their families and you know like, having a good life,”* she continued, *“they need to be brought before a court, and see what they did, and feel it.”*

It has been suggested that actor-centered approaches to transitional justice in Somalia and Somaliland need to emphasize forgiveness and *xeer*. According to Abdulkadir and Ackley (2014) *fiqh* (Islamic jurisprudences), *qiṣāṣ* (settling of accounts), and *xeer* (Somali customary law) can offer mechanisms of transitional justice that together encourage forgiveness alongside *diya* (blood money compensation). Southern Somali individuals interviewed by Abdulkadir and Ackley (2014) believed that forgiveness is inherent to both Islam and Somali traditions, and thus Shari'a and *xeer* would be useful avenues for Somali transitional justice processes. *Xeer* is the Somali customary law system, which builds on and even mimics Islamic law in Somali societies. The customary law system is enforced by clan networks and community elders and is an important legal institution alongside Islamic based law, and the "formal" (state) legal system. As according to Jeng (2014, p. 67), *xeer* is:

"(...) often functioning in parallel with formal state organs. The xeer remains popular and its dispute settlement components are integral to Somali society. This has filtered into post-independence Somalia, where the resolution of conflict through lineage governance has emerged as an important part of the juridical culture."

Moreover, *qiṣāṣ*, which includes compensation and forgiveness mechanisms are also mimicked in *xeer*, and Abdulkadir and Ackley (2014) found that several Somalis believed that forgiveness was an important principle in Islam and *xeer*, one that could be leading for achieving peace and stability in Somalia. However, their interviewees also highlighted a need for acknowledgements of crimes committed alongside forgiveness. One individual stated how:

"We need forgiveness, but we also need to ask ourselves what is forgivable . . . some of the crimes committed may not be forgivable." (Abdulkadir & Ackley, 2014, p. 120)

Southern Somali community members interviewed by Hoehne and Abdullahi (2021) also believed that Somalis' violent past could be dealt with by forgiving and "moving on," after a certain level of redress.

Forgiveness has been a constituent feature of reconciliation as sought after times of conflict and hence a constituent feature of transitional justice. Moon (2004) traces this focus back to the South African Truth and Reconciliation Commission (TRC) and chair Desmond Tutu's emphasis on "forgiveness" for the purpose of both spiritual and political reconciliation. She, however, questions the role of forgiveness, as it may have been considered an inherent feature of South Africa's amnesty – pardoning perpetrators in exchange for truth – but amnesty can be granted without victims' forgiveness. Moon argues that forgiveness in the TRC context was built upon Christian theological understandings of "reconciliation" as mending a rupture in a previously amicable relationship – begging the question of whether perpetrators and victims had an amicable relationship prior to civil wars or atrocities. Forgiveness in her interpretation builds on a continuous "gift," or charity, one that has to be given freely by the victim who agrees to forgive a perpetrator, a gift that cannot fit within the state-defined contractual nature as employed in a legal context. To Moon (2004, p. 189), forgiveness then becomes retributive rather than restorative once contractualized. In this sense, the TRC's "forgiveness" appears more politically reconciliatory than spiritual or moral on the part of victim communities.

Kamali (2015) discusses amnesty and forgiveness in Islamic based law, while proposing a TRC for targeting recent conflicts in Afghanistan. He posits that *qiṣāṣ* can be settled through amnesty and forgiveness if the perpetrator repents, but only as far as the

punishment is settled by victims and victims' next of kin. However, if a *qiṣāṣ* offense is committed against "the public" in a modern state, the government or an Attorney General may represent the public's right. In such contexts, the case may depart from *fiqh* and hence not be forgivable by a family plaintiff. Some *hudūd* (crimes against Allah) crimes may in some contexts also be pardoned but only if repentance took place before the crime was reported to authorities (Kamali, 2015).

Forgiveness is encouraged in the Qur'an and *Sunna*, as the Prophet continuously chose forgiveness and kindness over retaliation. As according to Muhammad (2020, pp. 286-287):

"In Islam, forgiveness is consistently presented as part of human morality (akhlāq al-nās). Islam provides believers with the choice to forgive, encouraging forgiveness over revenge. It is a higher virtue to forgive even if the appropriate response to a crime would be an equivalent retaliation. According to the Qur'an, the believers 'when they are angry, they forgive' and that 'the rewards for forgiveness and restitution are given by Allah' (al-Shura, 42:40). The Qur'an, in al-Baqarah, verse 2, reminds believers that 'To speak a kind word and to forgive people's faults is better than charity followed by hurt.' Forgiveness of others allows people to seek forgiveness for their own wrong-doing in the afterlife and also improves relationships with people."

Muhammad (2020) believes restorative justice is more inherent to Islamic based law than "Western" law, for which restorative justice only emerged as a retributive justice alternative in the 1970s and 1980s.

Although I did not directly inquire about family views on forgiveness, generally few of the family members and practitioners who took part in my research discussed forgiveness or amnesty. Many pointed out that the soldiers were forced to carry out orders, so they do not need to be held accountable. However, family members generally emphasized the need to "punish" the commanders and colonels who gave the orders to execute their family members and bomb the city of Hargeisa and the fleeing population. The few who did discuss forgiveness tended to reference the reconciliation conferences of the 1990s and would mention that the clans are not seeking revenge and that families of perpetrators should not be punished or harmed.

Only one individual believed that the perpetrators from the war should be forgiven. However, a few other individuals discussed how forgiveness can be an important facet of the legal process alongside other sentences. For example, to 49-year-old farmer Mawliid whose father was executed by commander Tukeh, and later exhumed and reburied by EPAF, the fairest penalty would be that which the law dictates – be it punishment or forgiveness:

"We are happy with what the law says. If the law says that these people should give money then they should give money, if the law now said there should be forgiveness, then we should forgive, but it is prohibited to draw a gun on these people. We don't have to do the same to them. We don't have to search the relatives somewhere around, and kill their families, their mothers, their siblings. We don't want to do that, but if the law says they should give money, then they should. If the law says there should be forgiveness, we obey what the law says."

Similarly, the 78-year-old former government employee quoted earlier did not believe that another 30 years should be wasted looking into the past, to him it is more important to

forgive and to forget than to have revenge. However, these viewpoints were in the minority, it was much more common for family members to emphasize how difficult it would be to forgive someone who has killed your parent, child, brother, sister, spouse, or other relative. As pointed out by one 37-year-old woman whose brother was killed outside of Mogadishu, *“I know that there can be punishment or forgiveness, but here there should be punishment, punishment, punishment. These people did nothing wrong,”* she continued, *“yet they were killed, why should I forgive? The perpetrators should be punished.”* Additionally, while being asked what justice would look like to her, she responded that the perpetrators should be punished, and since they had been forced to watch as their loved one was killed, they should watch as the perpetrators are being punished – then she would be satisfied. Thus, despite amnesty being a central tenet of the intra-Somaliland reconciliation conferences in the 1990s (Hoehne & Bedoya Sánchez, 2020), it seemed that few family members were interested in amnesty or forgiveness for the southern Somali perpetrators who killed their loved ones, although several believed soldiers should be pardoned.

Respondents were continuously emphasizing that legal action to hold perpetrators accountable should be international, and preferably based on Shari’a or Islamic criminal laws for defining a sentence. However, *xeer* was rarely raised neither was it further discussed when prompted by me and my collaborators. Recent studies have found that several Somali communities outside of Somaliland also believe that Shari’a based criminal laws need to be incorporated when targeting grievances from the Siad Barre regime and the ensuing decades of civil unrest. According to Somalis interviewed by Hoehne and Abdullahi (2021), Shari’a is the best source of law for property conflicts and to establish individual accountability. Some men also expressed that *xeer* can aid in inter-group reconciliation, though it was not typically associated with “justice.” Their informants believed that there needed to be a robust state-administered judiciary in place to deal with the violent past.

Hoehne and Abdullahi (2021, pp. 41, 46) also found that Shari’a based law can help in skirting issues of clannism and clan allegiances and that informants found the Islamic criminal law courts less corrupt than the other legal institutions. As such it seems actor-centered solutions, if there were to be transitional justice mechanisms instated for Somalia and Somaliland, should ideally incorporate Shari’a based criminal law principles. However, as pointed out by Hoehne and Abdullahi, no transitional justice framework to date has included Shari’a alongside other bodies of law, so the Somali context would require novel discussions and accommodations, especially considering that Shari’a based criminal laws are incompatible with international legal standards in many ways (Hoehne & Abdullahi, 2021, p. 60).

During fieldwork, it became evident to me that justice was connected to the very essence of the remains of those who were killed under Siad Barre. It also appeared that many family members of the dead were primarily interested in Shari’a source of law for judgement. However, family members were also primarily interested in international legal proceedings, since they did not believe the legal institutions in Somaliland would be strong enough to bring the perpetrators to a hearing, let alone sentence them justly. In similarly to findings by Hoehne and Abdullahi (2021), some also emphasized the need for an international legislative body to “dominate the clan system,” since they did not believe justice could be achieved as long as clan allegiances overshadowed individual accountability.

In response to family member sentiments regarding justice and legal action, Warsame and I decided to pay a visit to one of the Islamic courts in November 2019. Perhaps influenced by Hollywood movies where courtrooms are elaborate and awe-striking halls, or by the elaborate décor and high archways of churches in my home country, I was expecting to see a cathedralesque courtroom adorned with opulent mahogany and chiseled marble when

we set out to visit the Sheikhs at the Islamic court. As it turned out, the court was a small office in a concrete building that opened straight into a back alley on a busy road in downtown Hargeisa. When we arrived in the late morning, the older men working at the court were gathered outside of the building, sitting on wooden stools and chairs on the sidewalk in the shade of a small tree that popped out of the concrete. It was unclear to me who was visiting the court, who was passing by, who worked there – or perhaps “advised for the court” would be a better description – and who was there for legal advice. Several older men were sitting on the chairs conversing as people were passing by or stood around the older men chatting to them.

I had my apprehensions prior to our visit since some local friends had suggested that as a foreigner and a woman the Sheikhs would not be interested in meeting with me, but Warsame had assured me that they were there for council. Their task is to give council and speak to those who are curious about Shari’a, Islamic based law, and Islam, they will be more than happy to talk to you, he assured me. Warsame was right. After introducing us and the project, the senior Sheikh who oversaw the court, a distinguished man in his late 60s wearing a traditional fez-like hat, promptly stood up from his seat and started slowly inching his way into the building to talk to us. It was often unclear to me if the older Somali men and women moved slow because of aches and pains, or because this distinguished movement pattern was second nature to the old and wise elders. Either way I always found that their slow movements exuded a certain nobleness and authority.

The men brought us three chairs to sit in as they made room for us in the middle of the office space. The office was rather small, no more than three meters wide and perhaps double that in length, and just like most offices in Hargeisa the room was bare. There was one large wooden desk in the middle of the room, several chairs along the walls – some with people sitting in them, perhaps waiting for council - and a thick layer of dust across the floor and furniture. As we sat down, I told the Sheikh a bit more about my research, to which he delightedly asked for our names and numbers so that we could stay in contact. The Sheikh told us that their role is to advise on matters such as marriage, divorce, inheritance, and assault and to judge the “Islamic ways” to go about dealing with those issues. The court collaborates with the “formal” legal system, or the statutory courts he explained, and he got up from his chair to rummage around in one of the drawers of the large wooden desk. He pulled out a plastic pocket with a paper inside it that had an official seal and stamp from the Ministry of Justice. The document explained in Somali that the court was an official Somaliland legal institution. People have a choice, the Sheikh explained, they can come here or to the other legal offices in Somaliland, not for homicide or murder, however, those cases have to go through the formal courts.

We then proceeded to talk about the Siad Barre regime and about grievances from the war. The Sheikh told us that those perpetrators from that time need to be held accountable in his view – at least the higher ups. The soldiers were only carrying out orders so they do not hold as much blame as the higher ups, additionally the lower ones would be hard to distinguish, but everyone knows who the commanders were. They need to be judged, he explained, and he would prefer to see them adjudicated before an Islamic court. Since they killed many innocent people the only adequate punishment for those perpetrators would be based on Shari’a legal principles. A different courtroom may sentence them to prison, but in prison they could eat and drink and live their lives, he posited, though they deserve the death penalty. At this point I asked if he was familiar with the trials against Ali Samatar and Tukeh that have been going on in the USA. He had heard of them, though he was not impressed with how long it has taken to sentence the commanders. Everyone knows what they did, they should have been penalized a long time ago, he explained.

We were soon sent on our way since people were waiting to speak to the Sheikh. Before we left, I asked him about the forensic investigation, and he responded that he had heard of it through the media. After spending some time discussing if and how the dead should be handled, analyzed, and reburied, he explained that the most important thing is that the facts from the investigation are accurate so that a judge can be properly informed. You need to have all details available before the trial, he stated.

During research in Nepal, Robins (2011) found that families emphasized the need for economic support to make up for the income that had been lost due to the disappearances. However, several family members were uncomfortable with assigning a monetary value to their loved ones' lives and instead referred to the economic support as "relief." Similarly, many families in Somaliland lamented their loss of incomes and livelihoods as a result of the killings under Siad Barre and the bombing and subsequent exodus from Hargeisa. Grandmothers had been forced to look after grandchildren from one or several of their children, despite old age. Women who had themselves been physically impaired by the war were forced to make a living to support their children as their husbands had been killed and they had been separated from their parents and other support networks. Due to these and many similar accounts including those in Acholiland, Uganda (Kim & Hepner, 2019), I was expecting families to emphasize the need for compensation as a form of redress and justice. However, few family members stressed the need for monetary reparations, and the few that did were confident that there was no compensation to be gained nor a defendant or institution to pay said compensation.

A total of 36 family members mentioned compensation or were asked if they were interested in compensation as a form of redress. Out of the 36, 15 were supportive of compensation to some degree and 18 were not interested in compensation. Three individuals stated that they would support compensation if the courts ruled in its favor. Many of those who were not supportive of compensation stated that they did not believe receiving compensation was a possibility. The Siad Barre government was long gone and many of the perpetrators have died so what was the point in hoping for compensation? Some also believed that compensation was not important in light of losing a loved one. *"Compared to a lost loved one, compensation is not important"* one woman professed. Many of those who were supportive of compensation also stated that they did not believe they would ever receive any such funds. A few individuals mentioned that compensation would be nice, but that more importantly, they would like Somaliland to be formally separated from Somalia and be internationally recognized. As expressed by 47-year-old market saleswoman Khadara: *"Compensation will not happen! Sometimes these days Somalia interferes with Somaliland - we need them to stay where they are!"* She continued: *"Now we are just waiting for our recognition to come, unification will not happen, it won't happen again."*

While some believed compensation was simply not a priority, others, like Khadara, believed that urging for compensation might contribute to Somalia's meddling in Somaliland affairs, hinting at the anxieties that many Somalilanders harbor about any discussions with Somalia. However, to others, recognition and compensation were not mutually exclusive, as according to 48-year-old market saleswoman Leila: *"Many people are victims in Somaliland, so, they need this kind of compensation if it is available. Most people lost their property, their houses, their everything, so, they need this kind of compensation,"* she theorized *"Somaliland also needs to get recognition from international countries also."* Several individuals believed that secession would be more valuable than monetary compensation, and one individual believed compensation was not important – the death penalty was more important. Additionally, one individual mentioned that there were "too many victims" for there to be financial reparations.

Only about a third of those who were supportive of compensation believed that it was the most important facet of justice for the crimes committed, some believing that alongside compensation the perpetrators should be prisoned, executed, or in other ways physically punished. The remaining two thirds were hesitant about compensation, similar to families in Nepal. These Somaliland families instead framed compensation as “financial help,” or support for education and other livelihood-sustaining assistance to make up for time and opportunities lost to the war. Per one 34-year-old writer and journalist: *“We do not want any compensation, but our families, like my mother, they suffer, she has had a hard time supporting my life, my education, how to get my basic life.”* He continued: *“there is not any support from the government, or from anyone else, but my mother deserves support to be able to look after her family.”* This man had lost his father while he was a toddler. His father had been a senior officer in the army, and under the Siad Barre regime the soldiers who were Isaaq were accused of being SNM supporters and many were captured and executed – his father included.

Out of those who were emphasizing compensation, some believed that the government of Somalia should renumerate the victims while others believed it was up to the individual perpetrators to pay compensation. One 42-year-old woman believed that it was the forensic practitioners and WCIC who had exhumed the graves who should be responsible for financially supporting the victims’ families. She was interviewed in the back of her clothing stall, and she several times indicated that those who showed them the graves and their loved ones’ remains should also assist the families who are struggling to make a living. She repeatedly mentioned how traumatized they had been by seeing the dead, and how: *“those international foreigners who take our information, they should also support our children and the youth.”*

All but two of the 36 individuals who discussed compensation with me were Isaaq. Out of the minority clan members, one was supportive of compensation for their losses, and the other, Mahamad, was not. Mahamad was a 42-year-old unemployed former agro-pastoralist and a member of the Samaroon clan. He had lost his livestock and crops due to droughts, and he was now struggling to support himself and his family. Several times during our conversation Mahamad mentioned how he and his generation were robbed of education and opportunities to be successful and to support themselves. According to Mahamad, forensic investigation could be useful in many respects, and he was interested in seeing his family members exhumed and reburied if possible. However, he was not interested in any legal process since he found it more important to focus on those who are alive and struggle to survive. I asked him if he would be interested in some kind of compensation for those who lost a loved one during the war, and this was his response:

“What happened was a big problem, and if you talk about compensation there could be more problems. Maybe if compensation is given by one side, a different group will also ask for compensation. It will be too much! Nobody can cover it, so it’s better to forget, as it is now. There are a lot of things that are more important. What happened was a big, big conflict, which causes a lot of death. If we now talk about investigations and compensation, it will create another trauma which will be bigger than before, especially if we focus on compensation. Everyone will want money, if you give to one part another part will fight. Even more people will die from this than died in the past.”

I asked Mahamad if he believed forensic investigation alone may also lead to renewed conflict, to which he responded:

“You know this kind of investigation itself it can be positive or negative. The positive side is that some people who lost their loved one will know where their person is, where the grave of their dead person is, and how and why they were killed, that would be nice. The negative side is that it can create sadness and hostility. So, whenever this kind of investigation is going on, it should be considered what the impact would be, and the emotion of the people also should be respected, because what happened was very big and there could be many more problems.”

Mahamad’s words of warning are perhaps also echoed, in silence, by the lack of emphasis on legal investigation amongst the non-Isaaq family members who I engaged with. Some of these family members believed that legal processes would only be useful as long as the judicial body was international, or at least non-domestic to Somaliland, since they did not believe their cases would be treated equal to that of an Isaaq clan-member. Some of the minority individuals I engaged with were so skeptical of the fairness of any judicial process to target violence from the war, that they would rather forego it all together. Like Mahamad, several believed it was more important to focus on the here and now and not worry about what happened 30 years ago, seeing as those processes may result in more conflict and more bloodshed. These viewpoints may be difficult to reconcile with those of most Isaaq clan members. The Isaaq family members were typically adamant that those giving orders to execute their loved ones needed to be held accountable, that they should be tried internationally though according to Shari’a principles, and that the death penalty would be the most suitable punishment.

REMEMBERING

“The digging is important for the sake of memory”

- 35-year-old Isaaq Lawyer and Human Rights Advocate

Memory and matters related to remembering the dead, conflict, and injustices are integral to post-conflict reconciliation processes. How history lessons should depict a war and victor, how the fallen should be memorialized, and how the land is reconfigured to reflect burials, battlegrounds, and reconciliatory spaces are central concerns as communities navigate their rebuilding and peacebuilding (Lesley, 2015; Stover & Weinstein, 2004). Here I argue that these memory-related processes can also be closely linked with issues of justice to communities that have not been able to officially or legally deal with injustices from a recent, or more distant, war. To survivor families in Somaliland, justice was typically raised as a chief concern when discussing the remains of their loved ones. Additionally, the topic of justice was continuously discussed within the realm of memory or history. Whether due to the time period of the conflict (the war taking place over 30 years ago); the difficulty of holding perpetrators accountable (many being quite old or deceased); or Somaliland’s liminal political position, justice was rarely discussed as an attainable or an exclusively legal concern. The intimate connection between justice and memory was exposed in many different ways, by equating forensic investigation with teaching the younger generations about the atrocities; discussing the right to hold perpetrators accountable alongside families’ perseverance and patience; and connecting injustices to the need for informing the historical record and the international community about the Somaliland case. For example, to 51-year-old Khadar, informing world history was the most important facet of the forensic investigation, a more chief concern than any other transitional justice measure.

Hussein and I met Khadar in a private room in northern Hargeisa. We had briefly met at the WCIC offices prior, though being a busy and social man, Khadar had too many things going on to sit down to chat with us straight away. Our meeting had been postponed many times – sometimes soon after we had sat down to chat. This time Khadar was ready and eager to discuss his experiences with the forensic investigations and his thoughts on future trajectories for dealing with the remains and related topics. Khadar had cleared his schedule and brought a stack of documents to show us. He flashed us his usual wide grin and began talking and laughing before he had even entered through the doorway. He was a former SNM fighter with personal experiences from the war, on top of having lost several extended family members to the Siad Barre forces. Khadar had also assisted with the forensic investigation in different capacities – he was a bit of an all-around handyman and problem solver and had assisted with moving soil and other hands-on tasks during the exhumations.

As he sat down in one of the white plastic chairs, he plopped his stacks of documents on the table. His binders included statements, correspondence, and other documents related to the war and the forensic investigation, as well as several x-rays showing shrapnel that had been lodged in his extremities. He quickly grabbed one of the images and held it up to the light as he began explaining the details of where in his hand the shrapnel was sitting, how it was obstructing his movement, and how he had been shot by the soldiers during fighting. His passionate and intense account suddenly stopped dead and he fell silent. He then promptly buried his face in the scarf he had hanging over his shoulders and began sobbing softly. Though he was mid-translation, Hussein also fell silent, as did I. I whispered to Hussein to ask if I should leave the room, to give Khadar some privacy. He looked at me with a worried expression on his face, he then glanced at the sobbing man. Khadar looked up, wiped his eyes, and indicated that he was ready to continue our conversation. After double and triple checking that he was in fact happy to keep conversing, our discussion resumed. Once again Khadar's big grin returned to his face, and his intense accounts returned with it. There were a few more times during our conversation that he had similar reactions – it almost appeared as if the very story he was telling was being told to himself for the first time and it was catching him off guard. Perhaps he had not retold his experiences out loud for some time, or perhaps his feelings from the war were stronger than he himself believed them to be.

Eventually our conversation proceeded to the topic of justice and accountability. Khadar then went on to explain his view on forensic investigation, and whether the perpetrators need to be held accountable:

“People finding out about what had happened, the world finding out about what happened is more than enough for me. If they can't find the perpetrators and put them up for trial or punish them, or, you know, sentence them, the world finding out is more than enough sentence. The younger generations finding out is more than enough sentence, it is history being recorded and put into a file and recognized for what had happened, recognized for what it was. Even if there is not any more help for those who have died, it is help for the ones who are living and their families. We are more than happy to see it being recorded, being figured out. Being put into record for the world to see, to know that what happened was an atrocity.”

Khadar's view was by no means out of the ordinary. Several family members believed that the world needs to know what happened and that the younger generations need to know what happened. These family members typically believed that ideally the perpetrators should be held accountable, though this would be difficult considering Somaliland's unrecognized state; the fact that Somalia is a stronger country that is denying

what happened; and the time that has passed since the war. Thus, informing the official narrative was an adequate substitute, many believed. However, Khadar was also in the minority, since he was one of few survivors I spoke to who had intimate knowledge of the forensic investigation and the exhumation process.

Here I will touch on family members' views on memory and remembrance. Since few family members had access to wider information about the investigation and the forensic practices, these views are likely more linked to the dead and the war more generally rather than linked to the exhumation process and the human remains. However, I will also account for ways in which the investigation may be serving to influence, or in the future transform, memory. The conversations I had with family members who were not knowledgeable about the forensic work would typically involve lengthy discussions about the investigations, where I would answer questions about the practices and provide more insight into forensic anthropology to those who were not as familiar (See Kim et al., 2022). This did not leave interviewees with a lot of time to ponder further implications of the forensic investigation and how locating and identifying remains, or analyzing trauma, might change their interaction with the dead or influence memory. Perhaps, had these individuals had more time to consider the implications of these practices, their views on memory and justice would have been different. Nonetheless, many of the uninitiated family members – those who had very little information about the forensic work – had similar views as Khadar. Additionally, nearly all family members, as well as the majority of practitioners, mentioned the importance of remembering and communicating to the world what happened under the Siad Barre regime, emphasizing how little the world knows about the Somaliland case.

Truth-Telling & The Historical Record

Truth-telling or establishing “truths” about violence during a conflict has been considered a pillar of transitional justice processes. As an alternative to traditional legal approaches, truth commissions or other mechanisms of restorative justice have offered a “third way” beyond the punishment versus amnesty divide (Chapman & Ball, 2001). By acknowledging crimes committed and allowing survivors an official forum for sharing abuses during conflicts, truth-telling and truth-seeking mechanisms have been suggested to contribute to healing, reconciliation, establishing the historical record, institutional reform, and supporting democracy. Truth seeking can also be a retributive justice mechanism as truth is established and perpetrators of the most egregious violations can be held accountable while low-level offenses can be pardoned (Chapman & Ball, 2001; Mendeloff, 2004; Millar, 2010).

