

[A] 8. Dismembering and Remembering the Body: Execution and Post-Execution Display in Africa, c.1870-2000

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Twenty metres from the road, at the place of execution in the middle of the wooded savannah, the stiff hand of the Prophet [Lumumba] rises towards the sky: a last attempt to accuse, to call upon his destructive troops. They still can't kill decently. They do not think of the corpse that remains after the destruction of the human being.

Gerard Soete, De Arena: Het verhaal van de moord op Lumumba (1978)

Ken Saro-Wiwa's blood won't dry up... It will keep working.

The Boston Globe, 7 April 1996.

[B] Introduction: The Political and Sacred Symbolism of the Executed Corpse

There are a number of tensions which have shaped the evolution of capital punishment and the treatment of executed bodies in Africa from the nineteenth to the late twentieth centuries. Firstly, there are the differences between African and colonial or Western attitudes to death and the body.¹ The human body is not a historically static entity.² In many African cultures,

¹ See Philippe Ariès, *Western Attitudes towards Death: From the Middle Ages to the Present* (Baltimore, 1974); Christopher E. Forth and Ivan Crozier (eds), *Body Parts: Critical*

the human body is not conceptualized as a single biological entity but as a ‘multiple and fragmented entity that retained power beyond death and dismemberment.’³ Among the Anlo of south-western Ghana, as with many other African cultures, the body was a sacred site, understood as a material entity but also as a complex spiritual entity that existed separately from the corporeal body and which could directly influence human affairs.⁴ Many communities believed that if correct funerary rites were performed after death, a person could be reborn into a new body within the kin group. The human body was, and is, infused with both political and sacred symbolism. Moreover, local cosmologies do not draw an impermeable divide between the physical or material reality, and the supernatural or immaterial reality; rather the two overlap and each acts upon the other to create multivalent landscapes of power. Secondly, whilst penal reform in modern Europe had seen the displacement of corporeal violence from direct participation in political authority, as indicated by the gradual abolition of public execution and post-mortem punishment, in nineteenth-century Africa there remained a more direct, unmediated relationship between the body and power.⁵ This meant that tensions between the different audiences and messages

Explorations in Corporeality (Lexington, 2005); Linda Kalof and William Bynum (eds), *Cultural History of the Human Body* (6 vols, London, 2012).

² See Roy Porter, *The Greatest Benefit to Mankind: A Medical History of Humanity from Antiquity to the Present* (London, 1999).

³ Florence Bernault, ‘Body, Power and Sacrifice in Equatorial Africa’, *Journal of African History*, 47 (2006), 207-39.

⁴ Sandra E. Greene, *Sacred Sites and the Colonial Encounter: A History of Meaning and Memory in Ghana* (Bloomington, 2002).

⁵ Michel Foucault, *Punishment and Surveillance: The Birth of the Prison* (London, 1979); Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression*

which were intended to be conveyed by the hortatory rituals of execution must be considered, particularly for the colonial period where local concerns about order could be tempered by international humanitarian and legal concerns about the infliction of extreme violence on colonized peoples.

Thirdly, in the twentieth century tensions emerged between the perceived necessity of violence in governing Africa and a desire for ‘civilized’ governance which strongly shaped legal and discursive practices surrounding executions. The use of the body, dead or alive, has historically been a key site of political, moral and economic conflict between Africans and their rulers, whether colonial or indigenous.⁶ Constructions of the human body and the protections that it deserves however shift between cultures and from times of peace to times of war, however, and cultures of violence vary markedly between military and civilian systems of ‘justice’. Whilst the spread of Christianity, Islam, and greater interaction with global scientific rationalities have altered African conceptions of the body and spirit, the body remains a potent site of physical and symbolic power in political and penal discourses. As many colonial and postcolonial rulers found, popular and global readings of the ‘theatre of

from a Preindustrial Metropolis to the European Experience (Cambridge, 1984); V. A. C. Gatrell, *The Hanging Tree: Execution and the English People, 1770-1868* (Oxford, 1994).

⁶ Megan Vaughan, *Curing their Ills: Colonial Power and African Illness* (Stanford, 1991); Anne McClintock, *Imperial Leather: Race, Gender and Sexuality in the Colonial Encounter* (New York, 1995); Frederick Cooper and Ann Laura Stoler (eds), *Tensions of Empire: Colonial Cultures in a Bourgeois World* (Berkeley, 1997); Florence Bernault (ed.), *Enfermement, Prison et Châtiments en Afrique: Du 19eme Siècle à Nos Jours* (Paris, 1999); Tony Ballantine and Antoinette Burton (eds), *Bodies in Contact: Rethinking Colonial Encounters in World History* (Durham, NC, 2005).

death' can contest and subvert intended official narratives.⁷ The symbolic power of the executed body is strong, but difficult to control, particularly with the proliferation of global media and technology across the continent. Whilst states once hung the bodies of those whom they killed from gibbets or displayed their dismembered bodies in a spectacle of terror, now physical displays can be supplemented or replaced with visual or virtual images circulated globally and locally. Drawing on African conceptions of the body as a multiple and fragmented entity consisting of corporeal and spiritual elements, and a soul that could be reborn into this world, this chapter will argue that photographs, videos, posters, films, poems, statues, rumours and memories of executions and the executed can coalesce to produce a simulacrum of the deceased, granting them another incorporeal, symbolic self and afterlife. Material effigies have historically been punished by the state or community in the stead of a condemned man: now these virtual, immaterial effigies can emerge from an execution to empower and aid remembrance of the person.

