



**RESTITUTION
[AND REPATRIATION OF LOOTED AND ILLEGALLY ACQUIRED AFRICAN
OBJECTS IN EUROPEAN MUSEUMS AND PRIVATE COLLECTIONS]**

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INTRODUCTION AND BACKGROUND

I would like to extend my profound gratitude to the Linden Museum and the people of Baden-Württemberg for inviting me to participate in the panel discussion as well as enabling me to come to Germany;

I would, by the same token, like to convey the sincere appreciation of the people of Gibeon and Namibia at large for the recent restitution of the Witbooi Bible and Whip to Namibia.

In 2018 the **Linden Museum Stuttgart, Germany** (in the Federal State of Baden) expressed their readiness to hand the Hendrik Witbooi Bible and whip back to the Witbooi family.

The German military campaign against the Ovaherero and Nama communities of 1904-1908 has been labelled 'the first genocide of the twentieth century. Descendants of those who perished in the genocide and members of the affected communities are still harboring deep seated resentment against Germany. There is a strong call for development in the areas where the particularly affected communities are based in present-day Namibia. Within the context of

‘restorative justice’ it will also be important that the concept of ‘restoration’ is applied to the cultural heritage and identities of affected communities which were damaged by the spiritual and physical destruction or violent removal of countless cultural artifacts. We remain conscious of the fact that whilst the genocide targeted particular groups of Namibians the impact of the actions that took place had a far wider impact.

The **Political Context** – the **National Assembly Motion of 2006:**

*“That dialogue be convened between, on the one hand, the German Government and on the other hand, the Namibian Government and
The restitution of cultural artifacts taken from Namibia during the German colonial period must, therefore, be located within the context of the current negotiations and the development of a framework for reconciliation between Namibia and, particularly, the affected communities and Germany.*

This paper will focus on the particular relationship between the genocide and the pillaging of items from one of the icons of anti-colonial resistance, Hendrik Witbooi. The relationship between Germany and the Witboois is a complex one. When Hendrik Witbooi declared war on the Germans, there was still a contingent of about 110 Witbooi and other Nama troops fighting under German command as required under the Treaty that the Witbooi’s had signed with the Germans. They were immediately disarmed and taken prisoner, and in November 1904 deported to Togo, a climate with tropical illnesses against which they had no immunity. In July 1905, the Governor in Togo reported that 63 of the Nama had already died, and requested their return. [Von Trotha refused and requested that they be sent instead to East Africa. The surviving 48 were, instead, deported to Cameroon, where the Governor was horrified about their conditions and also requested their repatriation. Eventually 41 survivors were repatriated to Namibia on 26th June 1906.

Despite this experience, in 1910, again a group of 90 Nama prisoners (men, women and children) were deported to Cameroon because they allegedly posed a security risk, and, in this case, only 42 survivors were repatriated in September, 1913 (following the intervention of the German Parliament) after the majority had died. Plans were discussed to deport entire Nama communities to other German colonies (such as Papua New Guinea), despite the lethal death rate, and only abandoned because of the high costs involved. Whilst Herero prisoners were ‘released’ when their camps were closed on 1st April, 1908, the majority of Nama prisoners remained in camps, far from their homes, until the end of German rule in 1915.

The Government of the Republic of Namibia has constituted a Technical Committee (TC) on Genocide, Apology and Reparations with an open-ended

invitation to all particularly affected communities and their representatives to join hands in the process. The TC reports to the Political Committee which was established by the Cabinet Committee on Policy and Priorities for the same purpose. The latter is chaired by the Vice President.

ISSUES TO BE ADDRESSED

The historical legacies of injustice and the psychological scars brought about by colonial policies (e.g. 1904 -1908 Genocide in Namibia). There is need to engage into structured consultations and interventions with the view of finding redress to this dark experience of shared history between the African continent and Germany. The ongoing bilateral negotiations between the Governments of the Republic of Namibia and the Federal Republic of Germany on the issues of Genocide, Apology and Reparations is a step in the right direction, are based on three core principles. The talks should be:

- (a) Framed within the context of the concept of 'transitional justice'. In short, this is the argument that any conflict leaves a legacy in the form of a number of social, economic and cultural issues. A post-conflict society needs to deal with these issues to prevent the continuation of simmering social tensions due to unresolved legacies of the historical injustice issues.¹
- (b) Focus on the development of a mutually agreeable position on a reparation package that will strengthen future co-operation between the two countries.
- (c) Provide the German and Namibian Governments with the unique opportunity to mould a special relationship and bring the two peoples closer as we chart a new picture in our bilateral relations.