There have been several different approaches to truth-telling as a feature of transitional justice, including the *gacaca* or people's courts of Rwanda and the Truth and Reconciliation Commissions (TRCs) of South Africa, Sierra Leone, and Guatemala to name a few (Brounéus, 2008; Chapman & Ball, 2001; Kelsall, 2005; Millar, 2010). While there are several debates over the efficacy of truth-telling, what feature of truth-telling is most important to pursue, what constitutes “truth,” and how truth-seeking mechanisms should be established (Brounéus, 2008; Kelsall, 2005; Mendeloff, 2004), these debates are beyond the scope of this dissertation. Instead, I have approached truth-telling as a feature of post-conflict efforts that includes survivor testimonies and open community discussions, which could go hand in hand with a forensic investigation or other transitional justice institutions – restorative or retributive.

I inquired about family members' views on such truth-telling to further understand survivors' interests in remembering, discussing, and sharing what happened to them and their loved ones who were killed during the war. I engaged in and at times initiated these

conversations for several reasons: 1. Similar to justice and accountability, memory was continuously brought up during fieldwork and hence I began incorporating discussion topics that touched on memory, truth, and the need to openly talk about what happened during the war; 2. The remains are closely connected to many other facets of conflict trauma and societal collapse, which family members were interested in finding ways to work through. Successful approaches to post-conflict rebuilding and reconciliation will unequivocally have to build on actor-centered approaches to transitional justice, which can be accomplished by allowing those affected by violence to define the mechanisms (legal and otherwise) that they are most interested in pursuing (Gready & Robins, 2014; Robins, 2011) – one such mechanism being truth-telling forums such as TRCs or *gacaca*-type forums; 3. Inquiring about truth-telling worked as a springboard for discussing the need for remembrance for the sake of reconciliation and justice, followed by more transcendental concerns related to memory, including personal healing, mourning, and identity.

Truth-telling as a mechanism of post-conflict transitional justice was discussed in 48 interviews. There was too much overlap between answers to give a clear breakdown of responses, though there were some general trends in views among the family members. The majority believed that it would be useful to have a forum for sharing what happened to victims during the war. About half believed that this would be a traumatizing experience though still a needed exercise. One market saleswoman did not believe truth-telling was important since it would be traumatizing and everyone already knows what happened, so what would be the point in talking more about it? Her husband had been captured and shot by the soldiers in 1988 and his remains had been exhumed and reburied under the WCIC. While she did not find discussions important, she did believe that the forensic investigation was important for informing the history of the country and in teaching the younger generations about the war. Similarly, several individuals believed that truth-telling was important primarily for informing the historical narrative of the country (one individual specifically mentioning school history curricula); to teach the younger generations who were not alive at the time; and to inform the rest of the world about the war and the atrocities.

Two individuals also believed that getting at the truth of what happened under Siad Barre was important in itself, one of whom was Abdi, a Gabooye clan member and NGO worker. According to Abdi, it was culturally inappropriate to talk about what happened during the war, but there were several injustices that had not been dealt with or discussed openly. One Isaaq human rights lawyer also pointed out how community members would often emphasize the need to forget the past, but if you dig a little deeper, many are angry and would prefer to have their experiences known and pursue justice if they could. Another two individuals also emphasized the need for legal processes, indicating that truth-telling would not be enough unless the perpetrators were also held accountable. For example, 65-year-old Fardus, a disabled and unemployed woman who was shot in her legs and held captive during the war had the following to say about truth-telling: *“Truth-telling would be good, but it won’t be enough for the ones that were truly victimized by the Siad Barre soldiers.”* She continued: *“They lost more than just health and body, they lost their souls in that war, and just a resolution or a forum for talking would not be enough justice for these people because they were just innocent citizens that did not deserve what had happened to them.”*

An additional three family members believed that what happened during the wars should not be discussed openly or was better left for Allah to judge. One of the three individuals did believe that the stories were important for the historical record, though it was also important to forget. Another believed that discussions in Somaliland were not important – the important thing is for Somalia to acknowledge what happened. The tensions between Somaliland and Somalia were also brought up in response to the term “truth and

reconciliation commission.” Some family members would emphasize that truth-telling would be good, but that they were not interested in a TRC like that in South Africa, since they were not looking for reconciliation with Somalia. For this reason, one practitioner, a Sheikh and local community involved SNM veteran, believed that a truth-panel or an institution mimicking the South African TRC would be useful in Somaliland, but that perhaps it should be called a “truth and forgiveness commission.” However, considering that the majority of family members I engaged with were not interested in forgiveness either, this would likely not be an ideal name either.

One individual discussed how there had already been reconciliation through the Somaliland conferences in the 1990s and as such, they were not allowed to talk openly about what happened during the war even if they wanted to. One man, a driver in his mid-forties, had the following to say on the topic: *“It is possible for people to come together and talk about what happened, it is important to keep remembering what happened. People already talk about the war, but nowadays not as much,”* he continued *“it was previously more talked about, when things were new, but nowadays they don’t talk. Still, there are people who are originally from South Somalia who lived here, and no one has taken revenge on them and hurt them, they live here peacefully, since they were also innocent - they were not soldiers, they were not anything,”* he explained *“we only want those who were responsible for the killings to be held accountable, they are criminals.”*

There appeared to be several tensions around the topics of truth, open discussions, and memory amongst the families of the dead. Though many believed it was important to remember and discuss what happened during the war, it could also be traumatizing. According to some family members, the truth-telling would not be important unless it also led to punishment. To others, engaging in more truth-telling was taboo or culturally inappropriate, partly due to the pact of silence that was agreed upon during the 1990s Somaliland reconciliation conferences (Hoehne, 2015; Hoehne & Bedoya Sánchez, 2020; Lewis, 2008). As according to the above interview excerpt, there were also fears among Isaaq and non-Isaaq families that truth-telling would lead to adverse consequences – like violence against Somaliland minority clans and renewed conflict.

According to Brants and Klep (2013) truth commissions and international criminal courts are history-making institutions, though while the latter (and to some extent also the former) establishes authoritative truths and “master narratives” the former allows more nuanced historical records as the reality can be publicly discussed and contested. The space that truth commissions or other truth-telling platforms can provide offers a forum where communities can engage with the memory of a conflict or atrocity in an open-ended and reciprocal fashion (Brants & Klep, 2013). Perhaps in similarity, with a more open and family-led forensic investigation in Somaliland, the human remains recovery process could contribute to such public discourse - provided that the investigations were less muted and top-down in implementation.

During recent investigations into killings under the Franco regime in Spain, the human remains recovery operations offered an avenue for recovering memories of the dead and state abuses. After Franco’s death Spain transitioned to a democratically elected government through a collective “pact of forgetting.” Under this pact, also characterized as a “pact of silence” or “pact of amnesia,” atrocities committed under the former regime were “forgotten” and actively quieted in attempts to make a *“clean break from the past”* and avoid civil uprising (Renshaw, 2016, p. 31). Somaliland also instated a “pact of silence” in the wake of the Siad Barre regime atrocities during the 1990s reconciliation conferences. Similar to the Spanish context, this pact sought to stifle the conflicts that had arisen between clans as the country was finding its footing after the self-declared independence. Under this pact,

Somalilanders were urged to avoid discussing grievances from the war and all perpetrators in the country were granted amnesty (Hoehne, 2015; Hoehne & Bedoya Sánchez, 2020; Lewis, 2008).

Some of the family members I engaged with did discuss both how injustices from the war had been targeted during the Somaliland conferences and that no Somalilander could be held accountable since all were granted amnesty. Some also pointed out how it was not good to discuss the graves or what happened during the war, since during the conferences they had agreed to leave it in the past. Others believe that beneath the enduring silence lies an anger due to the unresolved trauma from the war. However, the vast majority were both adamant that there needed to be formal legal processes to target injustices from the war and that truth-telling forums would be helpful. About a quarter of the family members also believed that it was important to support memory-preserving processes, such as informing the historical record, teaching the younger generations, and showing the international community what happened in Somaliland.

The majority of those who were interested in truth-telling forums, however, often indicated that this would be a traumatizing experience, some saying that it would be useful for others, but that they personally would not be able to attend since they are “too emotional” (typically stated by older females). While some of the discussions I had with family members arrived at the topic of truth-telling via discussing justice, to others, the investigations themselves were important because of their direct connection to informing the historical record or teaching the young. For this reason, perhaps the investigations could provide a platform for community-wide debates over the memory and history surrounding the war – a public and dynamic space for contesting and re-forming the memory, in similarity to TRCs, as defined by Brants and Klep (2013). Much like how opening of mass graves in Guatemala, Greece, and Spain have contributed to breaking a historic silence and initiating memory-telling and history-recreation, so could the Somaliland investigations assist in carving out public space for discussions – discussions which can continue to be contested due to the flexible nature of public discourse, if the investigations were conducted in a community-driven and inclusive format (Brants & Klep, 2013; Renshaw, 2016; Sanford, 2003; Stefatos & Kovras, 2015).

Postmemory

There are several parallels between the Somaliland and the Spanish (post-Franco) human remains recovery operations: both are challenging a pact of silence, both are being conducted under a new regime that has not conducted wide-scale transitional justice processes to deal with past atrocities, and both have been conducted several decades since the killings took place. However, while the Spanish government-supported killings took place primarily in the first half of the 1900s (Renshaw, 2016), the Somaliland killings primarily took place in the 1980s.

Additionally, the Spanish government transitioned to a new regime, while Somaliland seceded (in practice) from greater Somalia. As such, Somaliland has not had to grapple to the same extent with victims living alongside perpetrators as seen in Spain, or in the aftermath of the 1990s conflicts in former Yugoslavia, Rwanda, and many Latin American countries (Renshaw, 2016; Stover & Weinstein, 2004). Nonetheless, there are similar victim/perpetrators divides within Somaliland. The Isaaq families are pointing to abuses committed by the Somalia government and have seemingly been able to do so outspokenly – perhaps since their communities are larger and more populous, hence you can be “outspoken” but still speak within your own community. The minority clans seem more forced to remain

silent, perhaps since their loved ones were typically killed by Isaaq clan members and/or SNM rebels who later went on to form the Somaliland government. As such, the Somaliland case is similar to the Spanish, where according to Renshaw (2016, p. 73) the pact of silence was often referred to as not speaking “in the streets” as opposed to speaking “in the home.” Collective identities can continue to be reinforced as silences endure between communities but not within communities. This was emphasized by some of the people I spoke to, many of whom indicating that public debate or a truth-telling forum had not taken place since the war (or at least not since the conferences) but that the survivors talk about their experiences all the time. *“How could you not when you went through something so horrible?”* they would ask me - *“you always remember.”*

To Renshaw (2016), the Spanish investigations have been assisting in breaking the pact of silence. However, since few family members remain who have personal memories from the Franco-regime atrocities, the discourse exists within the realm of postmemory. The concept of postmemory of traumatic events was originally examined by Hirsch (1996, 2008) to capture the way that newer generations identify with their grandparents’ or great-grandparents trauma from the Holocaust. Within this paradigm, individuals who were not alive during a traumatic event can still carry a collective consciousness, sparked by stories, images, and videos. In similarity, Renshaw (2016) observed an engagement with the dead in Spain that was sustained by the wives and mothers of those who died. The older generations were perpetuating the memory of those who were executed to their children or grandchildren who were not yet born at the time of the traumatic event. Rather than having physical or sensory (first-hand) memories, the majority of relatives who were engaging with the remains were doing so within the realm of postmemory. However, as the remains were being unearthed and identified, they were transforming memory for those who had no, or few, memories of the dead, offering a material link to the past – both through artifacts found on the dead, and the remains themselves. The graves that Renshaw engaged with were created in the first half of the 1900s primarily, hence only few surviving family members have sensory memories of the dead. These survivors were children when they last saw their fathers or other relatives so they have had to translate their memories into those of an adult (Renshaw, 2016, p. 126).

The remains in Somaliland also appear connected to postmemory for those who were not yet born during the war and the atrocities. However, since the Somaliland case harks back only a few decades, there are also many survivors who were adults or young adults who have vivid sensory, first-hand memories of the dead and the traumatic events. Additionally, in similarity to the Spanish context, several of the family members I engaged with were very young when their loved one was killed, some being children or toddlers in the 1980s. As such, postmemory or sensory memory does not encapsulate all forms of memory that are connected to the war dead, nor the remembrance that lies somewhere between the two. Hence, for figurative purposes, I would like to discuss the memory of the dead in Somaliland as falling within the realm of postmemory for some, while for others the memory is more transitional or sensory. As such the categories used in forensic anthropology to define the temporality of physical trauma may help illustrate the differences between the generations, i.e., by adding “antememory” and “perimemory” as rhetorical categories alongside that of postmemory.

Trauma observed in skeletal remains during an anthropological analysis are defined as postmortem, perimortem, or antemortem. Postmortem changes are taphonomic in character or constitute changes that happened after the time of death, including animal scavenging, recovery damage, and weathering amongst other effects. An antemortem trauma or defect occurred while the person was alive and shows sign of healing as the bone was in the process

of remodeling the defect when the person died. A perimortem defect or trauma happened around the time of death before the bone was able to begin the healing process. Postmortem defects exhibit differences from perimortem trauma due to the loss of moisture and soft tissue as remains decompose. The point at which remains become dry and lose enough soft tissue to exhibit postmortem characteristics can be an extended period after death making the perimortem versus postmortem differences difficult to distinguish in recently deceased individuals (Kimmerle & Baraybar, 2008, pp. 55-61).

I would like to apply these categories to the postmemory paradigm to discuss differences between those who were alive during the war and those who were not, in contrast to those who were very young. Within this framework, sensory or first-hand memories for those who were adults or juveniles during the war would be considered as having antememory. Those who were a few years old would be defined as having perimemory, and those who were not yet born or were infants having postmemory.

I only formally interviewed two individuals who were not yet born and a couple who were infants during the war. However, my assistants, friends, and casual acquaintances who I spent time with while in Somaliland were around 30 years old or younger, i.e., born during or after the war. Thus, I had many conversations about the remains, the atrocities, and the war with young individuals. There seemed to be a consensus among the younger generations, that they had heard many things about the war and about their dead relatives – though the mass grave exhumations were opening their eyes to the horrors of the Siad Barre regime. Commonly they would tell me that they had heard about the war but that it is not talked about that much, though seeing the remains, or as in the case of my collaborators, talking to victims' families, gives a deeper understanding of the war. Some also expressed a newfound emotional connection to the war through the remains. For example, 30-year-old lawyer Nimco was a baby when her father was killed, and though she had heard her mother speak of him, the prospect of exhuming his remains had a big emotional impact on her. Following is a short account of my meeting with Nimco at a coffee shop in Jigjiga-yar, northern Hargeisa.

Nimco twiddled her coffee cup on the glass table in front of her. The cup made a clinking noise as the ceramic based twisted around in the saucer, the cappuccino content nearly touching the rim as the cup twirled around. *"I don't remember anything from this time,"* she told me, referring to the Siad Barre atrocities and the death of her father. Her eyes darted between the cup and looking straight into my eyes as she continued - *"Despite the little time that me and my mom discuss this... We don't often talk about it."* She got quiet for a moment. We had just spent some time talking about the forensic investigation, which she had first heard about the week prior.

Nimco had heard about my research through mutual friends and the first time I met her she told me about the death of her father, and that as a lawyer she was very interested in the exhumations. *"No one has ever asked me about my father's remains before,"* she told me. *"When you asked me if I would like to find them, I was like 'oh my god!' That hit me."* As I began apologizing to her and suggesting that we talk about something else, she stopped me. *"No! No, no, no, it is good to talk about this, so at least we get the relief,"* she explained. To Nimco, it would give some relief to her and to her mother if they would talk about this more. Up until now, whenever her mother mentioned her father, she would cry. *"I tell her, mom! It was 30 years ago, why are you crying?"* Nimco laughed nervously. Perhaps some relief could come from talking about this more, she explained, or from seeing her father's remains. Her gaze darted to the saucer again as she softly explained that *"Since I never met my father, I would like to see his bones."*

There are many parallels between the investigations in Somaliland and the Spanish human remains recovery operations. As portrayed by Nimco, many families do not discuss

the dead or the atrocities, based perhaps on the pact of silence (Hoehne & Abdullahi, 2021; Hoehne & Bedoya Sánchez, 2020). However, the materiality of the graves adds a tangible dimension to the (post)memories of the traumatic war experiences. As such, the mass graves are contributing to postmemory as the topics surrounding them are being voiced when remains are exposed in the community, shown on TV, Facebook, or Twitter, or when academics (myself included) or journalists ask family members about the remains. Young individuals are informed about a conflict they know little about as a result of the investigations, transforming the silence around the mass graves into spoken history and postmemory. Even the most hesitant family members who did not support human remains recovery operations would typically express the importance of teaching the young about the atrocities and what happened to the communities under Siad Barre. During fieldwork it appeared that even the topic of mass grave exhumations sparked debates, remembering, and emotional connections – whether during a formal interview process or a casual conversation about my research.

The majority of the family members that I interacted with were alive during the war and had first-hand memories as they were adults or teenagers at the time. Those who were children during the war typically had some memories, but would indicate that their recollections were hazy, or that they remembered some parts of the events more vividly than others. These family members included Ahmed who lost his mother at a couple of years of age as he was fleeing across the bush to Ethiopia, and Ibrahim whose father was shot in front of him when he was less than 10 years old. As discussed by Renshaw (2016, p. 126), these memories constitute a form of combination of postmemory and sensory memory, or what I would like to call perimemory, in that some recollections were vague and informed by family members and others, while some were clear and sensory.

Perimemory is thus transitional, and in similarity to perimortem trauma, there is a fluid and non-distinct boundary between that which constituted “peri” and “post.” Additionally, the memories of a child can look different from those of an adult:

“It is also important to reflect on the particular sensory memory of a child, as it is of a different order from that of an adult. The physical scale of one’s environment; the novelty of new stimuli; a different comprehension of events and repertoire of emotional responses; a different prioritisation in what is observed and retained: these are all considerations when interpreting childhood memories. The investigative process in my field sites repeatedly demanded that the elderly relatives of the dead translate their childhood memories into the adult realm. I suspect that for some of these informants, the attempt at verbal description was incommensurate with, and even destructive of, the particular kind of memory they had of their father, like smoke being dispersed.” (Renshaw, 2016, pp. 126-127)

Adding to this dimension of childhood memories are also the likely formative experiences of fleeing for your life at age two or running up to the perpetrators who took your father’s life and beating them with you own hands at age eight. For this very reason, I would like to characterize the memories of those who were children during the war as within a different realm than those who were adults, despite both being forms of physical, firsthand memories. However, the majority of family members that I engaged with who had firsthand memories were adults or young adults during the war. To separate this sensory memory from “perimemory,” these would be characterized as “antememory” (essentially adding a temporal characterization to “sensory memory”). Defining these memories as “antememory” does not indicate that the individual has healed in some way – as is the indicative feature of

antemortem physical trauma. It was typically more common for individuals who were in their 60s, 70s, or 80s to be more interested in leaving the atrocities in the past. I would not define this as signs of “healing” necessarily, on the contrary, these individuals often seemed more interested in blocking out the war experiences rather than engaging in transitional justice activities aimed at reconciling, mourning, or healing. Family members over 60 were the least interested in forensic investigations, recovering the dead, and remembering the past. Or as expressed by one 78-year-old man *“We lost 30 years, it is impossible to lose another 30.”*

Human remains recovery operations in Spain had several transformative effects: the memory of executed loved ones and of the Franco-regime violence was reinserted amongst younger generations; there was a shift in the use of photographs and other mementos that transmit memory in the home; and the pact of silence was overcome allowing for mourning in the streets and in the home. Since the investigations in Somaliland have not yet included the majority of survivor families, nor the wider Somaliland communities, it is not at this point clear how the work is affecting or transforming memory. As discussed in the previous chapter, there is a collective consciousness that is growing around the topic of mass graves and the trauma from the war. While postmemory has been connected to a collective identity built on a shared traumatic past (Hirsch, 2008; Hirschberger, 2018), the collective identity in Somaliland is so far devoid of the materiality of the investigation. It would only be by observing further forensic investigation where families are included in, and ideally leading, the work that analyses of memory transformation could take place.

The families pinpointed memory as an important aspect of the human remains recovery operations: to inform the historical record; to remember the atrocities; for truth-telling; and for informing the world about the Somaliland case. Hypothetical topics surrounding the dead are sparking strong sentiments among the family members in Somaliland even in the absence of the remains, associated artifacts, and the physical mass graves. It appears as if those who have postmemory, or perimemory from the atrocities are more adamant about further discussions and investigations into the past than those with adult sensory memory, or antememory. This suggests that exhumations serve to inform and perhaps transform the memory of those who were killed under Siad Barre, though whether that transformation will look different between the categories of memory, or temporality explored here has yet to be seen.

TRAUMA & PATIENCE

Throughout all discussions with family members about the dead, whenever our conversation touched on remembering, there was often a hesitation. Some expressly mentioned the restriction on talking about the conflict since the reconciliation conferences in the 1990s, though this was not the norm. I attempted to pinpoint how many individuals believed that remembering was negative and better avoided but this proved a near impossible task. Except for a couple of people, such as the 78-year-old man who would rather not lose another 30 years to the conflict, most individuals did not make such a neat distinction between the benefits or drawbacks of remembering the conflict, the atrocities, and their dead loved ones. Rather, those who emphasized the negative aspects of discussing and remembering the past would also discuss the “relief” that may come from sharing ones’ experiences, or that despite the retraumatization that may come from reliving the past, it is important that history is accurately depicted.

Even the 78-year-old mentioned that talking about the conflict can be useful. Similarly, those who passionately discussed the need for remembering and/or the need for truth-telling would also touch on how traumatizing it will be and how negatively it can

impact the young who are less aware. The tension that existed between wanting to recover and nurture the memory of the dead and the violence, and the hesitation toward memory-prompting practices can be exemplified in the following excerpt from an interview with 60-year-old clothing shop owner Fatima, interviewed outside of her home:

“When people talk about this kind of issues like the wars and the genocide era, people will be traumatized a lot. They will immediately, automatically remember what happened during that time. A space for truth-talking in my opinion, is something important, but here, people are more traumatized when they hear such things. But if we try it will be possible to create this space, the older ones can create it. Since the younger people don’t even know what happened, so it will benefit them, the youngest.”

Family members would commonly go back and forth between the benefits and the drawbacks of discussing the conflict, informing history, the young, and the world, and simply remembering what happened. Typically, family members would say that you always remember, you cannot help but remember, but to some it would be too traumatizing to speak about this openly. To others it could provide relief to talk publicly, but they personally would not want to because they are “too emotional” (a common statement). Others would state that it will be very hard for people to speak about these things openly, but they must – for the sake of the young, the history, or the country.

According to Hoehne and Abdullahi (2021) there are conflicting emotions amongst survivors in Somalia toward remembering the past and the violence under the Siad Barre regime and beyond. They found that:

“Despite the initial support for some kind of transitional justice, in parallel, there were also conflicted feelings towards bringing up the past. When asked whether there was value in remembering the past, with few exceptions, most respondents argued that at an individual level, it would be better to forget and move on. Three reasons were mentioned: firstly, remembering causes emotional pain and may even (re)traumatise people. Secondly, reopening past events without a realistic opportunity to do something about these injustices may not be meaningful to some and may re-instantiate bitterness without any form of redress. Thirdly, according to Islamic provisions, it is good to forgive; therefore, forgiving and forgetting, in this way, is a means to do something both religiously correct and simultaneously something which enables a person to manage their own emotional trauma.” (Hoehne & Abdullahi, 2021, p. 35)

These anxieties were also evident amongst the family member that I engaged with, though in comparison to the survivors in Somalia, Somaliland inhabitants have the added weight of the “pact of silence” agreed upon during the reconciliation conferences of the 1990s (Hoehne, 2015; Hoehne & Bedoya Sánchez, 2020; Lewis, 2008).

During opening of mass graves in Spain there were fears that strong emotional and ideological responses would ensue as the pact of silence was being broken. As it was breaking the pact, the human remains recovery operations resurfaced traumatic memories, solicited strong emotions and reopened the risk for conflicts based on ideological divisions (Renshaw, 2016, p. 50). The anxieties around remembering, discussing, and dealing with the past in Somaliland seems to stem from similar features: there has been an “agreed upon” imposed silence surrounding the war and atrocities, and there are fears of retraumatization.

However, rather than emphasizing an “Islamic provision” to forgive and forget (Hoehne & Abdullahi, 2021 - though they do not elaborate on the details of these provisions), families tended to discuss the need to be patient and to a lesser extent to forget – the focus on forgiving was near non-existent. Additionally, though family members commonly doubted that there could be a formal justice process to target the crimes from the conflict, the majority were still interested in holding perpetrators accountable. Hence, unlike the informants that Hoehne and Abdullahi (2021) engaged with in Somalia, the Somaliland families did not emphasize how *“reopening past events without a realistic opportunity to do something about these injustices may not be meaningful to some and may re-instigate bitterness without any form of redress.”* Although this does resonate with the minority clan members that I engaged with.

A drawback of ethnographic research that aims to analyze silences, is that only those who are interested in speaking and to some degree breaking the pact, will engaged in the research firsthand. Renshaw (2016, p. 52) discussed this shortcoming to her work with families in Spain, and questions how the accounts would have differed if those who avoided the investigations had given their perspectives. Along the same vein, I aim to account for how forensic investigations, or subjects related to forensic investigations, are soliciting memories and social transformation – though in Somaliland several family members were unaware of the forensic work before interacting with me. Hence, I aim to study responses to a concept that I am simultaneously introducing. Additionally, there were individuals who declined taking part in my research since they did not want to bring back the memories from the war, resulting in similar analytical and ethical concerns in my work as Renshaw’s. One of the very first individuals I was going to interview, an older Isaaq man, was prepared to meet with me at the WCIC offices in July 2019 but decided in the morning the day of the interview that he did not want to relive the past.

