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

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

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

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

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

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

Human bones in museums: a 'wicked problem'

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The Kenya case: human remains in the Nairobi osteology collection

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Conclusion: ending the violence?

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

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

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

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

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

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

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Notes

- 1 D. M. Anderson, *Histories of the Hanged: Britain's Dirty War in Kenya and the End of Empire* (London: Weidenfeld & Nicolson, 2005), pp. 343–4.
- 2 Lotte Hughes, personal communication, 4 September 2015.
- 3 The authors first visited the site in the company of a Nairobi Museum staff member, Sultan Somjee, in July 2001 when they collected oral testimony from local residents.
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Nazi war criminal Joseph Mengele and the formal forensic identification of Dora Bloch, the Israeli citizen killed during the Israeli special forces raid on Entebbe airport, Uganda. The authors finally made contact with him in 2007.

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

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