The return of objects should be seen in the context of the restoration of cultural identity and provision of markers of memory.

Cultural and Social Impact

The impact of the genocide destroyed the economic foundations of the affected communities - land, labour and livestock. However focusing only on the economic impact of the genocide would be to underestimate the devastation that it caused. The traditional leadership of the communities were killed or forced into exile, destroying the social structure of communities. The extermination of communities was accompanied by the weakening and, in some cases, destruction of traditional beliefs and rituals. For example, the existence of a large

¹ Professor Yonah Seleti, the former Heritage Manager of The Freedom Park Trust has argued the crucial nature of this process within the Southern African context. He argues that it is important "... to promote this conversation of the present with the past with the aim of healing the wounds that the past opens for the sake of a healthy tomorrow" Freedom Park Trust, One step backwards, two steps forward: Towards diversity, unity, reconciliation and nation building, 2003:3. GOOD QUOTE. I WOULD INCLUDE IT IN YOUR MAIN TEXT.

community of Ovaherero living in Botswana as a result of the genocide meant that they were separated from traditional sacred sites and objects. After independence, the Namibian government faced a major expense to organize the repatriation of the majority of this group to their ancestral homeland.

Families were separated from gravesites that played an important role in the Herero belief system and the Holy Fire was extinguished in hundreds of households. It was reported that after the end of the German colonial period some of the Herero in exile had to return to revive the Holy Fires. A massive loss of faith in traditional religion was recorded after the genocide. Indeed, the concentration camps were an active site for Christian conversion and the displacement of Herero and Nama communities from important graves and heritage sites had a devastating impact on traditional belief systems. Herero ancestral graves were now located on new commercial farms and became inaccessible for ritual purposes. In addition the removal of children from their families led to a loss of culture and identity. Sexual abuse in the camps was also linked to the introduction of sexually transmitted diseases and a pronounced drop in the birth rate. The rape of women had a cultural impact too as the children that resulted were not, culturally, entitled to the same status within the family structure.

Human Remains and Cultural Artifacts

The bodily remains of Namibians that had been stored in a number of German museums for over a hundred years have been returned to Namibia in three separate stages. The return of the remains has highlighted the complicity of German museums in the collection of 'human remains' as 'specimens'. The export of bodies was directly related to the high death rate of prisoners in the Namibian concentration camps.

The most well-known example was the export of the heads of 18 Nama and Herero prisoners from Shark Island (which were identified and returned as part of the first repatriation) and the export of blanched skulls of deceased Herero prisoners from the concentration camp at Swakopmund. However, the collection of human remains as part of the racist scientific practices of the time continued after the end of the 1904-1908 war (see Rassool and Legassick, 2000 for evidence of the collection of skeletal remains from Namibia for South African museums).

The 'return of the skulls' should have highlighted the wider looting and export of cultural artifacts that also fed German museums as a direct consequence of German colonial rule. The most well-known example, although it pre-dates the 1904-1908 war, were the 'Witbooi Diaries', most of which have been returned to Namibia since 1990. Namibia does not yet even have an inventory of all the objects that were taken from Namibia as a direct or indirect consequence of the war.

A project entitled 'Africa Accessioned', which received some initial funding from the International Council of Museums (ICOM), has been contacting museums in Germany to try and map the holdings in their collections from Namibia. The project uses the slogan 'Museum Collections Make Connections' with the concept that museums should make contact with 'source communities' and enter a dialogue with them. One part of this dialogue may involve the repatriation of artifacts that are of particular significance and/or were obtained

PRACTICAL ACTION STEPS GOING FORWARD:

- While I appreciate the work done by the 'Africa Accessioned' Project, I would like to categorically state that the process should involve African voices and institutions from the continent to ensure that our needs and aspirations are addressed adequately.
- Museums should make contact with 'source communities' and enter into dialogue with them on restitution issues.
- The collections could also be used as a basis for creating contemporary links between communities in Germany and communities in Namibia in the form of exhibitions and cultural exchanges.
- The return of objects is seen as a way of generating dialogue between people, rather than leaving a silence about the colonial past in Germany.
- Collaborative research on historical and cultural objects (including photographic collections at Museums across Germany. [*Use the images to create an African narrative to contextualize the objects that will be returned to the continent; conduct an initial evaluation of the objects and photograph collections to assess its size and significance; Museums in Germany should provide a set of digital images and captions for the photographs and objects from the continent as the next step to developing collaborative projects with source communities; engage and enable heritage practitioners from source communities to make initial appraisals of the various collections to map the way forward for further collaboration*])
- Some heritage practitioners and institutions (including academia) on the continent have had useful experiences with the use of digital copies of historical photographs to create new exhibitions with community involvement.