Later, during fieldwork, I, and Warsame had another run-in with this dilemma; that is, a family member having to engage with the memory of the dead by talking to us, in order to make it known that they did not want to remember the very atrocities they were forced to discuss. Warsame and I were walking through the local vegetable market on a warm Sunday morning in September 2019. We commonly ventured to these places since several of the family members that we interacted with either worked at the market themselves or had referred friends or family that were working there. I usually took this opportunity to also buy my groceries for the week. As word travels fast, and as I stuck out like a sore thumb, the market salespeople (mostly women) would typically come up to ask why I was in Somaliland, and in response to hearing that I was a PhD student, what my research was about. The information would then spread like wildfire through the market or be so novel that many remembered who I was the next time I was passing by.

Though I attempted to be as culturally sensitive as possible and always wore a hijab and a long smock-like cabaya like many of the younger women in Somaliland, it seemed that my white face and hands signaled the presence of an outsider from many miles away. On this particular day, we were walking through the market to meet with a woman who had asked that we come speak to her behind her stall. Many of the women stared at us, some smiling and waving, others whispering to each other. The market was located in a large, mostly enclosed space, constructed from a wooden scaffolding, covered with tarps of different sorts, some bearing the United Nations High Commissioner for Refugees logo. The salespeople were covering all but a thin walkway across the paved ground below, some with tarps covered in vegetables, fruits, or grains, others with wooden tables and hanging scales. There was a constant sweet, pungent smell at the vegetable markets that I couldn’t quite place until I one day had accidentally let the tomatoes in my small apartment-hotel kitchen go bad. The

stalls continued out in all directions outside of the large, enclosed space and additional stalls spread out in the open air like an encircling suburban township of grocery-vendors.

After walking into the market to find our interviewee, a woman came up to tell us that she lost her husband and several cousins and uncles during the war. I reached for my notepad to ask her some quick questions, and to potentially get her information so that we could have a formal discussion under more anonymous circumstances. We had been speaking for about a minute when a woman approached us and began speaking in Somali to our group. Though the woman did not seem angry, there was an intensity in the ensuing conversation between her, Warsame, and the woman who had originally approached us. I tried getting in on the conversation, but Warsame was busy deliberating with the women and barely noticed my questions about what was going on.

The woman soon walked away and another couple of women joined us instead. Warsame explained to me that the woman believed we should not be talking about the conflict or the graves. It was very bad of us to discuss these things, she had said, and it was traumatizing for her to remember the dead. The women who had come up afterward were apologizing on her behalf, they told us to not worry and to continue with our work. They smiled and laughed softly and chatted with us for a while. The woman had apparently been upset because her entire family died during the conflict, they explained, that is why she feels that way. This was the most intense interaction during my entire fieldwork, none of the other interviews, discussions, or participant observations that I engaged in included such clear resistance to discussing or remembering the violence and the dead. Despite these being rare occurrences during my time in Somaliland, it is important to highlight the more outspoken feelings that some survivors harbor toward the mass graves and the forensic investigation. It made me see more clearly the anxieties around the mass graves, and why some would rather leave them in the past.

Very few of the family members specifically discussed the pact of silence during our conversations and only one individual mentioned them while we were discussing truth-telling and transitional justice. However, the pact of silence may have had more transcendental effects, as was seen in the Spanish case. Rather than an agreed upon stipulation, the provision to mute, forgive, or forget, can be instilled by shared agreement or by a cultural emphasis. As such, I expect that the pact of silence had gone further to influence the Somaliland inhabitants, beyond those who had personal experiences from the reconciliation conferences or who actively considered the conferences when discussing the war. Some of the anxieties that were surfacing during our discussions likely stem from a cultural restriction on publicly bringing up the past, even if friends, family, and within-community circuits have continuously talked about the dead.

There is also a difference between how the Isaaq family members discussed memory as opposed to the minority clan members. In similarity to the topic of justice, the minority clan members I engaged with would perhaps be interested in legal processes if all cases were treated equally. However, they did not trust that cases where the SNM committed a crime would be heard, for political reasons and because of the amnesty granted to all Somalilanders during the reconciliation conferences. For this reason, they were more adamant that the past should be left in the past. As expressed by 36-year-old medical professional and Samaroon clan member Fadxiya: *“What has already been done is in the past, it has gone away, is it is not important to look into now. There is no importance to talk about what has happened before.”*

Fadxiya seemed uncomfortable with all topics related to the war and the dead. It seemed that her only reason for speaking to me, was to let it be known that the past should be left in the past – in essence that my research topic was off limits. Again, this sentiment is

paradoxical in research that focuses on past crimes and memory. In order for Fadxiya to advocate for forgetting she has to engage with the memory of the past. She chose to be interviewed so that she could state that the topic should be avoided, bringing up her personal trauma along the way.

Fadxiya's viewpoint also shows another way in which the topic of justice is closely linked to that of memory in the Somaliland case. Due to the pact of silence, alongside fears of retraumatization, family members are conditioned to avoid talking about the past. However, feelings of injustice amongst the Isaaq inhabitants are bringing them to promote holding perpetrators accountable if possible, or at least to informing the world and the subsequent generations of the crimes that were committed under Siad Barre. These are family members whose loved one were killed by the regime soldiers and commanders, i.e., perpetrators who were not covered by the blanket amnesty instated during the reconciliation conferences. The minority clan members on the other hand, may not only be culturally held to remaining silent, but they also have little recourse for pursuing accountability. The memory that they are avoiding appears tightly connected to the lack of justice they are able to pursue for the crimes that were committed against the loved ones they are forced to forget – or at least not discuss.

It could also be argued that the Isaaq family members are more driven to advocate for justice, remembering, and discussing the past since their loved ones were killed by the state. Alongside the large number of Isaaq clansmen who were killed, contributing to the collective identity amongst the Isaaq, they were not “just” killed during a civil war, as pointed out by one WCIC staff member, they were attacked by their own government. The police, the secret police, the army, all forces that are supposed to protect the inhabitants, joined together in abusing, looting, raping, and killing the Isaaq in Somaliland. As stated by forensic anthropologist Clyde Snow, who assisted in creating EAAF, *“of all forms of murder, none is more monstrous than that committed by the state against its own citizens”* (Joyce & Stover, 1991, p. 217).

Isaaq family members and practitioners would commonly point out to me how the planes that attacked Hargeisa were sent from the city's own airport, by the army. This, they believed, had never before been done, nowhere else had the state annihilated its own town, using its own airport, to exterminate its own population. However, several individuals also pointed out to me how Somaliland was independent (for a few days) before the unity with Somalia was declared in 1960. The country was never supposed to be part of Somalia, they explained, as such the Somali forces were akin to a strong foreign power attacking an innocent sovereign nation. It was not uncommon for the Isaaq clan members to compare the Somaliland case to that of Palestine – a country occupied by foreign powers, struggling for control over their territory, their rights, and their recognition.

Patience, Forgiveness, & Forgetting

In the summer of 2017, I participated in a transitional justice workshop in Soroti, northern Uganda. The workshop included several days of discussions and presentations on the transitional justice measures that had been instated and could in the future be instated in Uganda, to account for the violence that was unleashed on the civilian population during the decades long conflict between the Ugandan government under president Yoweri Museveni and the Lord's Resistance Army rebel group (Dolan, 2009). On the second day of the workshop, we were divided into groups, and we were tasked with discussing TRCs specifically. An influential political figure from the famous South African post-apartheid TRC was present and just so happened to be slotted into the same group as I. There were five of us in the group – three Ugandans, me, and the South African politician. Though the exact

question escapes me, I remember joining in the conversation to highlight how TRCs can encourage punitive measures alongside forgiving and forgetting. One of the Ugandans, an older Acholi man (the ethnic group that was killed by both sides during the conflict), who had said little up until this point, promptly raised his voice and went on to aggravatedly describe all the reasons why you cannot forget. “*You can forgive,*” he explained, staring at me, “*but you cannot forget.*” How could one ever forget how his or her community was attacked and loved ones killed?

Although some of the participating Ugandans challenged the man later on during the workshop and held that forgetting was a constituent part of moving forward, that day I was crudely informed that memory is not a thing to be taken lightly. Indeed, the very basis of collective trauma and postmemory as defined amongst Holocaust survivors and their children and children’s children is interconnected with the avowal to “never forget” (Hirschberger, 2018, p. 4). The Ugandan and the Somaliland cases are very different in many ways, however, the two have some profound similarities: the populations in the northern part of the country were targeted by the government in both cases, leading a rebel group to emerge, which in turn led the government to increase their attacks and executions of the local population. Although in the Somaliland case the sentiments among the individuals were antithetical to that of the Ugandan man I interacted with during the Soroti workshop. The Somalilanders were not interested in forgiving, though some of the older Isaaq survivors (as well as younger minority clan members) believed that the best thing to do is to forget about the past and look toward the future.

The pact of silence instated during the Somaliland reconciliation conferences in the 1990s have encouraged the inhabitants to avoid discussing the dead and the atrocities, and to leave the violence and the mass graves in the past. Similar pacts, outspoken or more dynamically formed, have also been observed in other communities that grapple with mass graves containing the extrajudicially killed. The communities in Spain whose loved ones were killed during the Franco regime, Mayan communities after the Guatemalan “*la violencia*,” and Greek communities after the civil war, were all enveloped in an all-encompassing silence (Renshaw, 2016; Sanford, 2003; Stefatos & Kovras, 2015). However, Hoehne and Abdullahi (2021) believe that the Spanish pact was built on forgetting (*el pacto del olvido* in Spanish) while the Somaliland pact entailed remaining silent, not forgetting. In this reading, the Somaliland pact would not be aiming to erase the memory of the crimes and the dead. Rather, the inhabitants are expected to refrain from discussing these subjects, but they are free to retain the memory. However, Hoehne and Bedoya Sánchez (2020) have observed a shift since the 1990s, with more Somalilanders questioning the pact with increasing time since active conflict.

The families that I interacted with generally believed that discussing and remembering the conflict was important, be it for justice, for relief, or for teaching the world and the younger generations. Though in similarity to the Spanish families, there was a muteness around the investigations that may be reflective of the pact of silence. Some of the minority clan members and older Isaaq survivors also explicitly stressed forgetting. Generally, families seemed to harbor some anxieties related to remembering and discussing the past, something that the aforementioned scholars have connected to both the pact of silence, the lack of available redress, and a religious stress on having mercy and forgiving – or leaving judgement to the afterlife (Hoehne & Abdullahi, 2021, p. 35; Hoehne & Bedoya Sánchez, 2020, pp. 30, 34).

According to Abdulkadir and Ackley (2014) forgiveness is an important facet of Somali religious provisions and Islamic jurisprudence. Justice seeking mechanisms that build on Shari’a, including Somalia customary law or *xeer*, include an emphasis on forgiveness –

victims and their families can choose to receive compensation from a perpetrator or forgive them, instead of physical punishment (Abdulkadir & Ackley, 2014). This was also mentioned by some of the Somaliland family members, such as 35-year-old Xasan quoted earlier. Abdulkadir and Ackley (2014) found that forgiveness was central enough to their informants' view on justice and reconciliation, that they suggest for a Somali transitional justice process to build on forgiveness, alongside other facets of Shari'a and *xeer*. Similarly, Jeng (2014) and Hoehne and Abdullahi (2021) suggest for a possible transitional justice process in Somalia to build on Shari'a and *xeer*. Though since this an unconventional amalgamation of restorative/retributive mechanisms, there would need to be careful deliberations prior to creating such a framework (Hoehne & Abdullahi, 2021, p. 60).

These scholars focus on transitional justice mechanisms for Somalia primarily, and as might be expected due to the contextual differences, the Somaliland families do not necessarily share the views of the southern Somalis. During my discussions with family members, it was uncommon for families to emphasize forgiveness. What was more common was the emphasis on patience. As according to 58-year-old market saleswoman Sairab: *"It is something good to talk about what happened, and to show the other people of the world, it is something that I welcome."* Although Sairab also believed that it can be traumatizing to talk about the dead, so they have to keep patient: *"because we are Islamic we have to keep patience and accept what happened."* She continued: *"the most important thing is to talk about what happened, it gives some psychological relief, the other main important thing is to teach the young who may not know a lot about this issue, that is also another contribution."*

The interview with Sairab shows how the concept of patience was not negating remembering or truth-telling. Rather, she brought up the need for patience alongside public discussions for the sense of relief, and for the purpose of informing the younger generations. The concept of patience came up during several interviews with family members, sometimes in reference to the silence that has dominated Somaliland since the conflict and acceptance of the status quo. At other times patience was discussed in reference to perseverance and the inner strength of the survivor communities no matter the mechanisms that may be used to deal with the past (as in Sairab's case). In this way, a focus on patience seemed to offer an avenue for family members to highlight a strength and adherence to Islamic provisions, without having to denounce the need for legal processes, public debates, remembrance, or restitution – as opposed to focusing on forgiving or forgetting.

Sabr or patience is considered a high moral or spiritual quality in Islam, and it is mentioned in the Qur'an over 70 times (Achour et al., 2016, p. 676). Acting with patience entails coping with adversities through perseverance and those who act with patience and without blaming Allah in times of hardship have a spiritual strength which will grant the capacity to overcome adverse situations (Uyun & Witruk, 2017, p. 168). It has been suggested that patience has a long, pre-Islamic history in the Arabian Peninsula, one that is connected to courage, physical strength, and the need to remain patient when faced with adversities (Izutsu, 2002, p. 102; Kuswaya & Ma'mun, 2020). During my fieldwork I was often told, by locals and internationals, that the Somalis have a tough, nomadic culture – they are steadfast, pragmatic, and proud. Whether due to cultural "toughness," a spiritual stress on patience, or any other reason, I was struck by how often accounts of violence and loss were delivered with a sense of tranquility and pragmatism. Whenever someone did cry, or got upset, they would quickly pull themselves together and carry on with the conversation as calmly as they had before having been overcome with emotions.

It was not until patience had been brought up during several interviews that I began seeing these reactions in light of a spiritual emphasis on remaining patient. The concept was often discussed in reference to the conflict, the atrocities, and the remains, or in reference to

transitional justice mechanisms such as trials, truth-telling, or the forensic investigation directly. Some would describe to me how Allah decides when it is your time to die, so you must remain patient when those you know have passed on. As discussed by Uyun and Witruk (2017, p. 168):

“Allah has written all things in the Book of Decrees as He says (interpretation of meaning): ‘No disaster befalls on the earth or in yourselves but it is inscribed in the Book of Decrees (Al Lawh Al Mah-fooz) before We bring it into existence. Verily, that is easy for Allah’ (Al-Hadeed [57:22]). Thus, every incident would not happen unless Allah permitted it to happen. Furthermore, no disaster will befall the person, except if it is good for him, whether he knows that or not. Allah does not ordain anything, unless it is good.”

When discussing the dead, the remains, and reburials, family members would often mention that it is good to visit the cemeteries and to participate in funerals. This will remind you that your life is given by Allah and one day you will be granted relief in death. You should not shy away from these spaces, they would say, instead you should pray for the dead – all the dead, not just your relatives – and remain patient. This is also reflected in the proscription on wailing, or loud, vivacious forms of mourning the dead. During burials in early Islamic societies women would engage in vibrant, ritualistic forms of mourning: they would cry out, scream poetic rhymes, tear at their clothes and their hair, and throw sand. Through these rituals, women conducted “poetry of lament,” an exercise in expressing the injustice of loss and remembrance of the dead (Halevi, 2004, p. 4).

Early pietists began considering these practices uncivilized and offensive, equating them to inviting the devil. According to Halevi (2004) this shift was partly related to an early Islamic campaign against grandeur – the burial should be conducted in an ascetic fashion, which was not reconcilable with wailing, specifically the practice of hiring professional wailers. Additionally, wailing also began to be seen as a questioning of Allah’s decree, which should be received with acceptance, resignation, and patience. One of the essential contributors to *Fiqh* (Islamic jurisprudences), al-Shāfi‘ī, even considered the gathering of mourners despicable as it jeopardized patience and resignation and instead risked perpetuating sorrow when faced with death (Halevi, 2004, pp. 13-15). Some authorities also harbored anxieties toward ensuing avenge killings and rebellions, spurred by wailing women.

Through these developments, wailing became associated with barbaric pre-Islamic customs and instead the cemetery was reconstructed as a space for silent pondering of death. To uphold this, it was professed that the dead was being tortured in the grave as the women wailed. However, this notion defied the Qur’anic principle that one is responsible for their own spiritual treatment after death. What the living do during the funeral could not be contributing to the dead person’s spiritual hardship – it would depend on their actions while they were still alive. Neither is the restriction on wailing written in the Qur’an, though this would not hinder some of the early pietists from banning wailing from funerary practices (Halevi, 2004, pp. 16-18).

These efforts would eventually bring religious authorities in many Islamic communities to bar women from attending burial ceremonies outside of the home, as was my experience in Somaliland. Nonetheless, lamenting and wailing continued in many communities despite efforts to stifle these rituals (Halevi, 2004). Wailing was also brought up during some of the discussions I had in Somaliland; I was told that women can cry when someone dies, and women and men are encouraged to visit the cemetery. But they should not wail, and women are typically not participating in the burial at the cemetery. I was told that

women are “too emotional” or “too passionate” so they should not be part of the funeral. “They care too much,” I was told several times, typically in an endearing fashion – this seemed to be considered an admirable quality, but one that should not be expressed in public. Instead, one should show resignation and patience when faced with death.

The focus on patience has been suggested to offer avenues for dealing with psychosocial concerns, including crises, PTSD, and stress. Uyun and Witruk (2017) explore how prayer (*salat*) and patience (*ṣabr*) can assist in overcoming anxiety and panic and promoting mental health in response to disasters. During their study, they observed positive effects associated with an emphasis on patience and prayer amongst Muslim refugees who had survived the 2010 Merapi eruption in Indonesia. The volcanic eruption demolished homes in the city of Yogyakarta, killed nearly 300 individuals, and displaced close to 300,000 survivors. Focusing on patience, trust, and thankfulness to Allah alongside prayer and exercising forgiveness have also been observed to reduce stress in certain Islamic communities. Achour et al. (2016, p. 676) found that:

“What Muslims learn through patience is the strengthening of forbearance, endurance, and resolute will. Muslims believe that ease and comfort generally follow hardship and difficulties, and as such exert maximum energy to reach the stage following patience. The implications of patience in coping with life stressors are enormous. Patience extends the endurance of the Muslims towards arising stress; while further strengthening reactions to anxiety, as there already exists an underlying belief that God loves patient people and supports them.”

According to Kuswaya and Ma'mun (2020), patience is an active process and should not be misinterpreted as passive submission to life events or stressful experiences. They discuss how according to the Qur'an, patience means accepting all trials given by Allah including poverty, disasters, or illness, though it is never defined as stagnation or surrendering to destiny. Rather, patience should help the devout in being steadfast and persevere through life's hindrances instead of falling into despair. As such, patience is not complacency or a result of acceptance, but a commitment to wisely deal with tribulations so as to persevere through adversities by actively engaging with that which seeks to break down the spirit (Kuswaya & Ma'mun, 2020).

I originally interpreted the focus on patience as a form of passive acceptance while I was engaging with the Somaliland family members. However, understanding patience as an active, spiritual process illuminates the agency of the family members. This understanding of the term also makes possible the seemingly contrasting viewpoints of wanting legal proceedings or other transitional justice measures to deal with the past, while highlighting a tranquility or inner strength whether those measures could be pursued or not. The old man, quoted earlier, who believed the past was best left in the past so that another 30 years are not lost, was interestingly not opposed to memory-inducing practices. During our discussions I remember finding his account contradictory: the events from the past should be left in the past, though recovering the memory is fine, if not encouraged.

“There are no issues in doing truth-telling, but the main important thing is - Allah said - when some bad events happen to you, in order to remember and share, you must also forgive for those who did these bad events and keep patience, that is the most important thing, and focus on this life, the current life. If you keep remembering the past events then you hurt yourself and you will become angry and you may hurt others. If you get more angry that also effects your life. The forgiveness is the most

important. Allah said; Always be patient. If you keep remembering you may become guilty.”

By focusing on patience (and in this case forgiveness) it seems that remembering and leaving the past behind are not paradoxical. Do not let the memory influence you to act irrationally, instead, by keeping patient, you can remember the past while focusing on the current life and the future. One market saleswoman similarly pointed out how you cannot control whether you remember something or not. She believed that remembering the atrocities and the dead was hurtful, but one cannot control memory. Instead, you must be patient when faced with the trauma of remembering. However, few people equated patience with forgiveness. About 25% of family members discussed patience, all but one without also discussing forgiveness, though some connected patience and forgetting.

The following excerpt is from an interview with Abdirahman, a 50-year-old government worker and former SNM rebel. He had joined the rebel group after his uncle had been killed for driving a new car, something the Siad Barre forces did not allow the Isaaq to do. Many family members recounted stories of cars being taken or impounded by the government, Abdirahman was the first person to tell me about a loved one who was killed because of their car. Abdirahman's uncle was a famous local businessman, which may have contributed to the soldiers' disdain for him, and once he was killed his body was taken by the governmental forces. Five days later the family was forced to pay 70,000 shilling to get the uncle's body back for burial. *“When you lost your loved one and you don't know whether they are alive or whether they are buried it really hurts us, but the only thing that helped us survive and become stable is that religion said, ordered you that, however your loved one died it was something planned from God,”* he explained *“so, you have to keep patience and accept that, since Allah decided that. We must accept, but it sometimes also hurts you, since you are not in control,”* he continued *“our emotions are involuntary so, you are not able to control yourself - but we tried to accept what happened since our religion orders for that.”*

Abdirahman continued to talk about how aggravating it was to him and his family, that despite all these things that happened to them, Somalia is now claiming that “for no apparent reason,” Somaliland does not want to be part of Somalia: *“They committed genocide against us, we were killed! So that is why we do not want to be part of Somalia any longer. At that time things got worse, it reached the highest peak, it is the most difficult situation when your name and your clan and your accent becomes a crime, it is the most difficult situation in the world,”* he explained *“when you talk and they can tell that your accent is Isaaq, you will be targeted and killed. When you said that I am from that clan and I am Isaaq, we were not able to move anywhere, and that shows you how bad the situation was,”* Abdirahman concluded *“all of this identity becomes a crime, and you will be targeted when you express that.”*

The interview with Abdirahman again conveys how tightly connected the deaths are to the wider attack on the Isaaq as a group in the eyes of the family members. He highlights the need to keep patient despite the tragic deaths of loved ones at the hands of the government. The account also further conveys the difficulty with which he has had to keep his composure and remain patient, while his identity was declared a criminal offense under the Siad Barre regime. Several family members also discussed the ways in which patience is challenged when the memory of the dead is brought up. Some believed that opening a mass grave or analyzing trauma in the remains of a loved one will traumatize the individual and bring about sadness that they had already overcome by staying patient since the conflict. Some, however, believed that it is helpful to be reminded of the dead and to find out as many details as possible about them. One 73-year-old elder described how finding out these details

will lead you to have to exercise patience, which he defined as a beneficial practice, and a reason why the forensic investigation was important to Somaliland on a spiritual level. To yet others, patience has allowed family members to forget the sorrow of the past, and since there had now been over 30 years since the atrocities, the family members will not be hurt by being reminded of the dead.

Although there did not seem to be one narrative of how patience is related to the remains, it appears that patience is an important concept to consider when discussing the atrocities and how remembrance will impact the survivors. It is feasible that patience could have been a driving factor instigated by governmental factions attempting to keep the peace in Somaliland, perhaps even one that was encouraged alongside the pact of silence. Whether implemented in a top-down fashion or not, the way that it was discussed seemed to indicate that families use the principle of patience to both stay levelheaded and persevere, while simultaneously emphasizing legal principles and other processes to target the atrocities from the war. Scholars have suggested for transitional justice measures in Somalia to include Shari'a principles, including an emphasis on forgiveness (Abdulkadir & Ackley, 2014; Hoehne & Abdullahi, 2021; Jeng, 2014). Similarly, Isaaq family members of the dead in Somaliland are emphasizing Islamic based criminal laws and believe that sentences should be in line with those of Islamic courts. However, few family members expressed the need to forgive. Instead, some individuals discussed forgetting, and many (25%) emphasized patience.

As such, perhaps a transitional justice framework for Somaliland and Somalia (if such an institution will ever be created), should focus on patience rather than forgiveness, as previously suggested. In similarity to how one Sheikh believe that a "truth and reconciliation commission" would not be welcomed in Somaliland, since the people do not want to reconcile with Somalia, focusing on "forgiving" would likely drive the Isaaq Somalilanders further away from engaging with the past on a legal or reconciliatory level. Patience, however, appears to encourage levelheaded and composed engagement with adversities so as to not let oneself question Allah's decree or allowing oneself to succumb to hatred.

Not to be conflated with complacency, patience is considered an active and dynamic engagement with life's trials, a process that is in essence worship of Allah as it builds spiritual and mental strength to remain patient (Achour et al., 2016; Kuswaya & Ma'mun, 2020; Uyun & Witruk, 2017). Patience and perhaps forgetting, despite my Ugandan colleague's disdain for selective amnesia, would likely offer better platforms for revisiting the conflict alongside representatives and survivors from Somalia. Hoehne and Abdullahi (2021, p. 10) found that Somalis are highlighting forgiveness, but only after some form of redress has first occurred. They also found that focusing on forgiving and forgetting, along Islamic provisions, allows the survivors to follow a spiritual path while also managing emotional traumas (Hoehne & Abdullahi, 2021). The parallel to Somalilanders would perhaps mean patience, both in the sense of enduring and working through lives trials in a levelheaded fashion, and in the sense of finding inner strength to work through emotional traumas that would inevitably be brought up during a transitional justice framework.

With a transitional justice process that focuses on holding perpetrators accountable, at least those giving orders, patience would likely be an important guiding principle. Additionally, focusing on patience appears to allow Somaliland families to accept that which they cannot change, while simultaneously allowing them to conjure the best possible way to work through the injustices and the trauma from the war. Patience can assist the family members in remembering the dead and the atrocities without being retraumatized; keeping them from seeking revenge on clan members of perpetrators; and it might allow a transitional justice framework to coalesce with a spiritually strengthening practice. For this reason,

patience could feasibly assist survivors in accepting a disappointing legal outcome were there to be formal trials, and engaging with the memory of state sanctioned violence during truth-telling practices by mitigating retraumatization and the risk of renewed violence.

Conclusion: Patience & Restitution

It became apparent early on during my discussions with family members that the remains of the war dead are closely connected to the yet untargeted injustices of the conflict. This may be obvious to anyone who has lived through war and atrocities, or who has worked with such communities. However, it was eye-opening to me that all other concerns of importance to the communities were secondary to most family members – they did not mention mortuary care, political ideologies, or other mass grave concerns without first discussing the injustices of the war. It also became apparent that justice was not a solely legal matter, but one nested within memory-related concerns.

Several anxieties also seemed to undergird these topics, such as tensions between wanting to seek justice but also fearing a renewal of conflict or forced reconciliation with Somalia, as well as tensions related to remembering. While several family members pointed out the need for informing the historical record and their interest in truth-telling, memory-inducing practices would be breaking a pact of silence, challenging patience, and would contribute to retraumatization. Additionally, the connection between justice and memory was in itself fraught with tensions. Justice seemed to exist more in the realm of memory, considering the time since the conflict and the fact that the perpetrators are now old or deceased (according to the family members).

While truth-telling and establishing a record around crimes is always reliant on memory, the Somaliland case also has the added stress of the pact of silence and the internal reconciliation that was agreed upon during the 1990s Somaliland conferences. As such, memory and the discussions of war memories have been subdued for decades, which, alongside fears of retraumatization, have driven families further from seeking justice. The non-Isaaq family members are more heavily weighted down by the reconciliation conferences, since all Somalilanders (including those who killed minority clansmen) were granted amnesty. Even if the minority clan members in Somaliland were interested in seeking justice or publicly sharing the memory of their lost loved ones and the crimes committed against them, they would be constrained by the conferences. Additionally, as expressed by both Isaaq clan members and minority clan members, there is the threat of aggression against the minority clans that brews with all investigations into the past.

Due to the time since the conflict, the memory that is being recounted and recovered as the dead are being discussed and unearthed is not just sensory or first-hand. With the ever-increasing time since the conflict, many Somalilanders are instead recovering and recreating postmemory (Hirsch, 1996; Renshaw, 2016), or a transitional memory between postmemory and sensory memory for those who were very young during the conflict (what I refer to as perimemory). Though postmemory has been connected to a collective trauma or a collective identity built around trauma (Hirsch, 1996, 2008; Hirschberger, 2018), the Somaliland (Isaaq) identity seems more attributable to a muted understanding of collective trauma, detached from the physicality of the remains and the mass graves, or public debate about the conflict. The collective identity built around the victimhood of the Isaaq, seems dynamically formed amongst the older (those with sensory memory or what I have referred to as antememory), less affluent Isaaq clan members who ideologically rally around the claim for independence rather than efforts for justice.

The topic of recognition for Somaliland constantly reared its head in all discussions with families and practitioners. Some individuals indicated that recovering the memory of the conflict, or publicly sharing their experiences might contribute to recognition as the world learn about the Somaliland case. Though conversely, the unrecognized status of Somaliland means that there could not be domestic trials to hold southern Somalis accountable for the crimes, nor could other countries extradite the criminals to Somaliland. However, several family members also indicated that the peace they have been enjoying since the Somaliland reconciliation conferences was all “transitional justice” that they needed. Being free from persecution is enough when you have lived through something that horrible, some of the older family members would indicate. Although few of the younger generations shared this view.

These tensions aside, there was an overwhelming emphasis on justice and injustices among the family members of the dead, even though many doubted that justice could ever be sought. While I have not attempted to account for the ways in which perpetrators could be brought to justice or the possibility of an official transitional justice framework for Somaliland and Somalia, I inquired about family members’ views on justice, transitional justice, and legal action. Families may not get to decide who is to be held accountable if there were to be any further trials, international tribunals, or other legal processes to target the perpetrators from the Somaliland atrocities. Whether commanders or lower soldiers were to be put on trial might depended on the type of court, the crime, and the body of law being called upon – if any. As emphasized by Gready and Robins (2014); Robins (2011), if there were further transitional justice measures pursued in Somaliland and Somalia they should be based on the viewpoints of those affected by the violence. Arguably, the families of those who were killed by the regime are the most blatantly effected by the atrocities and the war.

The family members I spoke to expressed an interest in holding army commanders accountable and granting amnesty to soldiers who were forced to carry out orders to execute. Several family members were encouraging of truth-telling mechanisms to support justice, to recover and share their memories, and to inform the historical record, the young, and the world. Few believed that compensation should or could be given to the families, though many discussed the great financial needs there were amongst the survivors. Additionally, family members believed that Shari’a principle and Islamic courts should ideally lead the trials against the responsible military commanders. The majority believed that the higher-up perpetrators should be punished, many mentioning the death penalty for killing and injuring so many innocent people, and few mentioned forgiveness. Families also indicated that Shari’a principles would allow families of the executed to decide how the perpetrators should be sentenced: by physical punishment, paying compensation, or being given amnesty or a combination thereof. In this way, Shari’a and the Islamic courts would offer a bottom-up, grassroots’ approach to justice and hence a transformative justice mechanism as families would decide on the sentence. Several scholars have indicated that Shari’a sources of law need to be incorporated into a possible transitional justice framework for Somalia, with an emphasis on forgiveness (Abdulkadir & Ackley, 2014; Hoehne & Abdullahi, 2021; Hoehne & Bedoya Sánchez, 2020; Jeng, 2014). The families I engaged with indicated that patience, rather than forgiveness was an important Islamic principle to them as they were reminded of the past, the atrocities, and the war dead.

Patience or *sabr* is a high moral and spiritual quality in Islam, mentioned over 70 times in the Qur’an. However, patience does not equate to passiveness or complacency. Rather, by emphasizing patience, adversities can be actively targeted and worked through with a levelheaded and composed mindset. In this way, patience has been seen to help overcome effects of stress, trauma, and crises as these trials, given by Allah, are approached

with spiritual and mental perseverance (Achour et al., 2016; Kuswaya & Ma'mun, 2020; Uyun & Witruk, 2017). As explored here, perhaps patience could be a leading principle for a transitional justice framework that includes Somalia as well as Somaliland. During our discussions, the Somaliland families indicated that patience was a good moral exercise and that one must be patient when reminded of the dead and not act in anger to the families or clansmen of the perpetrators. Families also indicated that patience had assisted them in focusing on the future despite the injustices of the past. However, patience was not used synonymously with “forgetting” (and even less so with “forgiving”), rather, by focusing on patience, families were able to simultaneously emphasize the need for remembrance, legal processes, and truth-telling as well as their acceptance of leaving the conflict in the past if needed, focusing on the future, and spiritually overcoming the injustices.

Perhaps rather than a Truth and Reconciliation Commission, or (as suggested by one local Sheikh) a Truth and Forgiveness Commission, Somaliland could institute a Truth and Patience Commission or in other ways let patience be a central tenet of a transitional justice framework. If some of the main obstacles to transitional or transformative justice in Somaliland revolve around the risk of renewed trauma and conflict, a focus on patience may help mitigate both these effects. However, anxieties around memory were also expressed by discussing patience. In the early days of Islam, pietists began seeing wailing as a questioning of God’s Decree - death and the cemetery should instead be approached with patience, perseverance, and quiet reverence, they believed (Halevi, 2004). As such, it became imperative to keep patient when faced with death. However, the retraumatization (or for the younger generations – traumatization) of being reminded of the Somaliland conflict and of the dead is bringing back up emotions that have already been worked through with an emphasis on patience. As such, there is a threat of challenging patience that comes with the unearthing of the remains and the memory of the war. Yet, according to some families, it was beneficial to be reminded of the trauma, since it brings another opportunity to again exercise patience in the face of the hardest earthly trials possible.

Due to the lack of available information regarding the forensic investigation in Somaliland, and the lack of family involvement, the majority of the discussions I had with families regarding memory or justice were related to the memory of the conflict or the dead, but not necessarily related to the remains that are being unearthed. This shows how the remains are central hubs that anchor wider post-conflict debates, whether the remains are exhumed or not. Similarly, graves in Uganda have also been seen to undergird several cultural and social concerns, even though formal forensic investigations have not been conducted (Hepner et al., 2018; Kim & Hepner, 2019). Through these debates it appeared that Somaliland family members have strong sentiments regarding these topics – as is to be expected – though few have been part of the forensic work.

With a more inclusive and public forensic process, families would be able to share their sentiments during the human remains recovery operations or forums related to them. Perhaps the investigations could act as spaces that allow for discussing memory and memory creation, spaces that can instigate truth-telling and encourage exercises in patience. As according to Brants and Klep (2013), truth-telling institutions allows for dynamic and flexible historical narratives and memory (re)creations since it encourages engagement, contestations, and discussions around truth and memory. Similarly, a more inclusive forensic process could allow for, or encourage the creation of, a truth-telling space in Somaliland, and allow a space for family members to challenge the forensic work and memory discussions. However, the majority of family members believed that remembering, publicly discussing, and sharing memories from the conflict would be beneficial as it would contribute to informing the historical record, teaching the young, and could give some form of psychosocial relief.

Additionally, the majority of family members were interested in justice-seeking, many indicating that the human remains should be analyzed and the information added to such initiatives if possible. However, few believed that achieving justice through legal means was possible due to the time since the conflict and the unrecognized status of Somaliland. Justice was approached more as a feature of memory, though the memory that was being called upon was retrieved for some (the older family members with sensory or antememory), reconfigured for some (those who were very young during the war and who have a combination of postmemory and sensory memory, or perimemory) and created for those without firsthand memories (the postmemory generations). There appeared to be a difference in the ways that the older and the younger generations interacted with the dead, the memory, and the topic of justice. Further research should be conducted to properly understand different views on transitional or transformative justice in Somaliland before any such framework is instated considering the possible risks and varying viewpoints.

CHAPTER SEVEN - FORENSIC MORTUARY PRACTICES & IDENTIFICATION

This chapter focuses on my second research theme: mortuary practices and care, and individual identifications. The investigations in Somaliland have been deemed needed and permissible by the MoRA despite a religious restriction on opening a grave. While discussing the forensic investigation with family members of the dead, they expressed anxieties about the work since it involves a violation of the religious restriction on exhumations. To further explore this dichotomy, here I discuss the results to the research question:

Are the investigations being guided by local mortuary practices?

Secondly, this chapter focuses on the lack of individual identifications during the forensic investigations in Somaliland. Some DNA samples have been collected for the purpose of individual identification, and some of the human remains from the mass graves have been identified based on identifying features (clothing and gold teeth i.e.). However, more large-scale DNA collection efforts for this purpose have been deemed too costly and taxing. To explore family views on the lack of individual identifications including whether they would prefer to see the remains identified, an additional research question asks:

Are individual identifications important to families of the dead? And:

How do families view lack of individual identifications during the investigations?

These questions also involve an exploration of family views on individual identifications, its importance for mortuary practices and care, and their knowledge of identification procedures. For a context like Somaliland where thousands were killed and there are hundreds of mass graves containing skeletonized remains, DNA analyses would feasibly need to be employed for the purpose of identifying the dead. However, there are currently no DNA testing capabilities in Somaliland, neither are there widespread resources to collect samples and ship tests to other countries for comparisons. Hence, I also engage with the question:

Would families of the dead support DNA testing to establish identity of the dead?

This question builds on the former – families of the dead in Somaliland were generally interested in individual identifications, hence this follow-up question targets the practical implications of such identification efforts. Additionally, as I discuss the answer to this last research question within the theme of mortuary practices and identification, I also engage with issues of funding, education, resources, and questions of ownership, power, and legal implications of DNA and DNA testing capabilities were they to become established in Somaliland.

MORTUARY PRACTICES AND THE WAR DEAD

During my time in-country in 2014, I was told by EPAF and WCIC staff, that the forensic investigations are important to the people of Somaliland since the dead should be buried in individual graves. They were not properly buried when they died, they did not receive the ritual washing, shrouding, or prayers, nor were they buried how they should ideally be buried: in individual burials, facing the *qibla* in Mecca (Halevi, 2011). It appeared that for these reasons, it was preferable to exhume the remains and rebury them in a culturally appropriate way. According to Hoehne and Bedoya Sánchez (2020), EPAF signed a memorandum with the MoJ, MoRA, and other ministries to exhume a number of mass graves under the administration of the WCIC. The tasks were as follows:

“The remains found in the mass graves should be documented and – if possible – the living relatives of the victims should be identified to ‘reconnect’ with their loved ones before the bones were to be reburied according to Islamic provisions. The latter point was stressed by the minister for religious affairs, who referred to a passage in the Qur’an and a hadith, according to which it was allowed to exhume and rebury bodies if it was clear that they had not been properly buried.” (Hoehne & Bedoya Sánchez, 2020, p. 31)

Although, the authors do not define what these “Islamic provisions” entail, or how such provisions apply to skeletonized or highly fragmented remains such as those from the mass graves. Moreover, despite these official WCIC and MoRA directives, I heard whispers of prohibitions against the human remains recovery operations on my first visit to Somaliland. During one of our trips to a mass grave we were exhuming in 2014, a woman came up to the site and had apparently criticized the work. One of the local students who was participating and training in forensic procedures explained to us that the woman believed it was not permissible to open a grave. In response, the WCIC staff had rebutted that it also wasn’t proper to be buried in a mass grave, and by exhuming the dead they would eventually be buried properly.

Respecting the Muslim dead and preserving their dignity typically means that graves should not be opened. Additionally, The Prophet Muhammad cursed grave robbing or *nabbāsh*, a term resembling the Arabic term for exhuming graves - *nabsh al-qubūr* (Al-Dawoody, 2017, p. 776; Halevi, 2011, p. 221). There is a connection between The Prophet cursing grave robbing and the negative connotations associated with exhumations in many Arabic speaking societies. Classical Muslim jurists¹² generally agree that exhumations are disrespectful of the dead and should be prohibited unless there is necessity. This dichotomy is further explored by Al-Dawoody (2017), who concludes that exhumations of graves can be permissible based on “public interest” or prohibited based on “human dignity” in different societies, often at the discretion of associated Muslim jurists. The jurists will deem many prohibitions permissible if there is necessity, as “necessity overrides the prohibition” (Al-Dawoody, 2017, pp. 776, 779). Similarly, the former Minister of Justice in Somaliland believed that the forensic investigation to rebury the war dead properly was important to restore the dignity of the dead (Hoehne & Bedoya Sánchez, 2020, p. 33).

During my discussions with family members, I attempted to gauge their views on the forensic investigations in light of these restrictions and permissions, as well as their general thoughts on the need to analyze and rebury the dead. Several family members would either point out the prohibition on opening a grave, or they would stress that if there is necessity, it is permissible. The prohibition on opening graves was often raised at the start of our conversation, though once the family members learned more about forensic analyses, many would instead stress that it would be permissible if it was a necessity, typically resorting to religious or state authority. “*The Sheikhs can decide*” or “*the government has the authority to do it*” were common statements among those who were both stressing the restriction on opening a grave and simultaneously believed there could be a benefit to a forensic investigation.

Some family members did not believe a grave should be opened for any reason, but still believed that analyses should be done on the remains that were being unearthed by

¹² A Muslim jurist or Islamic jurist here refers to a religious legal scholar who is able to write legal manuals and law treaties, and can exercise *ijtihād* (legal reasoning) to some extent. Hallaq, W. B. (2009). *An introduction to Islamic law*. Cambridge University Press.

natural causes, such as the heavy rains that opened the first mass graves in 1997. However, family members did not stress the need to bury the dead in individual graves. Instead, many would explain how mass interment is allowed, in essence meaning that a mass grave can be a proper grave, if the number of dead are too many for individual burial in a short amount of time. When asked what they believed the main goal of the investigations was, no family member stressed the need to move the dead from a mass grave to individual graves. Instead, some believed that the dead needed to be exhumed because the land where the mass graves were located needed to be used for roads, houses, or businesses – and there was necessity to access these lands.

Both support for mass interment and support for exhumations due to mass interment can be traced back to the historic battle of Uḥud. Many Muslims died during this battle, and the Prophet Muhammad instructed for the dead to not be shrouded nor washed, but to be buried in their own blood as martyrs – many in collective graves containing two or three individuals. Since this time, Muslim jurists in temporally and spatially different societies have drawn upon these practices to override the prohibition on mass burial in, for example, times of pandemics such as the plague, or as applied to martyrs during conflicts (Al-Dawoody, 2017; Halevi, 2011; Petersen, 2013). After mass interment at Uḥud, the son of one of the mass interred martyrs, *Jābir ibn ‘Abdallāh* was plagued and tormented by his father’s burial. After six months he exhumed his father’s remains and reburied them in an individual grave in Medina, wrapped in a proper shroud. This case has also been used as precedence for overriding the prohibition on exhumations (Al-Dawoody, 2017, p. 776; Halevi, 2011, p. 166). According to Al-Dawoody (2017, p. 777), the case could even lend support for exhuming dead unidentified migrants in order to identify them and repatriate their remains for proper burial by their families.

To further understand the MoRA’s approach to the investigation I visited their office in August 2019. I had been looking to meet with the Sheikhs at the ministry for some time, though I was not under the impression that it would take place on this particular day. I was visiting the WCIC one morning, as I often did. If I was not interviewing the staff, or meeting with a family member, I would simply sit and converse with the staff members, drink Somali tea, and chat about life in general. This morning the head of the WCIC roared his four-wheel drive SUV up to the offices as per usual, kicking up clouds of dust from the sandy substrate in front of the small barrack-like building. He sauntered in and the younger staff who had been borrowing his chair moved out of the way as he plopped down in the back of room behind his large, ornate wooden desk.

This particular day Hussein was at the offices and was discussing something in Somali with the staff, all present parties (me excluded) joined in. This was nothing new, they would often confer in Somali. Though most of the men spoke perfect English, some were more comfortable in Somali or only spoke some English. Before I knew it, the director and Hussein stood up and waved me along. *“I told him you would like to go to the Ministry of Religious Affairs”* he explained *“so we’re going now, come.”* Perplexed but intrigued, I followed them out into the dusty courtyard in front of the offices, opened the car door, grabbed ahold of the top of the large vehicle and swung myself into the back seat, struggling to make sure my long cabaya was not caught in the door. We did not have to drive for long, most of the Somaliland Ministries were located in close proximity to each other in downtown Hargeisa, near the WCIC offices. Once we arrived at the ministry, none of the usual conversation with guards or administrative staff at the entrances of official buildings took place. Instead, the WCIC director promptly got out of his car, walked through the main door and straight into one of the front offices, me and Hussein scurrying after. I had barely entered

the building when a Sheikh in his early 70s walked out of the front office, opened a door to a conference room with a long mahogany table, and showed us in.

His name was Sheikh Abdirizaaq Ismail and during our ensuing conversation, he explained that he had worked at the MoRA for 26 years and he had participated in the forensic investigations as a representative of the ministry. I asked a bit about their organization, and he explained that their main tasks included peacebuilding and encouraging a respectful culture among people in the communities. They also schedule the timing of prayers at the mosques. There are 110 staff at the ministry and about 50 of them are Sheikhs, he explained. We continued to talk about the forensic investigation more generally, and Sheikh Abdirizaaq explained that the investigations are very important. They remind them of what happened under Siad Barre, he continued, since so many of their countrymen were killed. The investigations are also good for the younger generations so that they learn what happened during this time, and it is good to expose it to the world. Sheikh Abdirizaaq had participated in the work, he continued to explain, he had visited exhumations in the field and the lab, and he was one of the Sheikhs who had assisted in shrouding remains in white cloth at the conclusion of a field school season. He had also participated in the reburial. The Sheikhs from the ministry lead the prayers at the reburial ceremony, he explained.

At this point another staff member stuck their head into the room, stated something briefly and disappeared. The men turn back to look at me, so I ignored the interruption, and carried on. What about the analysis, I asked, is he familiar with the forensic analysis of the remains? *“This is very important”* he exclaimed *“it is really important to know how the person was killed, how many shots were fired, what type of weapon was used, from what direction. It is very important to investigate all these things in the lab”* he concluded *“and to share it with the international courts.”*

Something I tended to ask families about was their view on storing the remains for protracted periods of time and how they would prefer to see them stored. Traditionally, most Muslim societies bury the dead quickly after death. According to 8th century Islamic jurist al-Shāfi‘ī, the dead should be buried hastily, unless there is suspicion of criminal action (Halevi, 2011, p. 158). According to Al-Dawoody (2017, p. 775) this is typically done to safeguard the dignity of the dead and to ensure that they are buried before their bodies start to decompose, though this can present an issue in mass disaster or conflict contexts where there are many unidentified dead. As such, I inquired amongst families what their views were on storing exhumed remains in a lab space, how they should best be stored, and for how long they could remain in a lab or storage facility. I also inquired about Sheikh Abdirizaaq’s view on storing the remains, to which he replied that *“if they are skeletons, they should be stored for however long is needed, it depends on how long the analysis will take. If they do not have tissue right now, they should be stored however long it takes”* he asserted.

The same person as before again popped their head into the room and more annoyed than before yelled a few commands at the three of us. Apparently, we had been taking up far too much of Sheikh Abdirizaaq’s time. Did I not know Sheikh Abdirizaaq had a job to do, the man questioned? I apologized and began collecting my notepad and audio recorder, to which Sheikh Abdirizaaq responded that I could ask as many questions as I would like. There is no rush. Finding it best to not alienate the rest of the MoRA staff I asked one more question before concluding our conversation: Is it permissible for the dead to be in mass graves? *“If there are more skeletons, Shari’a declares to bury them in graves of no more than two persons”* he explained. *“One is better, but if there is enough room to leave space between them, there can be two in one grave.”*

Prior to fieldwork, I anticipated for the topic of *barzakh* or *al-barzakh* to be central in my conversations about the war dead, mass graves, and reburial. In my preparation, I

researched literary sources to try to better understand the world of death, burial, and mortuary customs in Islam and in different societies. One of the concepts that I came across, which I believed would be a central tenet during interviews, was *barzakh* the liminal space between this life and the afterlife. *Barzakh* has been described as a waiting room to which the soul travels after death never to return to the living, despite perhaps for questioning in the grave by the angels Munkar and Nakir (Buturovic, 2014; Halevi, 2011; Smith & Haddad, 2002). This liminal space, which holds the soul and anchors the tensions between the body, the spirit, and the soul, appeared to me as a concept that would elicit strong responses in light of the war dead and the suggested culturally improper mass graves.

As it turned out, only one individual spoke of *barzakh* - a 46-year-old man named Saeed who owned a local clothing stall in downtown Hargeisa. Saeed had studied Islam and astrology through an online university and was very excited to tell me and Warsame about the connection between these two topics. We met in late September, in a private dining room at a local restaurant in north-eastern Hargeisa after the evening prayer. Saeed explained that when you go to the grave, it is your second wait, you are in between judgement, in-between two lives, this is what is known as *al-barzakh*. It is only after this that you finally go to judgement day where it will depend on your deeds where you deserve to be in the hereafter - it depends on your deeds in life, since Allah is most merciful.

Saeed excitedly jumped between Somali and English, though he had some difficulty expressing himself in the latter. He started defining *barzakh* in Somali, but too excited to wait for the translation he continued in English: “*On that day, all dead body will be wake up and will be asked, how long do you sleep there in the grave? Everybody say half a day or one day, there is no time, you now, no universe time, no space-time, there is no time without space [speaks in Somali] time stops, they try and cannot feel, even he wake up [speaks in Somali] how long do you sleep here? One day, half a day.*” Saeed explained to me that when the dead are in a mass grave, only the living see them as being in a mass grave. To the dead are in a different world, so it does not matter for them if they are in a mass grave. Although you feel better about your dead loved one if you know that they are buried in a respectful way, he asserted.

We continued discussing graves for some time, and I eventually asked Saeed about fragmentation and commingling, and whether it is problematic if the entirety of the dead body is not interred in one grave. During the 2014 exhumations we had issues with commingling of small skeletal fragments, which could not be reassociated with the more intact skeletons without more technological testing (like DNA testing). If some of the parts of the dead body are buried in a different place, it has nothing to do with the dead person, it is only for the sake of the living that we want to bury them in their entirety, he explained. According to Saeed, we want to bury the whole body of the dead, in a dignified, individual burial, in order to serve the dead: “*Though in the site of Allah it is different, it does not matter.*” Saeed’s views on death and the afterlife mirrors the views of many other family members – the need to rebury the improperly buried dead, or to care for remains in a respectful manner, reflects the needs of the living rather than needs of the dead. No family or practitioner that I spoke to believed that the conduct of the living (in relation to how they deal with the dead) can negatively impact the soul or spirit of the dead, though by praying or giving alms, the living can give the dead a “bonus” in the hereafter.