This was confirmed during a visit to Namibia by a delegation including the Director of the Museum. The delegation met with the Namibian Minister of

Education, Arts and Culture as well as a select group of Witbooi family members to convey their intentions.

The delegation also met with a delegation of the Museums Association of Namibia (MAN) where the matter was also discussed. The Museums Association of Namibia is an NGO and membership organization that has responsibility for regional museum development in Namibia. We welcomed the report that the Witbooi Bible will be returned to Namibia, possibly in February, 2019. MAN believes that the return of the Bible will be an important act of reconciliation.

LESSONS LEARNT

A common misconception is that **reparation** is synonymous with compensation. Although compensation is common, other forms of reparation include: restitution, rehabilitation, satisfaction and guarantees of non-repetition.

Restitution seeks to restore the victim to the situation that would have existed had the crime not happened. This may include restoration of liberty, legal rights, social status, family life and citizenship; return to one's place of residence; and restoration of employment and return of property.

However, for the most heinous crimes, it is often impossible to restore victims to their original situation making other forms of reparation necessary.

Satisfaction and guarantees of non-repetition include such individual and collective elements as revelation of the truth, public acknowledgment of the facts and acceptance of responsibility, (prosecution of the perpetrators), search for the disappeared and the identification of human remains, the restoration of the dignity of victims through commemoration and other means, activities aimed at remembrance and education and at preventing the recurrence of similar crimes.

Museums

Whilst the genocide was an event that changed the course of Namibian history we do not have a museum that provides a comprehensive narrative of the genocide. The Independence Memorial Museum has been structured as a memorial to those 'whose blood waters our freedom', although it is, symbolically, located close to the site of one of the 'concentration camps' where 'rebel' communities were confined. The museum does not provide a narrative, but, rather, a visual representation of iconic events in the struggle for independence. Museums in towns which contained the two worst concentration camps, Swakopmund and Lüderitz, do not feature this history. Namibia would benefit from a dedicated museum that provided a Namibian narrative of the 1903-1908 war and the Namibian Genocide. Ideally, this museum should be located at a site of conscience (where one of the significant events associated with the war/genocide took place).

The Okakarara Community, Culture and Tourism Centre (OCCTC) is close to the battlefield of Ohamakari. However the OCCTC, which opened ten years ago, needs serious renovation and has not been able to obtain sufficient income to maintain adequate staff. OCCTC has a gallery which can house temporary exhibitions, but does not have a permanent collection or display about the war.

It seems relevant to report that the Museums Association of Namibia is currently working on a mobile exhibition entitled '*The Ovaherero and Nama Genocide: Learning from the Past*'. MAN's travelling exhibition is a temporary solution, but Namibia needs permanent community-based museums that serve as an education resource for Namibian learners about the genocide and the German colonial period. However, modern interactive display technologies mean that exhibitions might also serve as a point of dialogue between young people in Namibia and Germany. New generations should learn lessons from the past so that they challenge racism and discrimination in contemporary Namibia and contemporary Germany. A museum could provide an effective physical and virtual platform where the ongoing processes of reconciliation could take place.

EXPECTED OUTCOMES

Mahmood Mamdani uses the term 'Race branding' to describe the discrimination that forms the ideological framework which facilitates the process of genocide.² A principled approach to the past can, thus, present a visible marker of the position of the German Government and wider German society to contemporary issues of race. The new German position can provide a platform for future collaborative 'memory work' between Namibia and Germany which can help strengthen our bilateral relationship.

Genocide is the most extreme consequence of prejudice by a group with the power and means to implement it. The genocide and the way it is remembered shaped (and continues to shape) perceptions and politics in both Germany and Namibia. Negotiations should not be viewed as seeking 'closure', but, rather as opening up a new chapter in German-Namibian relations. 'Memory work' is a process that is an important feature of 'transitional justice'. Constant review and reaction to the past can shape contemporary social attitudes and build new, forward-looking relationships.