Family members would commonly discuss the importance, to them or for the sake of humanity, to care for remains in a respectful manner following Islamic burial practices. However, as shown through the interview with Saeed, the dead are in a different space where our conduct cannot reach them. No matter how long the dead spend in the mass grave or in *barzakh*, on judgement day they will not feel as if they have spent more than a day in the

grave, whether in a mass grave or a more proper individual grave. Neither is it important in the eyes of Allah that the dead person be buried in individual, proper graves for the sake of his judgement, judgement will depend on their actions in life – potentially assisted by alms and other deeds performed in their honor.

Though no one other than Saeed discussed *barzakh*, or any other connection (or lack thereof) between the dead body and the soul, a common theme raised during fieldwork was the rights of the dead. Several family members and a number of Sheikhs listed four rights that the dead have upon death and burial: to be washed, to be wrapped in a white shroud, to be buried in a secure place where animals cannot get to the body, and to have prayers read during the funeral. Along with these rights, some would include that the dead should be buried facing *qibla* (the direction of the sacred building Kaaba in Mecca toward which prayers are directed), that they need to be buried in individual graves, and that they have a right to be respected, meaning that their grave is to be kept secure and no one is to step on the grave. Once the remains of an individual are skeletonized, they do not need to be washed, many stressed, but all the other rights are the same and skeletonized individuals should be buried in the same way as someone who died today.

A few family members believed that if any of the four rights were not respected the person should be exhumed, to receive their rights, and be reburied in a proper grave. The majority, however, did not believe that not receiving these rights warranted breaking the prohibition on opening a mass grave. Although no family member discussed the rights of the dead as equal to or lesser than the rights of the living, the conversation with Saeed and likeminded family members, suggests that the rights of the dead were less central than more pragmatic concerns. For example, more individuals stressed the need to use the land where mass graves were located than the impropriety of a collective burial. Many agreed that ideally the dead should be moved to individual burials and given the four rights (not including the ritual washing), though several family members questioned the need to worry about the remains of someone who died over 30 years ago, and many found exhumations problematic.

A subset of the Somalilanders I spoke to indicated that the dead from the war were martyrs, though who was considered a religious martyr was defined in different ways by the individuals I spoke to. Some believed that anyone who was wrongfully killed was a martyr, that those who died fighting for their country were martyrs, or that anyone who had been murdered was a martyr. Similarly, there have been debates among Muslim jurists over who is considered a martyr, some arguing that those who fight non-Muslims are martyrs, others including deaths during childbirth or certain illnesses under the umbrella of martyrdom (Al-Dawoody, 2017; Buturovic, 2017). The Somalilanders that I spoke to believed that martyrs did not need to be washed, did not need to be shrouded, and one individual indicated that you do not need to pray for the martyrs. Neither did it matter if the martyrs were buried in a mass grave, one individual explained, when you die as a martyr you go straight to heaven and you can bury their remains where they lie, alongside other individuals, as is commonly done in the aftermath of battles. To this individual, the mass graves did not need to be investigated, since those who were killed under Siad Barre were martyrs and should be left where they were buried during the war. After the Srebrenica genocide in former Yugoslavia in the 1990s, the Muftis issued fatwās indicating that all the dead were considered martyrs, meaning that the thousands of dead did not need washing. The fatwā also meant that the entire community had an obligation to organize the funerals and assist with funding them (Wagner, 2008).

Necessity & Intention

I observed tension around the investigations while in Somaliland in 2014. Not only were there whispers about the prohibition on exhuming graves, but there were also horrified looks on the faces of hotel staff members working in close proximity to our forensic lab housed in the hotel where we were staying during the field school. Whenever remains were transported in or out of the building, the staff would avert their eyes, walk in the opposite direction, or talk amongst themselves with scorn on their faces. The local field school participants told us not to worry about this type of conduct “they do not wish to see the remains,” they would calmly say. With this in mind, my investigative focus in 2019 included the mortuary practices themselves. Alongside the emphasis on burying the dead “properly,” I wanted to understand if the forensic methodologies were aligning with local mortuary practices according to families of the dead. Were there perhaps some facets of the work that had caused the staff to avoid the lab? If this was the case, were there ways that the work could better account for local concerns, customs, or prohibitions?

To better approach these questions, I drew on Wagner (2008) and her work among Bosnian Muslim families after the Srebrenica massacres and the work of Al-Dawoody (2017), an Islamic scholar who has worked for the ICRC in post-conflict and post-disaster contexts. Al-Dawoody found that Islamic burial customs according to Shari’a is similar to and can even go further than International Humanitarian Law (IHL) regarding treatment of the dead. For example, IHL dictates a dignified burial, which can sideline the need for repatriation, while Shari’a goes further in encouraging giving remains back to the respective families. Repatriating bodies can be traced back to The Battle of the Trench, where the Prophet Muhammad returned the enemies’ remains – without taking the payments that the enemy side was offering for their dead (Al-Dawoody, 2017, p. 764).

Discussions with family members and practitioners regarding the forensic practices were in large part based on Al-Dawoody (2017), including the restriction on exhumation and collective burial; who is allowed to handle the remains; the permissibility of autopsy or analysis (destructive and non-destructive); how the remains should be stored; and for how long human remains can go unburied. For example, Al-Dawoody (2017, p. 775) discusses how certain Muslim communities may urge for quick burials after disasters and conflict; however, communities may be more open to protracted analyses and identification efforts if their loved ones could be preserved from decomposition in refrigerated units.

Postmortem analyses, such as autopsy have also been scrutinized in many communities. According to Fahmy (1999), forensic medicine was incorporated into the Egyptian medico-legal system without attempts to reconcile it with Shari’a, instead these practices were utilized within the framework of the state, allowing them to be viewed as tools for upholding Shari’a rather than as contradictory to it. In this way, autopsy and other forms of legal medicine offered avenues for complementing Shari’a when the strict rules of Islamic jurisprudence made a conviction difficult to uphold. There was some opposition to these new practices in Egypt, primarily from those working with mortuary rituals who were opposed to the state taking control of the body after death. Although some of this opposition likely stemmed from religious leaders being concerned with losing their influence in a secularizing world where mortuary customs were their last stronghold. Generally, there were few objections to the introduction of legal medicine, many litigants requesting it themselves when the police were not being proactive (Fahmy, 1999).

Opposition to autopsy has been connected to misconceptions regarding who owns the body (God or the human being), if it is permissible to disfigure or desecrate the body, as well as suspicion of medical practices in non-Muslim or secularized societies. However, autopsies

are commonly performed throughout Muslim societies (Al-Dawoody, 2017; Chaim & Duguet, 2018). The Egyptian Forensic Medicine department was established in Cairo in 1890 and forensic medicine is taught at Egyptian universities, and forensic medicine and pathology has been practiced in Tunisia since 1962. In Saudi Arabia, autopsy is often foregone due to religious preference for quick burial on the side of families of the dead, though prosecutors can order it if there is suspicion of criminal activity. Legal scholars who have grappled with the topic of postmortem examination in the 20th century have found both support and opposition to it in Shari'a. Opposition to autopsy stems from the provision that the dead should be buried as soon as possible, and that the dead should be treated as if they are alive and not be harmed (breaking the bone of a dead person is akin to breaking the bone of a living individual).

At the same time, the benefits of postmortem examination can override the harms, such as the benefits of supporting justice. Additionally, analyzing the dead can be important for teaching purposes in the medical field (Rispler-Chaim, 1993).

Similar debates have been held around the topic of handling the remains of a Muslim individual. Though ideally postmortem examinations should follow the same practices as medical examinations, as explored in the Sunni Hadith by Muḥammad ibn Ismā'īl al-Bukhārī, necessity can override these rules. Female Muslims should ideally be examined by female Muslim medical professionals, though if none are available a female non-Muslim medical professional can perform the examination. Alternatively, if there are no available female medical professionals, then a male Muslim, followed by a male non-Muslim medical professional (Al-Dawoody, 2017, p. 780). This order is consistent with the general responses that I received in Somaliland as well: none took issue with female, non-Muslims (such as myself) handling the remains during a forensic investigation, due to necessity.

It was not uncommon for family members of the dead to point out that while ideally there would be local practitioners available to perform the investigation, the most qualified should be in charge. If female non-Muslims were more qualified than local, Muslim men, then the trained females should conduct the work. The emphasis on local practitioners was typically more geared toward the Somali locals rather than emphasizing the need for a Muslim rather than non-Muslim practitioner. Many also indicated that the investigations should assist in teaching Somaliland practitioners new skills. In general, there were few concerns regarding the storing, handling, or analysis of the remains. The families would point to either necessity and/or to religious or political authority, stating that: "the government can decide" or "it is up to the religious leaders." The majority of family members simply stated that due to necessity, they – the government, the WCIC, and the forensic field school participants – can analyze the remains; the remains can be stored; and those most qualified should handle the dead and decide how long to store them before reburial.

What families did take issue with, was opening a grave. To further understand these different perspectives on the permissibility and prohibition on the human remains recovery operations, I spoke to several religious leaders about these topics. Generally, all Sheikhs I spoke to found that it can be permissible to open a mass grave out of necessity. Some also indicated that out of necessity, graves could be exhumed for the purpose of forensic analysis and identification, in similarity to how suspicion of criminal activity can override the prohibition on cutting into the body of a dead person during autopsy (Al-Dawoody, 2017; Fahmy, 1999; Rispler-Chaim, 1993).

During one discussion with a local Sheikh, he described how even though it is prohibited to open a grave, he had participated in several relocations of graves – out of necessity. For example, his own uncle had been buried while fleeing from the bombardment in 1988, and many years later the owners of the land where he was buried requested for the

remains to be moved. In response, they exhumed and reburied the remains: *“Out of necessity, we had to exhume his dead body and move it. My uncle was not buried in a graveyard, you see, he was buried on someone’s land! And they needed that land”* he explained. In response, I asked if moving remains from a mass grave could be done out of necessity to bury the dead individually. *“It could be,”* he responded, referring to how the Prophet Muhammad buried the dead at the battle of Uhud – two individuals we buried together. So, it is permissible to bury two people together he explained, but ideally no more than that. If several people are buried together, you can leave the grave as it is and pray for them collectively, but it may be better to move them to more suitable individual graves in a graveyard if it is possible to separate the dead from each other. If there is a risk of commingling as the remains are being moved, it may be better to leave the remains where they are, he supposed. Out of necessity it is permissible to bury an individual without interring the entirety of their remains, though it is not preferable: *“You try your best, you try your best”* he concluded.

Whether to open the grave proved a much greater point of interest and tension to families than any other part of the investigation, though these accounts may have looked different had the families been more familiar with the forensic work and the procedures. Families were typically pragmatic, some indifferent when it came to the forensic analysis but quick to point out that only Muslims, ideally religious leaders, were allowed to rebury the remains, a topic that all family members were more familiar with than the forensic work. Some family members were also asked about their views on autopsies, which none believed were problematic – a doctor should investigate the body when there is suspicion of criminal activity. One Sheikh pointed out how it is generally not allowed to cut through the dead person’s body parts or to donate their organs. This comes back to the need to treat a person in death as they are treated in life, by respecting their bodily integrity. He referred to the Prophet Muhammad’s words, when the Prophet equated breaking a bone of a dead person to breaking the bone of someone who is still alive. However, necessity, including suspicion of criminal activity, can override this prohibition. When discussing the need for autopsies or other examinations of the dead, the conversation would often circle back to the topic of authority. Family members would describe how the government has the ultimate authority to decide what should happen to human remains if a person has been killed or remains are associated with the war.

The question of whether a grave should be opened or not elicited strong opposition amongst several of the families of the dead. Any opposition to the investigations were typically grounded in anxieties around opening a grave; the irrelevancy of investigating those who died over 30 years ago; and the fear of retraumatization when faced with the violence from the conflict. To 57-year-old former SNM fighter Mubarik, the graves should not be opened, nor should the remains be analyzed for long periods of time, since this is prohibited. Mubarik joined the SNM when he was in his 20s, after his father had been imprisoned by the soldiers – ironically, his father was imprisoned due to accusations of sending his sons to fight for the SNM. During Mubarik’s time with the rebel movement his brother was imprisoned and killed along with other Isaaq prisoners. His brother is now likely buried in one of the many mass graves riddling the Somaliland landscape.

According to Mubarik, remains should not be exhumed or analyzed, since this is prohibited. However, if remains are exposed by floods or erosion, then they can be analyzed – if it can be done *“on the spot.”* These views were shared by a couple of other family members who were not comfortable with the idea of the remains being stored in a lab space or other facility instead of being reburied. *“There is no need to take the remains to any lab”* he believed, *“the dead have relatives who will not want for the dead bodies to be analyzed in a lab.”* Only reburial is important, he explained: *“The only thing that they need is to get their*

right, and their right is to be reburied, shrouded in white cloth, and to have prayers read over them, that is the only thing that they need, those loved ones.”

Mubarik explained that these families are already aware of how their loved ones died and generally what happened to them, so keeping the remains above ground for analysis is unnecessary. They should be reburied as quickly as possible. To Mubarik, the people have remained patient since the genocide, and there is no need for any more information about the dead, they just need to keep their patience and pray for the dead, that is all. One market saleswoman was of a similar viewpoint and suggested that the bodies could be analyzed while they are being taken out of the ground and moved to a new location to be reburied, but that no further investigation or storage was permissible.

Viewed in light of Mubarik’s testimonial, the human remains recovery operation (the exhumation and the analysis) can threaten the patience that the people have retained since the conflict and the atrocities. Whether forensic practices are reconciled with local mortuary customs matters little if the very process itself is disruptive and potentially retraumatizing. For a similar reason, according to 51-year-old Khadar, the remains can and should be exhumed and analyzed, though they should not be exposed to the public. I had inquired about Khadar’s view on the field school participants handling the remains, despite being female (most remains being male) and non-Muslim, to which he replied: *“It doesn’t make a difference how the bones are handled, whether by male or female, Muslim or not Muslim, but they should not be exposed so much to the public.”* Khadar believed that seeing the remains could invoke strong, and hurtful emotions amongst those whose close relatives were killed, especially those who were too young to get to know these relatives before their death. *“A lot of these people haven’t met some of their close relatives, like their fathers and now they are told that this body, these bones are your father, it can be internally damaging”* he explained.

However, on the topic of forensic practices during analysis, most family members believed that due to necessity most things were permissible. As of 2019, it appeared as though local mortuary customs, specifically the need for individual burials, were a driving force or at least a justification for the investigations. Family members expressed some hesitation toward opening graves though few expressed hesitations toward the forensic analysis, handling, and storing of the human remains, typically referring to necessity as well as “intention.” However, if the forensic work was more publicly pursued and included family members in every stage of the work (including the planning phases), perhaps more facets of the forensic work would need to be reevaluated.

Just as necessity can override prohibitions, the intention behind the forensic work is also of importance according to several family members of the dead in Somaliland. Intention or *niyaa*, is a concept of spiritual importance during Islamic rituals, i.e., during prayer, pilgrimage, and postmortem washing (Halevi, 2011, p. 70; Powers, 2004; Rispler-Chaim, 1993, p. 92). Although *niyya* is not mentioned in the Qur’an it is present in several hadiths. The intention of a ritual act is commonly to be preceded by an utterance of one’s “intention” to perform the act so as to fulfill God’s will. According to Powers, *niyya* should be understood as the “*internal, subjective dimension of right action*” (Powers, 2004, p. 454).

Similarly, while some forensic acts are prohibited, or their performance may be questioned, whether they are permissible or not depends on the intention of the actors. Informed by personal experiences and by Al-Dawoody (2017) and others, I expected to find anxieties or outright opposition to one or more facets of the forensic work. However, few such oppositions were uttered beyond the restriction to open a grave – an opposition that many believed could be overcome by necessity. As it appeared during interviews: “if the intention is to identify and return them to their families”; “if the intention is to rebury properly”; or “if the intention is to show the families what happened to them as they died”

most forensic practices were permissible. If there is no malicious or selfish intent on the part of the forensic practitioners, they can handle, store, and analyze the remains however is most appropriate in their work. In this manner, intent along with necessity, rendered any opposition to the forensic practices redundant.

IDENTIFICATION: EXPERIENCE & NEEDS

The dead have a right to not lose their identity according to IHL, and parties to a conflict must attempt to return remains to families. Families also have a right to know the fate of their loved ones, combating the deleterious effects of “ambiguous loss” (Boss, 1999, 2007) – not knowing whether a loved one is dead or alive. However, under IHL, remains are considered to be properly treated as long as they are interred, and their dignity and mortuary customs observed as far as possible, even without identification and without return to families. Additionally, IHL applies only to international conflicts, though scholars argue that its stipulations should be observed as applying in domestic conflicts as well (Al-Dawoody, 2017; Petrig, 2009).

Identifications and the innovation in DNA technology for the purpose of individual identification have formed central tenets of human remains recovery operations after conflict, atrocities, and disasters. Some of the greatest innovations in technology for the purpose of individual identification came out of the search for disappeared children in Argentina as pushed by the Abuelas of Plaza de Mayo, and from the investigations of the extrajudicially executed Bosnian Muslims in former Yugoslavia in the 1990s (Arditti, 1999; Wagner, 2008). In these contexts, there were family members looking for their deceased loved ones, which allowed for DNA testing for the purpose of individually identifying human remains. Ideally, forensic investigators should offer all possible technologies to the families of the dead, to respect their needs, rights, and wishes including individual identifications (Rosenblatt, 2015). However, the feasibility of DNA testing depending on state of remains; the scope of the dead; available family members for comparisons; and technological accessibility, should also be considered to manage family expectations.

Few identifications have been made in Somaliland, and although DNA samples have been collected from some of the remains, it has been deemed too costly to continue identification methods through DNA analyses. Questions I have asked since my time in Somaliland in 2014 has been: are family members interested in identification efforts? Are identifications important in their view in order to care for the remains and rebury them properly? Would family members support DNA testing, and - are they familiar with DNA testing?

Large-scale DNA efforts to establish individual identity are costly and logistically complicated affairs, unattainable to many post-conflict communities that are struggling with day-to-day economic needs (Rosenblatt, 2015, p. 29). However, families should be allowed to decide what happens to their loved one’s remains, but few Somalilanders know where their loved ones are buried (or if they are one of several in a mass grave), often necessitating identification efforts before such decisions can be made. For these reasons, I asked family members about the need for individual identification, paying special attention to DNA methods, including: if families found identification of the dead important; if they were aware of DNA methods to establish individual identity; and if they believed DNA methods could and should be employed in Somaliland.

Redundancy & Uncertainty

“A dead man’s shoes are more valuable than he is.”
- Somali Proverb

Few of the Somaliland family members that I engaged with were aware of the details of the forensic work. Some had heard that mass graves were being opened, many knowing that “foreigners” were involved, though few had more detailed knowledge about who the foreigners were; why graves were being exhumed; and what was happening to the remains after they were unearthed. Similarly, few family members were aware of whether the dead were being identified – most believing that there was no way to identify a skeleton except for if they had individualizing teeth (many older Somalilanders having gold or other metal dental work) or recognizable clothing. Some family members were familiar with DNA methods, though the majority were not.

Out of 74 family members, 68 engaged directly with the question of identification and 60 of them found identification important. Some of the 60 family members believed that the remains should be unearthed because there was necessity to identify them, making identification a reason for breaking the prohibition on exhumations. Many family members also believed individual identifications should be prioritized during the forensic work, if not prioritized over other social needs in general, beyond the investigations. A majority (60 individuals or ~88%) of family members found identification to be an important, if not the most important, facet of human remains recovery operations. A few family members were initially indifferent about identification or believed it was unimportant, before learning that identifications could be done from skeletal material.

The eight (~12%) who did not stress the need for identifications had different, though related views on the forensic work. Several stressed the “redundancy” of spending time and money on finding those who died over 30 years ago, those who have already been assumed to be dead and their remains lost. Other family members hinted at a “redundancy” in identifying the dead since they should not be exhumed in the first place, and if they are exhumed, they should all be reburied in a similar manner and prayed for collectively. However, the vast majority did not share these views. Most family members wished to bury their loved ones in a known location so that they could visit the dead, as expressed by one 47-year-old corner store owner: *“If we knew where our loved ones were buried, that would allow us to visit our loved one that was lost during the wars and pray for them while visiting his grave.”*

A majority of the eight individuals who were not interested in identifications indicated that efforts for identifications would not be “useful,” highlighting how families have accepted that their loved ones died during the war and could not be found, so why waste time and money trying to identify them? Despite their disinterest in identifications, they tended to find exhumation and reburial important; some would stress the need to give the “burial rights” back to the dead, by shrouding them and burying them in individual burials. Some, including a minority clan member, believed it would create hostility if time and funding was invested in identifications. One of the eight family members uninterested in identification efforts also brought up a need to separate males from females. In case the dead were to be buried two and two, the females and males should not be buried together he explained. However, further identification efforts were not necessary.

The “usefulness” of identifications or lack thereof (some family members expressing how “identifying the dead is not useful”) was defined by one 65-year-old family member with the Somali proverb *“Nin dhintay kabihiisaa dhamaa”* roughly translating to “a dead man’s shoes are more valuable than he is.” This was her response to whether the dead should

be identified, indicating that this was a waste of time and resources, when the living will get more “use” out of his shoes once he is dead. In conversations with my assistants and local scholars, it was pointed out that the saying can be used as a reference to something valueless. Hussein described how your mother might say “why do you not help out around the house; a dead man’s shoes have more value than you are.” However, the 65-year-old woman who uttered the proverb appeared rather to reference a certain level of pragmatism, echoing the local view that Somalis are tough and non-sentimental – something that was often described to me while in-country.

This type of pragmatism in light of death and conduct related to mortuary customs is also referenced by Fahmy (1999) using an Egyptian proverb:

“(…) as the modern Egyptian saying goes, el-ḥayy ab'a min el-mayyit, the “living is more lasting than the dead.” People were not deterred by the sanctity of death if they thought that an autopsy was their only chance to establish justice.” (Fahmy, 1999, p. 267)

Similarly, several family members who were more interested in identifications than the 65-year-old woman quoted above, were not shy of invasive forensic practices if there was necessity to perform such practices, and the intention was for the benefit of the dead and their families. For example, none of the 60 individuals who were interested in identification efforts and having their loved ones remains back for proper burial believed that breaking a bone for DNA extraction was problematic, despite the view that breaking the bone of the dead is like breaking that of a living individual. Instead, all 60 family members encouraged invasive DNA testing for the purpose of identification.

To a majority of family members, identification was a constituent, if not the most important part of the forensic work. According to former SNM-fighter, and security guard Keyse, the most important facet of the forensic work would be to identify the dead so that they could be reburied, and families could visit their grave. *“Perhaps the practitioners have their own goals”* he posited *“but our goal is to get our loved ones, for them to be identified and buried in a specific grave, a known grave.”* This would provide some form of relief to the families, he explained: *“some people still don’t know where their family members are, they want to get that grave. These people may get some relief if they get that chance.”* Keyse even believed that the exhumations should not take place if the dead are not being identified. *“Exhuming the dead just to rebury them is not useful, investigations should wait until identifications are available,”* he stated.

These and related themes emerged in several interviews: exhumations for the purpose of reburial are not useful (unlike for those who believed that the dead deserved their “death rights”); family members want to know where their loved ones are buried; and many are living with the uncertainty of where their loved ones’ remains are – and if they are dead. During a conversation with 50-year-old housewife Idil, she similarly expressed the need to find a dead person’s living relatives before reburial. *“They should not hurry up to bury these dead individuals”* she debated while staring at a fly bouncing around on the table in front of her, referring to the remains that had been exhumed so far. *“If they wait, they may find some of the family members”* she explained, *“if they have put effort into finding the families but they cannot, then it is ok if they bury them, in individual graves.”* Idil’s father had been taken by the soldiers while they were fleeing Hargeisa during the 1988 bombing. Although the family did not know if he was dead or alive, they believed that the soldiers killed him and that he may be buried in a mass grave. For Idil, and many others like her, it could *“provide some form of relief”* if she knew where her loved one’s remains were. She also believed that

seeing the unearthed remains would help mitigate some of the pain, as she explained: “*I would like to see his body, so that I can forget him.*” She did not, however, indicate that she would be able to forget the violence or the injustices that contributed to his death.

As suggested by Al-Dawoody (2017, p. 775), it could greatly hurt families to not know where their loved ones are buried or be able to visit the graves. For this reason, the provisions on quick burials can also be overridden so as to allow for protracted identification efforts. Conversely, some Somaliland family members believed that individual identification was “redundant” since they should not be visiting and praying for “their” dead, instead the cemetery should allow for pondering death and for praying for the entirety of the community of the dead. However, there has been some debate in Muslim communities historically on whether to allow the last prayer for all dead, even e.g., adulterers, stillborn fetuses, robbers, or a dead stranger who may not be Muslim. Although the final prayer should be reserved for the devout Muslim, jurists would typically encourage prayers for all, on the basis that Islamic law demonstrates mercifulness to Muslim “outcasts” (Halevi, 2011, p. 164). Additionally, the community of the living have collective obligations to the dead:

“The burial of the deceased is a collective obligation (farḍ kifāyah) on the Muslim community. This means that the entire Muslim community will be guilty if a Muslim body is not buried (...)” (Al-Dawoody, 2017, p. 764)

In a mirrored fashion, it appeared that several family members of the dead in Somaliland believed that everyone individually has an obligation to the community of the Muslim dead as well – to pray for all the dead.

According to 47-year-old Nimcan, the practice of visiting a loved one’s grave is a more recent development in Somaliland: “*Here you do not go to visit a grave - we don’t have that culture.*” I mentioned how in my home country we visit the graves of loved ones and often light candles or bring flowers. He explained that this is not the case in Somaliland, it is only in the past five or six years that they have even started numbering graves, so that each can be recognized. “*Before, you know, you bury somewhere and all graves look alike, so people might try to visit sometimes, once in a year or so, but they don’t know which grave is which, so they just stand there and do some prayers, just general, you know.*” You usually don’t go back to the grave, he went on, most people are more likely to pray for the dead in the Mosque, or to give alms on their behalf. If they do go to a cemetery, they traditionally pray for all the dead, he explained. This was reiterated by many other family members – the living can assist the dead by praying for them, preferably all the dead, and by giving alms.

Eight people also discussed how it can provide some “benefit” (or bonus, as one person put it) to leave seeds and water for the birds by a loved one’s grave. They compared this to giving alms – a deed that is done in the name of the dead. Prayers can be read from anywhere and as such, knowing where a loved one is buried is necessary primarily to confirm the suspicion that they died during the war. One individual also pointed out that the dead in Somaliland do not need to be identified since they were martyrs, and according to the Prophet’s conduct at the battle of Uhud, they should be buried without washing, in their own blood. By being defined as martyrs, the dead would not need to be identified, since they do not require ceremonial funerals based on the *Sunna* (the ways of the Prophet) after the battle of Uhud. The Prophet did not even pray for the martyrs, and hence, as pointed out by one family member, the dead in Somaliland would not require identification or the burial rights, including the last prayer, if it is agreed that all dead were martyrs – as was the case in Yugoslavia after the Srebrenica massacre (Halevi, 2011, p. 160; Wagner, 2008).

The lack of identification efforts in Somaliland are, in some ways, feeding into the collective identity that is growing around the forensic investigation, and the muted fashion in which the government is supporting the forensic work. The stories surrounding the mass graves are creating a collective victimhood identity, primarily among the less affluent Isaaq, to whom the “genocide against the Isaaq” under Siad Barre warrants international recognition for Somaliland. Additionally, I posit that the lack of individual identifications is contributing to this collective victimhood identity. The government is funding the WCIC, though not to the extent that the organization is able to conduct individual identifications, and certainly not more large-scale individual identification efforts through DNA analyses.

During the mass grave exhumations in Spain, Renshaw (2016) observed a break down in collective identity amongst the family members of the dead. During the Franco-regime, the collectiveness of the Republicans (non-Franco supporters) was deliberately dismantled. However, the human remains recovery operations were assisting in recreating the lost collective identity, with some difference in emphasis between the different exhumation teams operating in Spain: one stressing the affective bond between living and dead and one stressing the ideological bond. Rather than outspokenly aiming to create a community around the investigations, the muteness of the forensic work in Somaliland appears to instead be contributing to the collective identity amongst the Isaaq survivors. Additionally, this collective identity appears to be further spurred by the lack of identification efforts. Since the dead are not being identified, each dead person is a potential family member of all those who lost someone during the war, while at the same time each dead person can represent the violence against the Isaaq.

As detailed by several family members and practitioners, both Isaaq and minority clan members, many non-Isaaq were also killed during the war. However, the mass grave exhumations are targeting areas primarily inhabited by the Isaaq. In sheer numbers, there are more Isaaq Somalilanders than minority clan-members, and more Isaaq individuals were killed during the war. As such, it is more likely that the dead being exhumed are Isaaq. This does not mean that there are no minority clan member dead whose loved ones are also interested in finding and reburying their remains. It does however mean that the dead are statistically more likely to be Isaaq – and are assumed to be so without individual identifications.

While discussing DNA analysis methods, several individuals asked me if DNA analyses could be used to see which clan an individual was from. I responded that I did not believe so: unless we identify the individual, we cannot determine the clan someone belonged to from DNA alone since there is a lot of shared biological ancestry between the clans. When I asked why this specifically might be requested, one man jokingly responded “*So that we can burn the remains of the soldiers.*” The Siad Barre soldiers were typically of other clans than the Isaaq. In Islam, the dead are buried in the ground and are not cremated, since burning remains is considered disrespectful of human dignity (Al-Dawoody, 2017, p. 772), hinting at the anger the man held toward the southern Somali soldiers. Hence, without these identification efforts, all dead deserve to be treated with dignity, since they may be Isaaq, a victim of the southern forces, and may be a close family member.

After conflicts, dictatorships, and other politically tumultuous events the dead bodies of influential or “iconic” figures have been seen to garner power over historical narratives and been influential in supporting governmental administrations. The bodies of saints and freedom fighters amongst others can be symbolically impactful in times of political reorganization – as Verdery (1999) observed in post-socialist Eastern Europe. Additionally, the bodies of the non-iconic, including the scores of executed “subversives,” civilian casualties, and fighters who die during battle are also politically imbued (Wagner &

Rosenblatt, 2017). During research on mass graves and other improper burials in post-civil war Acholiland in northern Uganda, there have been significant political underpinnings to the “ordinary” dead. The bodies of soldiers and civilians left in the wake of war, the Internally Displaced Persons (IDPs) who die while in IDP camps, and other graves that remain in agricultural fields or in schoolyards are entangled with socioeconomic inequalities and lasting injustices that have yet to be dealt with by the Ugandan government. Due to these entanglements, the dead and the improper graves punctuate post-conflict debates that go beyond the matter of recovery and reburial of human remains (Kim & Hepner, 2019).

In Somaliland, the dead are similarly connected to entanglements beyond questions of “correct” mortuary practices or compiling evidence for trials against the Siad Barre commanders. The dead are connected to these concerns as well as those seen in Uganda though in different ways. Somaliland declared independence after their conflict, while Acholiland remains part of Uganda. In Uganda, the same administration remains as during the war between the LRA and the government. However, the dead in Somaliland also appear connected to a collective consciousness and identity amongst the Isaaq family members that I engaged with while in the country. This collective identity appears to be fueled by not only the muted approach to the investigations by the government, but also the lack of identification efforts. Like the overall lack of funding for the investigations, the lack of individual identification efforts seems primarily related to the costly process of collecting DNA, and further exacerbated by a lack of DNA-testing capabilities in Somaliland. Nonetheless, this lack of identification efforts allows all dead in Somaliland to symbolize the pain of each family member in losing a loved one and without identification any dead body could potentially be the loved one of any survivor family – further bolstering the collective identity that is growing amongst many Isaaq clan members.

Moreover, the dead symbolize the violence against the Isaaq people, making the dead in Somaliland simultaneously iconic and ordinary, adding to the collective trauma and victimhood of the Isaaq and further cementing the political power of the dead. This political power may be altered and perhaps lessened with identification efforts, though who is allowed costly and technologically advanced identification efforts is also indicative of governmental control over who gets to be reinserted into the social sphere through identification and reburial after conflicts (Bennett, 2014; Wagner, 2008). Although some family members found identifications less important than more pragmatic concerns – as portrayed by the proverb that a dead man’s shoes are more valuable – the majority found identification efforts to be an important, if not the most important facet of the human remains recovery. For this purpose, I engaged in discussions with families around questions of DNA testing and DNA capabilities for Somaliland.

ID & DNA: POSSIBILITIES & RESTRICTIONS

A majority of family members were interested in individual identification to find the remains of their loved ones who died during the war. These individuals were also supportive of incorporating DNA analyses for the purpose of establishing individual identifications. Out of 62 family members who discussed identification through DNA analyses specifically, seven had either donated DNA themselves to the forensic investigators during a mass grave exhumation or had been present when acquaintances had donated DNA samples. Out of the remaining 55 individuals, 23 had no prior knowledge of DNA analyses and 32 knew of DNA as a concept or of DNA testing to some extent. However, few (the 32 included) knew that individual skeletal fragments could be identified using DNA, let alone any details about how DNA can be extracted from human remains for the purpose of identification. The 23

individuals who were not familiar with DNA typically prefaced their unfamiliarity by saying that they “spend most of their time at the market” or “stay in the countryside” and were hence not familiar with these more medically advanced concepts. Although several of the individuals who were familiar with DNA were medical or legal professionals, some were market saleswomen and men who had heard about DNA testing for different purposes. For example, DNA testing for the purpose of paternity testing – something that was also found during our research in northern Uganda (Kim et al., 2020). As expressed by one market saleswoman: *“They do this testing for arguing babies - for arguing whose baby it is.”* There was also familiarity with biological testing in the context of migration.

Several family members had acquaintances who had been forced to give biological samples before moving abroad to prove ancestral ties to family living in other countries. This type of testing is common practice in several countries before allowing visas or green cards to family members of residents or asylum seekers, a form of testing that has several shortcomings culturally, psychosocially, and methodologically (Barata et al., 2015). Several of the individuals unfamiliar with DNA analyses at the start of an interview mentioned paternity testing or biological testing for migration once they found out more during our discussion. Conversely, several of the individuals who claimed familiarity with DNA testing also expressed that although they knew about the analyses more generally, they did not know any details about how testing takes place – many indicating that they did not believe DNA could assist in identifying the dead, especially not skeletons. These individuals would commonly state that biological testing can show “blood relations” or show “who are closest to one another,” however the details of DNA extraction and comparison were typically not well known.

None of the family members who wanted individual identifications were opposed to the use of DNA methods, instead most believed DNA should be utilized to identify the dead. Typically, those who were not familiar with DNA analyses were supportive once they learned more about it over the course of our conversation. For example, one 40-year-old clerical worker had the following to say about DNA testing once he learned more about the process: *“It would be good if the dead could be identified before they are reburied, if these kinds of DNA technologies lead you to know the name of the dead body and his clan, then all things will be clear. I do not think there is any DNA labs here in Somaliland,”* he pondered *“but they can send the testing to Ethiopia.”* We asked the man whether the Ethiopian labs were enough, meaning that there does not have to be investments in DNA capabilities in Somaliland, to which he replied: *“If testing the DNA enables you to know exactly all the details about the skeleton, like the tribe and the name, that would be important also to have in Somaliland, rather than sending to other countries.”*

As explored prior, some individuals did not find identifications necessary in general and were hence not interested in such lengthy and financially taxing identification procedures. Additionally, some family members believed that ideally DNA testing should be done for the purpose of individual identification, although since these methods are not available and are costly, they should be foregone in favor of supporting the living who are struggling with basic needs and health issues. Other family members found that DNA capabilities were one of the most pressing needs in Somaliland. As per 60-year-old housewife Safiya, finding the dead was a “priority need”: *“this is the first time that I heard about this DNA and how it works, and it is something amazing that many people will benefit from”* she explained.

We went on to discuss how DNA testing is not only complicated by fragmentation, contamination, and commingling, but also that it requires lab spaces, trained personnel, and a lot of funding for a context like the one in Somaliland, to which Safiya responded that:

“Somaliland cannot wait to establish such labs, this is a priority need!” Safiya described to us how she was forced to witness as her loved ones were killed, but she was not allowed to show her sorrow. *“If I cried the soldiers would kill me too, so I was not able to sympathize.”* She described how it would be beneficial to her and others like her to know where their loved one is buried, since they were denied the right to “sympathize” as they died: *“everyone would like to know where their loved one is buried in order to visit, but we did not get that chance yet.”* In this way, identification efforts would help her reclaim the power over her loved one’s remains, power she was denied as her loved one was killed. Other family members similarly emphasized that this is something needed for those who do not know where their loved ones are buried. Some even found the need for identification efforts to match the need for investing in healthcare and infrastructure in Somaliland.

I discussed whether identifications through DNA should be a priority in Somaliland with nearly 60 family members of the dead. Six respondents were unsure or deferred to the government, *“it is up to the government to decide”* as one family member stated. Six individuals did not believe DNA capabilities or identifications should take priority over other pressing needs in the society, such as healthcare, education, or infrastructure. One of these individuals was a minority clan member, who was generally uninterested in forensic investigation, another was the 65-year-old woman who believed that *“a dead man’s shoes are more valuable than he is.”* In her view there was no need to *“waste all resources on the affairs of the dead”* when the living so desperately need them.

Another woman pointed out how those who lost their husbands or sons need help looking after children and grandchildren much more so than they need to find the dead. However, 46 family members expressed that identifications and investing in DNA capabilities for this purpose was some of the most important (if not the most important) concerns in Somaliland today. For example, according to one 47-year-old chief elder who lost three family members during the war, the families in Somaliland “eagerly awaits” recovery and investigations of the dead: *“The families will eagerly want to have such a DNA lab in Somaliland, whatever the cost.”* He explained that especially those who do not know where their loved ones are, or if they are indeed dead, remain hurt and need these DNA capabilities.

According to Sheikh Abdirizaaq, identifications would be preferable, but they are not a necessity. He instead believed that recovery and proper burial is more important and the main religious goal of the forensic investigation. *“No one is arguing that this is our loved one or not your loved one, that is not an issue, it would just take a lot of money and a lot of time to identify them”* he explained. *“The ceremony and the burials do not depend on who the people are”* he continued, *“people can come and take part in the funeral without knowing who the dead are, the main goal is just to rebury them”* he repeated.

For families that were interested in DNA capabilities and identifications, knowing which body was which seemed more important than Sheikh Abdirizaaq implied. Additionally, this need for DNA testing was also often articulated in reference to other DNA needs in Somaliland. Several family members mentioned how useful it would be for paternity testing, for migration, or for sexual abuse cases and other crimes. This last point was raised by several practitioners as well, some of which I sought out for the purpose of understanding forensic needs in Somaliland. I learned that certain human rights and law-focused NGOs were actively working on establishing DNA capabilities in Somaliland for the purpose of investigating gender-based violence. Doctors at Hargeisa Group Hospital also voiced a hope to resolve deficits in forensic pathology resources as well as DNA analyses.

In order to understand the need for and obstacles to DNA testing in Somaliland, I sought to also understand the forensic capabilities more broadly. The following section accounts for forensic capabilities and needs, focusing on Hargeisa as there are few forensic facilities elsewhere in the country. The information presented here is drawn primarily from my fieldwork. Forensic capabilities were described to me by forensic pathologists and doctors at Hargeisa Group Hospital, as well as by legal professionals, including human rights lawyers and local NGO workers. Specifics regarding hospital procedures or the legal system may have been misinterpreted by people I spoke to or may reflect one person's experiences rather than the official structure of the organization or work being described. As such, the information conveyed here may not encompass all views or practices related to the dead in Somaliland.

Forensic capabilities such as forensic anthropological expertise and other forms of forensic knowledge, training opportunities, and equipment are limited in Somaliland. The British company Axiom has been providing forensic capacity building in the form of crime scene investigation and evidence collection training to Somaliland law enforcement and a "justice capacity program" since 2018. Axiom is an internationally operating, British capacity building company that offers development programs for peacebuilding, the public sector, and national security development. They work for private sector clients and governments.¹³ Axiom maintains an office in Hargeisa and in 2018 they launched their justice capacity program in Somaliland on behalf of the UK government.¹⁴

There are archaeologists working in Somaliland who have engaged in student mentoring, such as Somali-Swedish archaeologist Sada Mire,¹⁵ whose students presented their studies on archaeological sites in Somaliland at the 2018 Somali Studies International Conference in Hargeisa. However, to my knowledge, there are no programs that offer forensic archaeological training in excavation methods. There are no other avenues for local training in forensic anthropology and archaeology outside of the education provided through EPAF's field schools. A lack of archaeological and anthropological instruction is coupled with limited training opportunities in forensic pathology and postmortem examination. Forensic pathology and postmortem examinations are limited to a single hospital in Hargeisa - the Hargeisa Group Hospital. To learn more about the local mortuary capabilities I met with one of the senior doctors at Hargeisa Group Hospital in 2018. We met again when I returned in 2019 and engaged in a more thorough discussion about the hospital's capabilities.

A Tour of Hargeisa Group Hospital

I arrived at Hargeisa Group Hospital during a characteristically warm August morning. The cars were kicking up dust from the main dirt road that led past the hospital grounds as I entered the compound. My hijab and layers of clothing under my synthetic robe-

¹³ <http://www.axiom-international-ltd.com/>

¹⁴ <http://www.axiom-international-ltd.com/terms-of-reference-justice-capacity-development-consultant/>

¹⁵ Dr. Mire has been working out of Leiden University in the Netherlands, the School of Oriental and Africana Studies (SOAS) University of London, and University College of London. She has also started Somaliland and Somalia NGOs and a website dedicated to Somali cultural resource management and heritage preservation, see: <https://www.sadamire.com/about/> & <http://somaliheritage.org/>

like cabaya had my forehead misty with sweat before I had even started the trek through the different wings of the hospital to find my interviewee. As before when I had visited with doctors at this hospital, I found myself wandering up and down the outdoor paths leading past the annexes. Although some of the structures had accompanying plaques announcing the specialty offered inside (often in Somali), the majority of the buildings did not and since they all looked the same from the outside I typically got lost when I first arrived. There were dozens of people wandering up and down the paths, elderly and disabled people perched along the buildings to catch the shade from the small slivers of overhanging ceilings, and family members and friends leaning into open doors presumably to inquire about their sick loved one. After wandering for several minutes, I gave up, reached for my phone, and called the doctor I was about to meet. Eventually he came to find me as I waited in the shade of the roof covering the information windows, also situated outside along one of the paths.

The doctor told me to follow him, I assumed to go back to his office, but first we went to the women's Tuberculosis wing – something I found out afterward. The doctor led me into a big open room where hospital beds were placed along the sides, spaced several meters apart, and families and friends of the sick had set up shop around each bed. The women on the hospital beds were of all ages. I saw a young woman shaking uncontrollably and an elderly woman staring off into space, not fully present as the doctor walked up to the side of her bed. Someone handed him a chest x-ray and the doctor started discussing it with some younger men. At this moment I wished I had brought along Warsame to help interpret, since I was not completely sure which part of the hospital I was in, nor what was going on around me.

We eventually walk out and headed to the senior doctor's office to discuss their forensic capabilities. He told me that they are the only hospital in the city that performs autopsies, though they also have some mortuary capabilities in each larger region of Somaliland, some of which, such as Berbera, also use refrigerated units to preserve the decedents. They have room for nine decedents in the cooling unit at Hargeisa Group Hospital, he explained. The hospital used to have another unit with room for three bodies, but they recently donated this unit to Wajale on the border with Ethiopia. The senior doctor went on to tell me that they barely have any equipment for autopsies and do not have a proper autopsy table. They do not even have an up-to-date building dedicated to postmortem examinations, but instead use one of the rooms that was left over from "the time of the British" as he explained, i.e., from the 1950s at the latest. There is some forensic pathology equipment that they received from an Italian organization – "Pathologists Beyond the Borders." However, there is need for personnel to work in the labs as well as training for their medical technicians. Senior doctors perform the autopsies along with one trained forensic pathologist working at the hospital, who received his training in Ethiopia. Although without adequate resources and additional staff, he is not capable of doing more than opening a body for a visual inspection of bleeding and bruising, and thereby examining the potential cause of death.

The senior doctor told me that there are two reasons why they perform an autopsy: either the attorney general orders it because there was a car crash, someone found dead, or a suicide, or an autopsy is conducted by request of the family. If ordered by the attorney general, the family cannot object. I asked the doctor whether it is common that families object to autopsy, seeing as objection to postmortem examinations such as an autopsy have been associated with religious restrictions in some Islamic societies (Al-Dawoody, 2017; Fahmy, 1999). The senior doctor responded that objections are uncommon, there are at times objections on religious grounds, but commonly families will approve if not appeal for autopsy. According to the doctor this partly goes back to the *diya*-paying system, since if it

can be shown that the person was murdered, the family can claim compensation from the perpetrator. Thus, sometimes families bring in their loved one for autopsy even when they have died from natural causes, he explains. The doctor has on occasion had a decedent's family and a potential perpetrator quarreling in his office over what transpired and who is owed compensation. However, since the hospital does not have the capabilities for toxicology, histology, or other costly tests that require trained staff, the autopsies are often inconclusive.

The senior doctor further described how they also often lack critical information about the bodies brought to the hospital. It is not uncommon for bodies to be transported to the hospital without the police providing any contextual information about the death, the scene, or the state of the remains when they were found or otherwise collected. According to the doctor, Somaliland law enforcement has only received minimal training in forensic practices. They have been given body bags and other materials, but the need is much greater than that. At this point there was a knock on the office door and three young men in civilian clothing came into the room carrying a chest x-ray. The four men spoke to each other in Somali, and the senior doctor placed the chest x-ray on a lightboard situated on the wall next to his desk. I could not make out whether these young men were health care professionals or patients, or perhaps both. A few other people knocked on the door and poked their heads in, each mentioning something briefly in Somali before disappearing and closing the door behind them. Eventually one of the three men lifted up his shirt to show the doctor his chest. The four men continued their discussion until the doctor wrote a prescription, handed it to the young man, and they left the office.

Eventually, another doctor came into the office and the senior doctor told me that he had come to show us the autopsy room and the laboratory spaces. The three of us walked back out to the paths leading up and down the rows of large, white hospital buildings. We arrived at what seemed like the middle of the hospital area, where a few smaller structures were lined up. The second doctor unlocked a room that appeared to have gone unused for some time. Medical equipment and random machinery were lined up on tabletops throughout the laboratory space and laminated instructional plaques adorned the walls. The doctors explained that they had gotten this equipment from international funding and that this was their future pathology lab. However, they need more equipment and training, and they will be sending some staff to Ethiopia to be trained to run the lab. An elderly man in civilian clothing entered the room as we were talking, and the senior doctor told me that this man was part of the SNM during the war. He is a very important man. I introduced myself but before I knew it, he had disappeared again. We left the lab spaces and headed over to the "autopsy suite," as they are usually known at medical examiners' offices. However, as we walked to the edge of the compound, and ended up next to a pile of rubbish, I realized that what I was about to witness was not quite a "suite."

The buildings we were headed for were off to the side of the rest of the hospital structures, with a barrack-looking exterior and large padlocks on the doors. The doctors showed me a dark and dingy room with green and brown colored cement walls and a single lightbulb hanging from the ceiling. The walls and ceiling showed water damage, and several ceiling panels appeared as if they could come crashing down any moment. There was a fixed, cement table in the middle of the room and a couple of portable gurneys pushed in toward the back wall, one with what appeared to be worn clothing on top of it. I couldn't help but wonder if the clothing was from an autopsied individual, or if it was possible to properly clean the space. The floor and gurneys were covered in a thick layer of dirt that seemed to have adhered to the interior over the decades since the building was erected.

We left the room, and the doctors unlocked another building next to the autopsy suite, which, like the previous, opened straight into the outdoor area. This second room contained the cooling units. The room was small, just large enough to hold the refrigerators. There was one large unit with room for six bodies just inside the door, and a unit that could hold another three bodies along the right-hand side. This second unit was the same type as the cooler that was recently donated to Wajale, they informed me. The doctors opened the refrigerators, showing one small child with severe head trauma from a car crash, the mostly skeletonized remains of a person found in the bush, and the partially decomposed remains of an adult woman. The doctors believed that the latter, also found in the bush, had potentially been killed and scavenged by hyenas. I inquired whether they would perform an autopsy on the child, they responded that there is no need, he clearly died from the car crash.

As we were leaving the mortuary section, a young doctor joined us and told me that he finished an autopsy just earlier that day – he was the forensic pathologist who trained in Ethiopia. The young doctor was enthusiastic and stumbled over his words, eager to tell me about his experiences in the forensic pathology field. He told me that he studied pathology in Ethiopia, where they focus on many different pathology methods though unfortunately, they are only able to do the external/internal examination in Hargeisa. Without any further input or prompting from my side, the young doctor continued talking about the importance of “justice” but explained that considering their lack of equipment and personnel it is hard to “get the justice” here. The young doctor eventually left us, and we started walking back to the office areas. I asked about DNA capabilities as we walked, and the senior doctor told me that they do not have this. A couple of times when they have needed to do DNA tests for paternity cases, they have sent samples to Nairobi. He believed that it would be better if they had DNA labs in-country, it is something that they are lacking, and the need is great.

We continued walking toward a row of offices to meet with the Hospital Director. We were led into a long room, filled with a shiny, mahogany-like conference table and leather chairs. As we came in the Director was in the middle of several discussions in Somali with a few different groups of people. Other people were leaning in through the doorway, trying to get time to meet with the Director. He eventually greeted us, and we all sat down. I told him briefly about my research, but he went straight into talking about their forensic capabilities and needs. He described to me how they desperately need equipment and personnel, though a lot of funding agencies will want to start from scratch, which would be redundant here. The Director believed that what they need forensically is a team of dependable people to receive training and permanent employment. He illustrated this point by telling me about malpractice cases. Recently a patient had tried getting a complicated surgery done in Hargeisa. The patient went to four different hospitals, but everyone said no because it was too dangerous with the equipment that they had in-country. However, the fifth hospital said yes. As it turned out, the person died from complications during the surgery. The issue now, he continued, is that they do not have the necessary equipment to confirm that the doctor was responsible for the death and so they are unable to revoke the doctor’s medical license. I asked about DNA analyses, and he confirmed this need as well, especially for sexual assault cases, since their equipment is sub-par. The hospital director reiterated several times that what they need is funding to get better equipment. They also need to employ a group of forensically engaged medical practitioners that can receive more training and remain employed at the hospital to build up their forensic capacities.