The opportunity exists to build collaborative projects which complement the economic measures that will be implemented. German and Namibian history for this period is a shared history that had a significant impact on both countries. A number of past and present projects have attempted to conduct memory work

² Mamdani, Mahmood *When Victims Become Killers: Colonialism, Nativism and the Genocide in Rwanda*, James Currey, Oxford, 2001: 13. Hannah Arendt argued that "African colonial possessions became the most fertile soil for the flowering of what later was to become the Nazi elite. Here they had seen with their own eyes how peoples could be converted into races and how, simply by taking the initiative in this process, one might push one's own people into the position of the master race." *The origins of totalitarianism*, Harcourt, New York, 1951: 206-207.

on the genocide through memorials, the repatriation of human remains and collaborative work that makes use of our entangled archives, history and heritage. Collaborative projects that link communities in Germany and Namibia should form part of the ongoing process of reconciliation.

THE WAY FORWARD

- 1) **Returning the Dead - Africa.** Support and technical assistance are required from the Governments and peoples of Togo and Cameroon to trace the burial sites and remains of our people. We have engaged respective Governments through diplomatic channels, but these are proving to be slow and cumbersome. Universities and related civil society institutions could support our efforts to get information and material. Likewise, we need assistance with provenance research to return all human remains that were removed unethically during the German colonial period to be studied as 'specimens' and which are now held in German museum collections. The process of 'rehumanisation' requires that these ancestral remains are reunited with the descendent communities.

Germany -Consultations with affected communities have repeatedly raised the issue of the human remains of victims of the genocide that were taken to German museums and scientific institutes and contributed to the development of racist theories in Germany. It is important that Germany clearly denounces the unethical way in which these human remains were 'collected' and used.

It is important that any human remains held in Germany that were collected in Germany are returned and that the process through which this takes place is guided by the rituals and beliefs of the descendants' communities. Hence; their participation in the whole process of the return of human remains and the ceremonies that take place after their return is of cardinal importance in order to provide an opportunity for meaningful acts of reconciliation. It should be noted that the issue of cultural artifacts taken to Germany during the period should be linked to the museum development in Namibia.

It is important that there is a clear public awareness that unethically collected human remains held by German museums or in private collections are being identified and that a process that is acceptable to the relevant descendants' communities has been followed during their return.

It is, therefore, recommended that letters should be sent to all the museums in Germany through the network of the German Museum Association requesting each museum to indicate if its collection includes human remains from Namibia. If the collection does contain Namibian human remains the number of remains should be indicated and information provided about the provenance of these human remains. Namibians should be involved in the provenance research that

seeks to establish, as far as possible, the means by which remains were obtained and the descendants' communities that should be consulted. The aim should be to establish a complete inventory of Namibian human remains in German museums to avoid the piecemeal return of ancestral remains and to facilitate a single large scale return. Namibia should demand that a comprehensive mechanism is put in place as part of the reconciliation process with Germany.

It is recommended that an Advisory Committee, involving descendants' communities, is established that will be involved in the research and the return of human remains. The return can be an event that helps strengthen the spirit of reconciliation between Namibia and Germany.

2. **Building Partnerships.** We believe in strengthening ties between German and Namibian institutions, communities and peoples through the exchange of ideas, experiences and resources for ongoing memory work.
3. **Collaborative Provenance Research.** Research about the place of origin of objects taken to Germany unethically should be conducted in both Germany and Namibia. International collaborative research between Germany and Namibia will be able to combine archival and oral history to document the narrative of the German colonial rule in Namibia and the 1904-1908 Genocide in particular. .
4. **Repatriation as an Act of Reconciliation.** The return of 'stolen' or 'taken' artefacts should be seen as the beginning of a relationship and not simply in terms of 'closure'. Returns can be used to establish friendship groups and cultural cooperation (for example, exchange visits of descendent families of those involved in the genocide, memorial events at set dates/ intervals both in Namibia and Germany).
5. **Museum Making.** Existing museums do not prominently feature the 1904-1908 Genocide. We recommend a dedicated museum (or museums) that will provide a shared German and Namibian narrative of the 1904-1908 Genocide. The museum will also locate, collect and store all objects related to the Genocide. The museums should be supplemented by a number of display centres at memorial sites across Namibia.