Capabilities & Training

Not counting issues of fragmentation, commingling or other concerns that may make DNA analyses in Somaliland difficult, one of the foremost obstacles to DNA analyses (whether tests were to be analyzed in-country or shipped elsewhere) is a lack of funding to collect and analyze biological samples from the living and the dead. Considering the lacking forensic infrastructure in Somaliland, the road to DNA capabilities appears quite long. Resources would need to go into planning and logistics alongside hiring and training of personnel, building up the necessary lab spaces, and garnering specialty materials for large scale identification efforts. Hence, establishing DNA capabilities in Somaliland would be a costly approach to individual identifications and likely cost prohibitive. However, sending DNA samples abroad comes with its own drawbacks, including risks of mixing up samples and other chain of custody complications. Moreover, outsourcing deprives local practitioners and students from gaining specialized knowledge and skills from building up domestic capacities (Schmitt & Mazoori, 2017).

In addition, several practitioners and NGOs in Somaliland are actively seeking DNA capabilities for other contexts, including to support victims of gender-based violence. The DNA testing needs in Somaliland beyond those related to the mass graves suggests that the government would benefit from building up in-country capacities were they to invest in identification efforts, or perhaps engage in regional or international collaboration for this purpose. Several family members pointed out that even though the dead should ideally be identified, they did not believe that it was currently a possibility considering the lack of government funds and resources. Although according to some it was not a question of resources it was a question of political will. Nimcan, a 47-year-old journalist and entrepreneur had the following to say about identification efforts: *“There are resources, I have worked with government spending in my previous professions, they can afford it if they plan for it.”*

He believed that the government could set up a pool for this purpose, which could be added to by other countries. *“I am sure there would be external assistance, other countries like the UK and USA would be able to support this if that structure was already set up,”* he assured. Nimcan also believed that the government should have already focused on establishing DNA capabilities with the mounting crime in the country, in addition to mass grave investigations. *“Thousands of people lost their family members and don’t know where they are, with 30-years passing since the war, DNA would be the only way to identify these dead bodies to find them”* he concluded. A number of practitioners also believed that the government would be able to fund DNA capabilities if there was the political will to do so.

Reassociating families and finding the dead can be complicated endeavors in the midst or aftermath of conflict, disasters, and displacement (Barata et al., 2015; Obertová & Cattaneo, 2018). A large segment of the Somaliland population was displaced during the Siad Barre regime, especially in 1988 as attacks were increasing and Hargeisa was being bombed by the government. Many Somalilanders fled to refugee camps or permanently relocated to the Middle East, Europe, and North America. Displacements can complicate DNA efforts to identify the dead or to reunite unaccompanied refugee children with their families, as individuals relocate, and families are fragmented whilst i.e., fleeing war, relatives can be hard to locate. For this reason, I inquired whether interviewees thought that displaced family members of the dead could be found, despite the considerable migration that followed the war.

Though a couple of family members believed that the displacement would make DNA analyses tricky, the majority of family members explained how there are still strong

connections between Somalilanders in the country as well as abroad, among the diaspora communities. Several family members pointed out that through modern technology (internet, cell phones, social media), the families stay in contact, and all families can be found and contacted. If the diaspora Somalilanders are told that their dead loved ones could be found through DNA analyses, they will come to give samples, one market saleswoman explained. Individuals who do not know their families in Somaliland still have their “lineage,” i.e., their clan affiliations and connections, and there are ways to get ahold of members of your lineage across the world and in the country, I was told. Nonetheless, the sheer number of dead and of displaced survivors in Somaliland would likely make large-scale DNA analyses for individual identification logistically complicated even if many of the families could be contacted – not to mention issues associated with obtaining testable biological samples from the 30-year old, fragmented, and commingled remains.

DNA analyses can expose uncomfortable and detrimental facts about familial ties, such as secret adoptions and misattributed paternity. Barata et al. (2015) observed these incidental findings during DNA testing of migrants trying to join resident families in the USA, resulting in psychosocial trauma for parents and children. Moreover, adoption is common during and after conflicts, including neighbors, friends, and more distant family members taking in war orphaned children. DNA analyses have been shown to disrupt the social lives of those whose cultures and legal systems do not support adoptions. In more severe cases, DNA may put women in harm’s way. In some communities women are subjected to physical or capital punishment for having a child by someone other than her husband, even if the pregnancy was due to rape (Barata et al., 2015).

Similarly, one family member in Somaliland believed DNA analyses to identify the dead might also lead to psychosocial issues. One man in his early 30s described how people in Somaliland have heard about misattributed parentage as community members have been subjected to DNA testing for migration purposes. *“If they want a visa for their child and they do a DNA test and see that this is not their child, that is like a phobia to them”* he explained. When you take those matters to the Muslim jurists, they will tell you that it goes against the religion, he continued. However, others did not believe DNA analysis would cause such issues in Somaliland. For example, as defined by one man working for the MoJ, according to Shari’a an act can only be judged as adultery (and hence be penalized by physical punishment or death) if four different people observed the act. For this reason, he explained, DNA would not make a difference – it could not be used to support a Shari’a based adultery court ruling. However, psychosocial issues may still be an issue.

Although the *umma* (community) has the power to transform and adapt customs and laws to changing societal concepts and technologies, there are a set of “immutable rules” around which these changes can take place (Korbatieh, 2020, p. 5). Adaptations result from *ijtihad* (legal reasoning) by jurists to account for advancements and contemporary issues. This means that there are differences in how administrations approach justice and enforce laws across the Islamic world. However, some regulations are fixed, including *hudūd* (penal law) crimes, or crimes against God, which require high levels of evidentiary standards since their punishment are written in the Qur’an and are nonnegotiable. According to Korbatieh (2020) DNA testing has typically been dismissed in Muslim communities as a form of “paternity testing” since paternity is traditionally based on marriage or *li’an* (mutual condemnation). However, DNA testing has been suggested permissible for use where children are born out of wedlock in order to fight legal discrimination and stigmas among unwed mothers.

DNA testing has often been allocated for legal use when supporting the best interests and rights of the child, rather than for quarrels among spouses. While some Muslim jurists

have argued that DNA testing can replace marriage and *li'ān* to establish paternity and support the crime of adultery, others have argued that the Qur'anic (24:6) definition of evidence for adultery is limited to eyewitnesses – specifically four eyewitnesses, or confession. For this reason, it has been argued that DNA analyses could be used as evidence of *ta'zīr* (discretionary punishment) crimes but not of the *ḥudūd* crime of adultery and hence capital punishment (Korbatieh, 2020).

While DNA testing is currently available via foreign labs, questions of permissible evidence in Shari'a based courts could become more central if further investments in DNA capabilities made testing more readily available in Somaliland. Therefore, if such capabilities were to be established, it should be accompanied by community sensitization and outreach to communicate the limitations of DNA-based methods. To minimize the psychosocial issues and confusion described by Barata et al. (2015), DNA capabilities should be accompanied by community sensitization to explain the process, methodology, and what DNA-test results entail.

Although any further DNA-testing may not take place to identify the dead from the Siad Barre atrocities, the family members that I engaged with were emphasizing the need for individual identifications to find their loved ones, and their support for DNA-analysis for this purpose. Additionally, medical and legal practitioners discussed the need for DNA testing for crimes solving and for identification needs outside of the mass graves, indicating that there is demand for DNA capabilities in Somaliland, and perhaps that such developments will take place in the near future – if there is the political will.

FORENSIC CARE WORK

Human remains recovered and analyzed after disasters, conflicts, or as a result of dangerous migratory conduits, have been described as being “cared” for by forensic practitioners. Following critiques raised against the purely evidence-collection approach of the early investigations in former Yugoslavia (Stover & Shigekane, 2002), a more family-centered approach was crafted. The emphasis on families at the center of the forensic work was then codified during the 2003 ICRC conference on the missing and their families (Cordner & Tidball-Binz, 2017). This shift in focus also meant that the remains were to be treated as subjects of care – were we to accept the idea that even the “non-sentient” can receive care (Rosenblatt, 2015, p. 180). Viewing human remains analysis and identification practices through the lens of care also convey some of the ways in which practitioners administer “forensic care work,” rather than simply doing their jobs or engaging in scientific inquiry. Forensic practitioners may even place a greater emphasis on the sanctity and importance of human remains, while family members may not feel the same bond to unrecognizable human remains as they do to their lost loved one's possessions, for example (Rosenblatt, 2015, p. 186).

As forensic practitioners exhume, identify, and analyze human remains, the bodies are given care denied to them by perpetrators who “disappeared” them into mass grave, or buried them in other clandestine ways. In this light, forensic practices can be seen as a form of care that reverses the violence of perpetrators and places the dead back into the social world from which they were torn (Crossland, 2000; Rosenblatt, 2015). Similarly, M'charek and Casartelli (2019) analyze the forensic recovery of migrants who drowned in the Mediterranean Sea through the lens of forensic care:

“In the case of drowned migrants, these are relationships of forensic care. Salvaging and identifying bodies helps to enrol drowned migrants in a collective. This

collective, which we might tentatively describe as ‘citizens of the world’, is bounded by ideas about humanity and acknowledges people as part of a human community and the world in which we live. Through this forensic care work bodies become people, individuals who belong to the community, rather than objects or waste to be disposed of.” (M’charek & Casartelli, 2019, p. 739)

In this interpretation, the migrants who are dying as they are escaping war, persecution, and poverty are being treated with forensic care, or “forensic care work” when their remains are recovered and analyzed by practitioners attempting to identify them, reinserting them into the collective of humanity. The authors attempt to put a name to the often overlooked and difficult work of the practitioners who analyze the remains of migrants who died crossing the Mediterranean Sea. M’charek and Casartelli (2019) believe that the care the forensic practitioners put into their work, the long hard hours they dedicate to identifying and analyzing the dead, is not part of the forensic protocol, yet it is a fundamental constituent part of caring for the dead because they belonged to individuals with a right to be known.

Although I cannot speak for EPAF staff or fellow field school participants, I consider the work we did in Somaliland as driven by forensic care work. I was not familiar with forensic care as a concept when I arrived in Somaliland in 2014. Neither was I particularly swayed by the emphasis on “care” when it was first introduced to me. Retrospectively, however, I see how the work that I was putting into the field school fits under the umbrella of care work. I wanted to do forensic work that made a difference, that supported justice, and supported post-conflict communities. Although I do not see the investigations through the same rose-colored glasses anymore, I can still see how many of us were likely there for the same reason – to care for the dead and help the living. While my conversations with family members of the dead showed that there are many benefits to forensic investigations, and the majority of family members are interested in some aspect of the human remains recovery work, few are currently able to care for their loved ones’ remains. The work of the forensic practitioners should not be considered under the umbrella of care work unless families are included in the work, and the practices are employed for their benefit – for them to realize their mortuary care over their loved ones.

Rosenblatt (2010) asks “do the dead have human rights?” He discussed how human rights are inalienable, but life cannot be given back to the dead, hence the dead do not have human rights. What we do for the dead is done for the purpose of the living since, extra-scientific ways aside, the dead cannot indicate whether they prefer to be treated one way or another, or if they are content with how they have been handled, cared for, or buried. Hence, what we do is for the purpose of the living. Although living families and communities have different ways of seeing how the dead should be treated, often based on mortuary customs and religious or spiritual views on death and burial. In Somaliland, some families indicated that proper burial is not important for the dead (or as one man explained - the dead are in *barzakh*) they are not impacted by the work of the living or what happens to their remains. Locating, analyzing, and reburying the dead is for the living: to ensure that all Muslims are buried with respect or to find a loved one who went missing or whose remains were lost. The war dead have a right to identity under International Humanitarian Law (Petrig, 2009), but some family members in Somaliland were uninterested in exhumations and uninterested in identification. Although those who were uninterested in identifications in Somaliland were far fewer (a small percent of all families I engaged with) than those who adamantly and passionately invited identification efforts.

So far, few families in Somaliland have been able to participate in or influence the forensic investigation, meaning it cannot be considered “forensic care work.” According to

Rosenblatt (2015, p. 180), forensic care entails working with the living and handing over the power over the remains to family members for mortuary care and reburial. Perhaps with a CBPAR framework, a more integrated approach, or other community involvement in Somaliland, the forensic work could transform to care work that is in line with that which families want, work that individual families can take over once identifications are made or that communities can shoulder if identification are deemed superfluous or too cumbersome.

CONCLUSION: NECESSITY & PRAGMATISM

In returning to Somaliland, I was interested in family views on mortuary care and forensic practices, as well as their views on individual identifications. One of my primary questions revolved around the lack of identification efforts in Somaliland and the likely lack of future identifications since DNA analyses had been deemed too costly and logistically taxing. An issue in approaching these questions was the fact that few community members were familiar with the forensic investigations as well as what could be gleaned from forensic anthropological analyses. An issue, which we have also grappled with during research in Uganda, is the lack of general knowledge on forensic procedures, including DNA testing. Hence, to begin asking family views on these practices, the practices must first be introduced and discussed (Kim et al., 2020). In Somaliland, there were many misconceptions about the investigations since there had not yet been any widespread sensitization or outreach efforts to inform the communities about the forensic work. Additionally, since my discussions with family members about their views on the forensic work were conducted in the same conversations that the practices were defined, families did not have a lot of time to ponder the implications and possibilities of the work. Perhaps over time, and likely with more sensitization, the families of the dead will have different opinions than those shared with me in 2019 and accounted for here.

As of my fieldwork, it appeared that mortuary customs were a cornerstone of the debates around the forensic investigations, the restriction on opening a grave being a particular point of tension. While Sheikhs from the MoRA believed the dead needed to be reburied properly, overriding the restrictions on opening graves, many family members did not share this view. However, several family members did believe that this restriction could be overridden with necessity, if the intentions behind the investigations were good. My suspicions that family members were not familiar with the forensic work in Somaliland were correct, though my suspicion that families were not supportive of the work was not correct. Family members typically took no issue with any part of the forensic practices after opening the grave, including non-Muslims and individuals of the opposite sex of the dead handling the remains; keeping the dead above ground for extended periods of time; or engaging in potentially destructive analyses. However, many were uncomfortable with a grave being opened and exhumed, despite supporting forensic analyses.

Less than 20% of the family members I spoke to believed that the dead should not be kept above ground after remains have been exhumed or unearthed by natural causes. Additionally, some believed that analyses and identifications were unnecessary since the dead could be considered martyrs or believed that forensic efforts should be bypassed in order to avoid retraumatizing the survivors. These family members typically found identifications redundant, many finding it unnecessary since the living should take precedence. Rather than investing in large-scale identification efforts, or DNA capabilities, the funding should go to the living, they would indicate. Some also believed that identifications were unimportant since the dead do not need to be buried individually, and their families do not need be aware of where they are buried, since all dead should be visited

and prayed for – not just close relatives. However, the majority of family members (88%) felt that identifications were important, many indicating that funding should be allocated for this purpose despite other, pressing societal needs. Those who were uninterested in identification often expressed the view that identifying the dead was “unnecessary,” such as the woman who found that *“a dead man’s shoes more valuable than he is.”*

A lack of identification efforts has likely contributed to the collective victimhood identity that has formed amongst the Isaaq in Somaliland. Without identification efforts, each dead person is potentially a close family member of all the Isaaq survivors who lost someone. Each dead individual symbolizes the violence against the Isaaq under Siad Barre since the vast majority of the dead are assumed to be Isaaq. In this way, the dead in Somaliland are both iconic and ordinary, cementing their symbolic power. Were the dead to be identified, their power would likely shift or transform. However, considering the time since the conflict as well as the vast number of graves and remains, identification efforts would likely need to involve DNA analyses – methods that come with their own symbolically and politically powerful underpinnings (Barata et al., 2015; Bennett, 2014; Wagner, 2008).

DNA analyses are not unknown in Somaliland. Many of the individuals I spoke to were familiar with biological relatedness, paternity testing, or DNA testing for the purpose of migration. However, few were aware of the utility of DNA testing to establish the individual identity of the dead, or that skeletal material could be tested for this purpose. All family members who were interested in identification efforts also supported DNA testing, many indicating that DNA capabilities should be established in Somaliland. Although there are limited forensic capabilities, including the resources and training necessary for conducting DNA analyses in the country, several NGOs, lawyers, and medical professionals are pushing for further investments in these areas.

There are several obstacles to DNA testing large number of human remains: logistical or monetary issues; problems of fragmentation, commingling, and contamination; the displacements that took place during the war; and psycho-social and legal issues related to biological testing. However, family members generally held that most relatives of the dead could be found and would engage in DNA testing; that there is funding that could be allocated for this purpose; and that there are additional DNA-testing needs in Somaliland that necessitate such investments. Practitioners and families alike did not believe that DNA-testing could cause legal issues associated with misattributed parentage. Although were there to be further individual identification efforts or the establishment of DNA testing capabilities in Somaliland, there should arguably be legal, religious, and social deliberations about how results are interpreted and incorporated into legal proceedings (Korbatieh, 2020). There should also be community-wide sensitization efforts to help inform families of the work; to allow families to lead the work if they so choose; and to give thorough information regarding DNA testing procedures and results.

There was little opposition amongst the families to the forensic practices accorded to the dead, though many harbored anxieties around opening a grave. Additionally, while few were aware that DNA-testing could establish individual identity, the majority of family members supported identification efforts, and supported DNA methods were such capabilities to become available. In this sense, family members were both in opposition to and in support of the forensic work: many did not believe graves should be exhumed; few had issues with the forensic work (most finding it useful and important); and most would prefer to see individual identifications and DNA efforts. Of course, the positive response may be due to my positionality: I introduced these topics and I am an outsider and foreigner who might be bringing funding or attention to Somaliland were the families to advocate for the practices I was introducing. However, some family members passionately stated their opposition to the

forensic work and to identification. Similarly, few were shy of stating their unease with exhuming mass graves – despite exhumations being the very premise of my research and experiences in Somaliland.

A forensic care perspective can help illuminate some of the community benefits of forensic investigation, but the families of the dead I engaged with in Somaliland were not familiar with the forensic investigation neither were they able to participate in nor influence the work along the lines of forensic and mortuary care. In this way, a care perspective helps shine light on the shortcomings of the forensic investigations. As defined by Rosenblatt, in a care framework the families must decide how the dead are analyzed and whether that includes for example, destructive and costly DNA-analyses:

“(...) the types of care that are most valued, the price that is worth paying for them- must be part of a dialogue between forensic teams and mourners.” (Rosenblatt, 2015, p. 194)

Perhaps the bridge between local mortuary practices and forensic care would be a CBPAR framework wherein families are taking an active part in all stages of the forensic work, or at a minimum, where community sensitization is performed alongside the forensic practices. The forensic care work needs to be viewed in light of family wishes, local mortuary practices, and community needs to help transform the care work from the realm of the forensic practitioners to the realm of the families and communities of the dead to be a truly care-giving framework.

CHAPTER EIGHT - TRANSFORMATION

Forensic investigations and human remains recovery operations can be important facets of post-conflict social reconstruction to societies battling mass death, the loss of loved ones, and ad hoc burials in public and private lands. As conflicts rip the social fabric of society, post-conflict societies must rebuild political and legal institutions as well as reestablish bonds within and across communities, relationships that can be especially tenuous in the aftermath of interethnic violence. To model the different interrelated parts that can support societal reconstruction, Stover and Weinstein (2004) make use of an ecological model (Figure 1.1) building on the work by Fletcher and Weinstein (2002). The model includes several reconstruction processes that can be bolstered by, or entirely consist of, human remains recovery operations, crime scene investigations, exhumations of graves, and identification processes. Additionally, their ecological model connects these facets to several other conflict and post-conflict related processes, such as legal interventions, truth commissions, memorials and other community involvements, and psychosocial interventions. All the parts of the model are interrelated, and effects in one part will have reverberations in the other parts including the social reconstruction outcome. Therefore, the entire model, including the outcome of the model, have reciprocal relationships to each other. In order to analyze family views on human remains recovery operations in Somaliland, I constructed an ecological model to analyze social transformation that similarly combines several facets of the forensic investigation (Figure 1.2).

The Ecological Model of Response to Social Breakdown introduced by Stover and Weinstein (2004, p. 624) deals with practical applications and outcomes after conflict, while my Ecological Model for Transformation Through Forensic Investigation is a theory tool for investigating social effects of human remains recovery operations as perceived by family members of the dead. This latter model is meant to offer an analytical framework for investigating the social impacts and transformative properties of the forensic work which, in Somaliland, appears to be most heavily connected to issues of (necro)politics, justice and memory, and issues of mortuary practices and care. While Stover and Weinstein (2004) focus on social reconstruction, my model aims to understand forensic investigation's socio-political and psychosocial impacts by homing in on transformation. By focusing on political underpinnings, legal and memory related entanglements, and family member views on mortuary care, this model is meant to assist in analyzing whether forensic investigations contribute to social transformation and if so, how?

Eppel (2006, 2014) suggests that human remains recovery operations have contributed to positive transformation in post-conflict Matabeleland, Zimbabwe. By exhuming and reburying the dead, haunting spirits ceased to negatively impact the living, former traumatic spaces were reclaimed and memorialized, and the community was able to work through lingering resentment while finding footing to claim their rights in the face of law enforcement. However, forensic investigation can also be co-opted by local elites, serve to reinforce socio-economic inequalities, and support political structures and narratives that continue to exclude those most affected by violence, typically violence at the hand of the state (Rojas-Perez, 2015, 2017). Additionally, transformation is an integral part of transitional justice as well as transformative justice (Gready & Robins, 2014), to which human remains recovery operations often form a part. For these reasons, my model focuses on social transformation as the main outcome of forensic work. Since ecological models consider all parts of a system interrelated, this "social transformation" is in turn considered to influence the constituent parts of the model in a mutually dependent, reciprocal fashion.

TRANSFORMATION & THE FAMILIES OF THE DEAD

I chose to focus on social transformation because it is an amorphous concept that can encapsulate many different social processes and post-conflict concerns connected to forensic investigation, including feelings of resentment and reconciliation; mourning and healing; ethnic violence and social inequalities; political reconfigurations; peace and renewed conflict; and general contributions to societal reconstruction as laid out by Stover and Weinstein (2004). In order to approach social transformation, I analyzed the perspectives on forensic investigations in Somaliland in light of (necro)politics and power, justice and memory, and mortuary practices and care. I also directly inquired among family members of the dead, as well as some Somaliland practitioners, whether they have found the human remains recovery operations socially transformative and if so, how?

Through these conversations it became evident, and perhaps not surprising, that one of the most important facets impacting how social transformation takes shape as related to forensic investigation, is the access to information regarding the strategies, processes, and practices employed during the work. The topic of human remains recovery operations sparked strong sentiments amongst all Somalilanders that I engaged with, though few were aware of any details regarding the work. The lack of awareness and information regarding the investigative approaches is constraining the ways in which families are able to respond, even if the forensic practices could lead to “restoring the social fabric of society” (Eppel, 2006, 2014). The muted way that the investigations are taking place guides community responses in specific directions. For example, the muteness appears to be contributing to the growing collective victimhood identity amongst many Isaaq clan members, and the fear of renewed violence among minority clan members. In this way, not surprisingly, information appears to constitute a dense filter through which forensic investigation is being sieved prior to any social transformation that comes out of the work. The Somaliland investigation, though muted, is being read in different ways based on the information that the family or community has regarding forensic practices; what has been done to date; and what can and cannot be accomplished through the forensic work.

Family views on transformation ranged from beliefs that the forensic investigation was not having an impact since people do not know it is taking place, to views that it is contributing to positive change for those who find their loved ones or that it is leading to renewed conflict. Others believed that the work was contributing to international recognition since it was transforming Somaliland’s relationship with Somalia, as explained by two family members: *“the investigation sends a message to Somalia that we will not reunite”* and *“the work is teaching the young to hate Somalia.”* The family members who had participated in the forensic investigation as their loved ones were exhumed and reburied believed that the work was contributing to positive transformation. They believed that the investigations were not well understood or advertised to the communities in the past, but that once families and communities learn about it, they support it, and it becomes helpful for them. As defined by 51-year-old Khadar *“when the perpetrators are being taken to court and the forensic exhumation is being done, it is like a healing process for us.”*

Five individuals believed that there was negative transformation associated with the work since it was retraumatizing, though also important since it could increase the negative view of Somalia. Another 11 individuals believed that the work was traumatizing or “shocking” but should still continue, since it will lead the people to search for the perpetrators to hold them accountable. Seven individuals believed that the work was positively transformative since it teaches the communities about these forensic investigations, something that was not known before, and can help teach the young people in Somaliland a

new skill. Six individuals believed that the work can be positively transformative for those who find their loved one, as they get to know what happened to them and rebury them. One family member explained how the work was beneficial since it could lead the young to learn never to allow something like this to happen again, a form of transformation that they welcomed.

According to 35-year-old Xasan, there had not yet been any social transformation associated with the forensic work even though they are eagerly awaiting it. *“Nothing has changed”* he explained, *“but the people who are victims, they are not satisfied only to exhume the mass graves.”* Xasan believed that the victims were looking for two things to transform as a result of the forensic work: *“the only thing that the victims need is to see the criminals punished, and to get some kind of compensation, those are two things that they are missing.”* In contrast, another man believed that the forensic work was leading the families to urge for legal processes to get their justice – like the trials taking place in America. *“This work is changing things for the better”* he explained, *“the victims are getting their rights.”* However, to non-Isaaq clan members, the transformation that was coming from the work was detrimental to their communities since they believe the work serves to cause more conflicts, which will ultimately lead many more people to die.

AN ECOLOGICAL MODEL OF TRANSFORMATION THROUGH FORENSIC INVESTIGATION

The necropolitical underpinnings of the forensic work is largely playing out in a muted fashion: the forensic work is being supported by the government, though with minimal funding, the work is not widespread or well-known. I hypothesize that if the details of the human remains recovery operations were more well known, there would be different developments in terms of social transformation. As explored previously, those who are allowed to take part in the forensic work are able to interact with the graves and the dead within the framework of necrogovernmentality, i.e., as “free” subjects. Although within the space of necrogovernmentality, the state is guiding the range of responses such “free” subjects can have to the work and the remains (Rojas-Perez, 2017). However, with the current dense filter of information, or rather – lack of information, the dead remain in the framework of necropower where they continue to symbolize the violence of Somalia. Were there to be further sensitization efforts, the forensic work would transform the space of the dead from existing within the framework of necropower to the framework of necrogovernmentality, likely with resultant social transformation (whether negative, positive, or neutral).

It is possible, as several minority clan members expressed during our conversations, that the forensic work will lead to more conflict. However, it also appeared as though the muteness of the forensic work is in itself contributing to a collective victimhood identity and perhaps also to growing tensions between the Isaaq and the minority clans. I posit that a more open and inclusive forensic process would assist in overcoming some of these tensions and thereby help mitigate risks of renewed conflict. Nevertheless, those who have experienced aggression due to the forensic work need to be consulted prior to any continued investigations. Additionally, the risk of renewed conflict should be seriously heeded, perhaps even help terminate any future investigations. In this way, the ecological model helps shine light on some of the more detrimental transformations that are currently being caused by the forensic investigation due to the filter of information.

The dense filter of information and lack of knowledge is also hindering the forensic investigations from having a socially transformative impact when it comes to justice and memory. Even the topics of mass graves, the violence, and transitional justice related to the

war sparked strong sentiments and feelings of injustice among the victims in Somaliland. During investigations into the Franco regime executions, the human remains recovery operations transformed the imposed silence and helped reclaim political identities and memories amongst the children and grandchildren of the dead (Renshaw, 2016). Perhaps similarly, the forensic investigations in Somaliland could contribute to transforming memory, both postmemory and perimemory (as I have introduced here), considering that even just discussions around the investigations appeared to illicit strong emotions related to the dead and how the violence under Siad Barre should be remembered.

Open discussions about truth, memory, and history allows for dynamic memory (re)creations as the communities are able to discuss and contest the narrative that is being formed and reformed (Brants & Klep, 2013). I suggest that if the forensic investigations were to act as a focal point for truth telling practices, then there would likely also be further social transformation in the wake of the forensic work related to justice. If the investigations acted as spaces for truth-telling or encouraged the formation of such forums (whether the investigation continued or not), then the work would likely further lead to flexible and continuous social transformation led by the communities themselves. The greatest observation that I made while engaging with families on the topic of justice, as well as the closely related topic of memory, was that families were looking for social as well as practical transformation, or as many expressed: they were looking for justice.

The third part of my theoretical model – mortuary practices and care, also appears filtered and constrained by the lack of information about the investigations. However, despite the little knowledge most had about the work, the majority of family members emphasized that with necessity and good intentions most of the forensic work is permissible, unproblematic, and even encouraged. As pointed out by several family members: the professionals can analyze the remains however they need, it is up to those who know more about the forensic practices. In contrast, the topic of opening a mass grave was taken more seriously. Many family members found the prohibition on opening a grave more important than restrictions on keeping remains above ground for analysis, performing a postmortem examination, or potentially collecting destructive DNA samples for identification. This suggests that exhumations hold more transformative power than any other part of the forensic practices, such as storing, analyzing, and identifying remains, and that exhumations are having greater impacts on societies than the other forensic practices. The anxieties around exhumations are likely also impacting other ways that families view the forensic investigation.

According to the MoRA, the forensic investigations are important for the purpose of properly burying the remains. To them, the necessity to rebury the dead overrides the prohibition on opening the graves. Few family members shared this view and instead harbored anxieties related to exhuming the mass graves. These anxieties should be considered as the work is being done or even lead to terminating the investigations if family members find exhumations problematic or unnecessary. Perhaps family members would find exhumations necessary were they to be informed of the MoRA stance. Alternatively, they would be allowed the opportunity to contest the MoRA approach and the forensic work and make up their own minds whether the forensic work is led by “good intentions.” It is not clear how forensic investigations might lead to social transformation in Somaliland were the constituent features of the work not being densely filtered, leading to lack of information regarding the work. It is only with further sensitization and with a less dense filter constraining family knowledge that such transformation could become clearer.

The feature of forensic analysis that family members found most important was individual identification, with many encouraging and supporting future use of DNA testing

for this purpose. Such practices come with their own symbolically and politically powerful underpinnings. According to Wagner (2008) investing in DNA identifications can serve to erase the intricacies and injustices of each individual death, as bones are processed in a clinical laboratory in the same way whether the person died from extrajudicial violence or a hurricane for example. Reflecting on the human remains recovery operations after Hurricane Katrina and in the aftermath of the Srebrenica massacre in former Yugoslavia, she believes that the focus on the DNA process, along with the money and technology that goes into it, deflect the responsibility of the overseeing institutions responsible for violence or for protecting its citizens. In this way, DNA technology redirects attention to repairing the social fabric of society as the dead become reinserted into the embrace of the state without further attention to righting wrongs and supporting those affected by violence or injustices - making DNA analysis a powerful political tool (Wagner, 2008).

Similarly, were there to be DNA capabilities in Somaliland (as appears to be underway thanks to the work of local NGOs and practitioners working with cases of abuse and gender-based violence), Somaliland would likely have to grapple with the ways in which DNA analysis can serve political purposes depending on who has access to such costly technology. In this way, forensic investigation may lead to less positive transformation and it can even contribute to entrenching existing power differentials, as has been observed in the aftermath of forensic investigations in Peru (Rojas-Perez, 2015).

The filter of information is currently impacting the transformative powers of the forensic investigations in Somaliland in several ways. Many family members hold anxieties related to the work while the seemingly intentional lack of information regarding the investigation is contributing to growing divides between the Isaaq and the non-Isaaq. Although it is not my intention to argue that forensic investigation should take place in Somaliland, the investigations have been ongoing nonetheless, led by a Somaliland government institution. For this reason, those whose loved ones may be exhumed through this work should be allowed to know why and how the remains are being investigated and reburied. Moreover, most Somalilanders lost someone during the war, as was expressed to me several times while in Somaliland in 2018 and 2019. For this reason, there should be large-scale community awareness and sensitization to inform all community members and survivors of the forensic investigation and the forensic practices.

I found that the majority of family members were interested in one or several facets of the forensic investigation (most highlighting the need to find and identify lost loved ones). For this purpose, the families deserve to be informed about what the forensic investigations in Somaliland entail and the limitations of the work. A Community Based Participatory Action Research (CBPAR) or simply Participatory Action Research (PAR) framework may assist in this endeavor. Additionally, such frameworks also hold strong transformative power that can help overcome structural inequalities and encourage community developments that are based on local knowledge and intellectual capital. According to Schensul et al. (2008, p. 106) PAR:

“(...) responds to an interdisciplinary call to recognize that marginalized and often voiceless communities have critical knowledge and intellectual and cultural capital and that ethical social scientists must engage with them to move from margins to centrality in research that defines issues and sets policies affecting their lives (...) We believe in the transformative power of PAR as one very important approach to building community in an environment fragmented by class, ethnicity, and race by creating possibilities for all partners to analyze critically and address together the structural factors that impede equitable development.”

I have introduced a theoretical ecological model to help shine light on some of the most central concerns related to the human remains recovery operations in Somaliland. This model distills some of the main concerns in Somaliland down to three main constituent features: (necro) political concerns, justice and memory, and issues of mortuary practices and care. By focusing on how these constituent parts are contributing to social transformation, this model is meant to function as an analytical tool for understanding wider impacts of forensic investigations after conflict. The model also highlights how in Somaliland, and likely in many other contexts as well, social transformation is sieved through a filter of information, which in turn will influence how transformation takes place.

Although some of the Somalilanders I spoke to did not believe the forensic investigations were contributing to any type of transformation, since few knew about the work, it appeared as if enough information was known about the work to still have transformative impacts. Although information is a constraining and influencing factor on the road to social transformation, withholding information does not automatically cancel out the transformative impacts of the work. Additionally, in a true ecological fashion, the different parts of the model all influence each other and reverberations in one part will have effects in other parts. Even the resultant social transformation, whether densely filtered through information or not, will itself in turn lead to responses in the other parts of the model in a cyclical and dynamic manner. Here I hypothesize that if the information filter was to be rendered less dense, and families and communities were sensitized to the work (or even allowed to lead the work), the social transformation would also look different along with all research themes explored here.

RECOMMENDATIONS & ADDITIONS

Toward the end of my conversation with family members, I would inquire about their views on transformation in light of the investigations. I would also ask if they had any recommendations or if there was anything else that they would like to talk about. A majority of family members recommended that the forensic investigations continue and for the criminals to be taken to court. Additionally, 10 individuals recommended for my research to continue so that I could talk to more individuals about their experiences and their views on the forensic investigations, three of which indicating that I need to share my results with the world to inform the international community of the Somaliland case. Twelve individuals emphasized the need to hold perpetrators accountable above all else, and another 12 individuals highlighted the need for more exhumations. Three family members believed that most importantly these investigations should contribute to recognition, while two individuals believed it should lead the international community to provide aid to Somaliland. Similarly, eight individuals believed the investigation was useful but that there should be more funding for the living.

Another four individuals believed it was unnecessary to focus so much on the dead and that the living should be assisted instead. Four family members were “ok” with how the work was going on and had no further recommendations or things to add, and one individual emphasized how they supported the work but also found it traumatizing. Another three family members pointed out how the investigations need to continue in order to support history, though it should be carefully conducted and explained to the community to avoid clan conflicts. In similarity, two individuals (both from the minority clans) stressed that the work needed to change to involve those who were killed by the SNM as well. One individual discussed the need for documentary films and other forms of media that could generate funding for the investigations, and one family member stressed the need to train Somaliland

youth to take over the work going forward. Finally, practitioners involved in the forensic work generally emphasized the need for more training and funding to be able to continue the work, and politically involved practitioners, including government employees outside of the WCIC, stressed the need to handle investigations carefully to not disrupt the peace.

CHAPTER NINE - CONCLUSION

As I returned to Somaliland in 2019, I was looking to understand how the forensic investigations were viewed by family members of the dead; if they were aware of the investigations; if they supported the work; if they had constructive feedback; and how they would like to see the investigations continue going forward. My approach was built on my understanding of the Somaliland investigations as a participant in EPAF's Somaliland mass grave exhumation field school in 2014. I knew little of what family members thought of our work during this time, I did not interact with family members save for a couple of interactions with individuals who approached us during the 2014 reburial ceremony. In the years that followed I continued my graduate level education in forensic anthropology and human rights anthropology, or as some of us would like to call it: "forensic human rights anthropology". Looking back at my experiences in Somaliland I became increasingly curious to find out more regarding community responses to the work. How had the investigations been perceived in 2014 and in subsequent years? Were there religious concerns with the forensic practices, as seen in the aftermath of disasters and conflicts elsewhere (Al-Dawoody, 2017)? Were the investigations feeding into the desire for international recognition? What were survivor families' and communities' views on the mass graves, the dead, and the yet mainly untargeted Siad Barre regime atrocities?

As I returned to Somaliland, my approach focused on the political backdrop to the forensic investigation by homing in on necropolitics, necropower, and necrogovernmentality; the injustices of the war and how questions of justice may be closely related to the realm of memory; and how mortuary practices and care resonate with the forensic work. I approached these questions as interrelated facets of the forensic work, facets that influence each other and all influence the ways in which the work may be socially transformative or have societal impacts. Although I attempted to cautiously approach transformation anticipating that the work may not have had any social impacts, families made it evident that even though the work has been constrained by lack of information and sensitization, the investigations have transformative powers nonetheless. Additionally, the very topics of the graves, human remains, and the war that touched all families in Somaliland, hold strong emotional value with or without exhumations – whether in the realm of sensory memory or postmemory.

The older generations would often point out that the youth of Somaliland have little knowledge about the war; however, no person that I spoke to, young or old, was unphased by the gravity of the atrocities. Some of the younger Somalilanders lost their parents when they were mere babies and have yet to find their remains. Others fled for their lives across the desert as young children or toddlers, watching as family died at the hands of the soldiers while chased from their homes. Some tried fighting the perpetrators even though they were not even 10-years old, beating their fists at the soldiers who had just shot their parents in cold blood. Many individuals were older and lost their children or grandchildren and have been struggling to survive and feed what is left of their families ever since. Some of these survivors have had so much of their lives dominated by the atrocities that they do not want to speak of it anymore, wanting instead to focus on this current life or the future. To them, memory is not just a tool for informing history, or for supporting political processes, the memory of the atrocities is trauma-inducing. Memory challenges patience and challenges the peace built on selective amnesia, and every time human remains are discussed – let alone exhumed – the memory returns.

To yet others, the remains symbolize the injustices under Siad Barre and under Somalian rule. As such, the graves fuel rage toward the perpetrators: rage toward the loss of a

loved one, rage at being forced to watch as a loved one was killed, maimed, or dragged behind a vehicle, or rage toward not being allowed to acknowledge that the dead was a relative. *“Even if the dead body is your mother”* described 39-year-old Canab, you cannot tell the soldiers that you know them, *“you have to say no in order to survive.”* But the dead are not just matters of individual loss and hardship, the mass graves also fuel discussions and desires for international recognition, a volatile and ever-central concern in Somaliland. This was the main reason for my focus on necropolitics, necropower, and necrogovernmentality: human remains are symbolically impactful and can support historical narratives and political administrations (Rojas-Perez, 2017; Verdery, 1999). However, to simply attribute human remains recovery to political processes overlooks the connection to personal, family, or community feelings of injustice; eagerness to remember and memorialize; and the need to find, care for, and rebury the dead.

For these reasons, I have attempted to analyze the forensic investigation in light of political processes as well as the connection between the dead and the urge for justice, remembrance, and mortuary care. These concerns are furthermore interrelated: the lack of identification of the dead appears to contribute to a collective victimhood narrative in Somaliland, which serves to support the call for international recognition. If the dead were to be identified through technological means, such as DNA analyses, then the identifications themselves could become powerful tools used for political purposes. Additionally, whether investigations are viewed in light of political control and narratives, or from the perspective of grieving families looking to rebury their loved one, the investigations are also nested within legal and memory-related concerns. These concerns include the desire to hold perpetrators accountable (a central concern for most family members I engaged with), to learn from the past, or to teach the young and the world about the atrocities.

The investigations have been conducted by the government in a muted way, seemingly to avoid causing more conflict (and perhaps to avoid accountability). The 1990s Somaliland government initiated the forensic investigations by creating the WCIC and supporting the investigative work, however the funding has remained limited, and few family members are aware of any investigative details. Despite this seemingly purposeful lack of public information leading to knowledge of the work, families and communities are still discussing the investigations. Meanwhile, minority clan members are experiencing hostility as grievances from the war are being aired once again. These tensions stem from the forensic work, but also from a lack of sensitization and inclusivity in the investigations, which has been blamed on the lack of funding.

The lack of identification efforts also fuel tensions. The majority of the dead are Isaaq, and since the mass graves being exhumed are from Isaaq dominated parts of the country, the dead are likely Isaaq. As such, each exhumed dead person could be a family member of the Isaaq survivors, but they also symbolize the violence against the Isaaq, or the genocide against the Isaaq. As such, the dead are both “iconic” and ordinary (Verdery, 1999; Wagner & Rosenblatt, 2017), and fuel a collective victimhood narrative and nationalism (Lerner, 2019, 2020) amongst many Isaaq families. The muteness of the work is thus garnering support for the Somaliland administration by way of support for international recognition. However, minority clan members are calling for either a stop to the forensic investigation to avoid future conflicts and aggression from the Isaaq clan or for a more inclusive forensic process where their dead are also exhumed, and their cases included in any possible future legal processes to hold perpetrators accountable.

The fear of renewed clan conflict was brought up in several of the conversations I engaged in with minority as well as Isaaq clan members. Some believed that any call for legal processes or any continued forensic work might cause hostility toward the minority clans and

could cause more conflicts. However, as defined by some family members: a focus on patience might help overcome such tensions. Patience or *ṣabr* entails a spiritual exercise whereby trials given by Allah are worked through in an active, level-headed fashion. By keeping patience, one avoids acting out in anger and strengthens oneself while working through adversities (Achour et al., 2016; Kuswaya & Ma'mun, 2020; Uyun & Witruk, 2017). Several family members also discussed their patience when faced with potential retraumatization as mass graves are exhumed and human remains unearthed.

As such, I have suggested that patience might also be an important cornerstone in a possible future transitional or transformative justice framework for Somaliland. During discussions with family members, it appeared that patience could assist in overcoming psychosocial issues, mitigating conflict, and allowing survivors to urge for change while accepting obstacles to justice. Their definition of patience is the reason for the title of this dissertation: "We Have Remained Patient." Whether stating that they themselves have been patient, or that the people have been patient, or emphasizing the need to stay patient, patience was continuously mentioned by family members during our conversations. This hints at the strong feelings that family members harbor toward the atrocities and the remains; the way that religious principles are guiding their interactions with the graves; and the restraint that they are actively employing as they are reminded of the injustices of the war and the trauma of remembering the past.

A central finding of this work is the lack of information regarding the forensic investigation among family members of the dead. The work is mainly driven by the WCIC and backed by the MoRA while families know little about the forensic practices and strategies employed. This lack of information is constraining and obfuscating the impacts of the forensic work: families and communities are not able to take part in the work or learn about the practices. The social transformation that results from the investigations is based on rumors and stories circulating around the investigations rather than from information shared about the human remains recovery and analysis. The majority of family members that I engaged with were interested in one or several facets of the investigation, even though Hoehne and Bedoya Sánchez (2020) have suggested that the investigations are redundant, unwanted, or contribute to novel meaning creations in light of the "truth" that forensic investigation lays claim to. Family members were interested in finding and identifying their dead loved ones, and many were also interested in legal processes in light of the killings as well as investigations to inform history and to teach the younger generations about the atrocities.

One of my research foci revolved around mortuary practices and care, for the purpose of understanding whether the forensic work was in line with family wishes related to Islamic mortuary practices and burial. Although families generally believed that with necessity and intention all forensic practices were permissible (even welcomed) many took issue with opening a grave. The MoRA have deemed investigations permissible and needed in order to exhume those buried in mass graves to allow them proper, individual burials. However, many family members did not see the necessity in exhuming graves simply for reburial purposes, harboring anxieties around opening a grave for any reason. The information filter appears to have fueled a disconnect between the views of the families and those of the MoRA and the WCIC. Were families allowed to take part in the work or if there were further sensitization efforts to inform communities of the work, families would be able to interact with and potentially even contest the MoRA standpoint.

I view the forensic practices conducted under the WCIC through the lens of care. As the forensic practitioners exhume, analyze, and even attempt to identify the dead (using signifying features such as clothing or gold teeth), they are caring for the remains. However,

the framework of care should ideally include allowing family members to decide if the remains are to be exhumed and reburied as well as how the remains are “cared for.” Perhaps family members are indeed supportive of forensic investigation and reburial by the government - some of the family members I spoke to did support the work as it has been conducted so far - but further sensitization is needed in Somaliland to ensure that families are informed of the forensic work and are allowed to take over the care work if they so choose (Rosenblatt, 2015). Further community sensitization may also assist in finding the family members of the dead and sharing information about the work to wider communities of survivors, i.e., most Somalilanders.

Many thousands died during the Siad Barre regime and there are hundreds of mass graves throughout Somaliland, but only some family members know where their loved ones were buried. The WCIC has not been able to associate all war graves with the family members of the dead and without individual identifications, it is unlikely that most family members will find their loved ones’ remains. Individual identifications through DNA analyses are not currently part of the forensic investigations, although a majority of family members would prefer for the dead to be identified if possible. Perhaps with the ongoing work by local NGOs to establish DNA capabilities in Somaliland, this will become available in the near future. However, if so, there are several legal, political, and logistical factors that need to be scrutinized to ensure that such forensic analyses do not entrench power differentials, contribute to conflicts, or further alienate families of the dead from the investigations (Barata et al., 2015; Bennett, 2014; Korbatiéh, 2020; Schmitt & Mazoori, 2017; Wagner, 2008).

Ultimately, the Somaliland family members that I engaged with were supportive of several aspects of forensic investigation. However, the lack of information about the details and processes of the investigations was leading to tensions amongst clans and confusion related to the work. This shortcoming highlights the need for a more open and collaborative process going forward. Ideally, such work should even be driven by the families themselves, perhaps through a CBPAR framework or integrated forensic approach whereby communities are able to voice their desires about how the work should be accomplished and for what purpose (Kim, 2018; Schensul et al., 2008).

LIMITATIONS & FUTURE DIRECTIONS

A central limitation to this research is my position as a foreigner and a forensic practitioner. During my conversations with family members of the dead, perhaps I could appear as a source of funding and resources were family members to support the topics that I introduced to them. As we engaged in discussions related to mass grave exhumations and forensic practices, perhaps it could appear as though I was looking for support for the forensic work and as though I could bring funding for these purposes. Alternatively, I could appear as though I would prefer for family members to act favorably toward forensic processes or bias them, seeing as I acted as an expert on forensic practices during our conversations. However, while this may be the case for some, many expressed anxieties and resistance to several facets of the work and were not hesitant to oppose the forensic practices. Several family members spoke of funding needs, but typically discussed needs outside of the realm of forensic practices. Conversely, as a forensic practitioner and former forensic investigator in Somaliland, I was able to clear up misunderstandings and answer questions related to forensic anthropology and the exhumations, something that I hope was a helpful exercise for many family members.

Other limitations include the limited scope of this work; the research took place primarily in and around Hargeisa, along with a small number of conversations in Berbera, Gebilay, and Boroma. Out of these towns, only Boroma is not primarily populated by the Isaaq clan, and this work only included conversations with eight minority clan members. Future research should include conversations outside of these regions as well as conversation with more members of the minority clans. As explained to me during fieldwork, there are many different experiences from the war across Somaliland. For this reason, there are likely many different viewpoints amongst clans in different parts of the country, and further research should be conducted to account for such views. Additionally, my limited knowledge of Somali is also a central limitation of this work. However, I was fortunate to work with some very insightful and talented local collaborators as assistants and translators, including my good friends Warsame, Hussein, and Yusuf.

Future work should focus on providing information to families and communities regarding the forensic investigations and procedures, while allowing families to provide feedback and input, and exercise power over the investigations. Future studies and processes should also monitor power structures related to who transmits information about the forensic work, what information is transmitted to whom, and in what format. Additionally, future analyses should investigate the impact of DNA procedures and methods, were capabilities to be further established in Somaliland for the purpose of investigating the mass graves from the Siad Barre regime.

I have conducted this analysis based on my personal knowledge of human remains recovery operations after conflict and my experiences during forensic investigations in Somaliland. In this sense I have been well positioned to conduct this research, particularly considering the nascent field of forensic human rights in Somaliland. However, considering the eagerness of families to find their loved one, the strong feelings of injustices from the war, and the budding forensic anthropologists who have taken part in EPAF's forensic field schools, I anticipate that there will be more local work to emerge on these topics in the near future. I thank the families and communities for allowing me into their worlds and I aspire to continue supporting them as best that I can going forward – whether that entails further analyses or leaving the continued analyses to local scholars.

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VITA

A native of Sweden, Lucia M.M.K. Elgerud completed her B.A. in osteoarchaeology (known as bioarchaeology in the USA) at Stockholm University in 2011. During her undergraduate studies she completed courses in osteology, archaeology, cultural anthropology, and development studies at Uppsala University and osteoarchaeology at Stockholm University, Sweden. With a passion for bioarchaeology, forensic science, and post-conflict work, she relocated to the USA to study forensic anthropology, a subject not studied at Swedish universities. She completed her Human Skeletal Biology Track M.A. in Anthropology at New York University in 2015 after which time she worked as a Forensic Logistic Specialist in the Special Operations Division of the New York City Office of Chief Medical Examiner.

In 2016 Lucia started the PhD program at the University of Tennessee Knoxville (UTK) to further her training in forensic anthropology at the Forensic Anthropology Center (FAC); to complete the Disaster Displacement and Human Rights (DDHR) graduate student certificate; and to train under Drs. Mundorff, Hepner (no longer at UTK), and Steadman. During her time at UTK she has trained, engaged in case work and human remains recovery, and taught short courses at the FAC. Lucia has also taught several classes as a teaching assistant and instructor of record, including Human Origins, Dental Anthropology, Human Osteology, and Principles of Biological Anthropology. She participated in a multi-subfield DDHR derived post-conflict project in Uganda in 2017 alongside Drs. Hepner and Steadman amongst many other Ugandan and USA based collaborators. The Uganda project has informed Lucia's PhD Dissertation research in Somaliland, and she aspires to continue to participate in this work after she graduates from the PhD Program. Going forward she aims to continue her "forensic human rights anthropology" research in Uganda, Somaliland, and elsewhere as well as her work as a forensic anthropologist and educator.