This chapter will investigate pre-colonial usages of capital punishment and conceptions of the criminal body and its treatment, with a particular focus on the Ashanti of the Gold Coast (Ghana). It will then outline colonial practices of execution and the impact that European laws, conceptions of the body, changing sensibilities and humanitarian sentiments had on the practice and performativity of executions. Finally, it will look at the display and alternately the concealment of executed bodies in post-colonial Africa, and how new media combined with popular memories to create local and global afterlives for prominent executed men. The chapter will include examples of extrajudicial as well as judicial executions due to the high discursive impact of many such killings and the light they

⁷ Dwight Conquergood, 'Lethal Theatre: Performance, Punishment and the Death Penalty', *Theatre Journal*, 54 (2002), 339-67.

shed on the relationship between political, military and legal authority in Africa. More systematic analysis of the death penalty in post-independence Africa is required to properly elucidate the relationship between the exceptional cases highlighted here and normative rituals of execution, and to investigate in greater detail local understandings of such events and their memory, but this chapter hopes to provide an initial investigation into the general trends in capital punishment and the post-mortem treatment of executed bodies.

[B] Sacrificial Bodies: Im/materiality in Pre-Colonial Executions

Our knowledge of capital punishment in pre-colonial polities and African communities is fragmentary at best. African polities were geared towards the control of people rather than space, and were often strongly patrimonial with political and ritual authority being combined in the person of the chief or ruler. The body of the chief would literally and figuratively embody the power of the community. Most communities had restorative systems of justice, whereby murder was normally atoned for through the payment of compensation and recourse to the appropriate supernatural sanctions or reconciliation rituals, although corporeal punishment and vengeance were also widely applied.⁸ The death penalty was reserved for the most serious violations of customary norms or taboos – such as threats to the chief’s person, adultery with the chief’s wives, desertion of duty or cowardice in war, repeated witchcraft or theft, or murder.⁹ In deciding whether to apply such punishment though, the sentence was often determined not by the crime itself but by the level of threat posed to the community by

⁸ See J. S. Read, ‘Kenya, Tanzania and Uganda’, in Alan Milner (ed.), *African Penal Systems* (London, 1969), pp. 104-6.

⁹ *Ibid.*, p. 104; Alan Milner, *The Nigerian Penal System* (London, 1972), pp. 315-16; T. O. Elias, *The Nature of African Customary Law* (Manchester, 1956), p. 260.

the offender. Punishment was also moderated by social standing, as in many areas elite males would not be executed but allowed to supply a slave to the bereaved family, either in compensation or for execution in their stead.¹⁰ In pre-colonial eastern Africa the machinery of government available to the ruler of a more centralised state made it easier to impose a death penalty, as among the Baganda, but even acephalous communities employed execution on occasion.¹¹ In Kenya, Kikuyu custom dictated that homicide was normally a matter for compensation, but habitual theft, causing death by poison, or witchcraft ‘was looked upon as a crime against the whole community, and the penalty was death by burning.’¹² Such penal customs were common across central and southern Africa.¹³

Executions were also enacted under Islamic law in areas like northern Nigeria and northern Sudan. In West Africa, nineteenth-century travelogues and early ethnographic texts can give the historian a partial insight into pre-colonial attitudes toward murder and execution. In Nigeria ‘customary’ methods of execution included hanging, beheading,

¹⁰ Paul Bohannan (ed), *Justice and Judgement among the Tiv* (Princeton, 1960), p. 39.

¹¹ David Killingray, ‘Punishment to Fit the Crime? Penal Policy and Practice in British Colonial Africa’, in Bernault, *Enfermement, Prison et Châtiments*, p. 199.

¹² Jomo Kenyatta, *Facing Mount Kenya: The Tribal Life of the Kikuyu* (London, 1957 [c. 1938]), p. 230.

¹³ See Jan Vansina, ‘L’Enfermement dans l’Angola Ancien’ in Bernault, *Enfermement, Prison et Châtiments*, pp. 83-97; Robert Turrell, *White Mercy: A Study of the Death Penalty in South Africa* (Westport, 2004), pp. 19-21; Martin Chanock, *Law, Custom and Social Order: The Colonial Experience in Malawi and Zambia* (Cambridge, 1985), pp. 6-7, 125-7; L. J. Chimango, ‘Traditional Criminal Law in Malawi’, *Society of Malawi Journal*, 38 (1975), 25-39.

stoning, spearing, shooting, drowning, burying alive and killing by means identical means to those used by the murderer.¹⁴ The King of Dahomey [Benin] was said to ‘own’ the heads of his subjects, which European reporters understood to refer to his exclusive authority to impose capital punishment, decapitation being the preferred Dahomian method of execution as the *semedo* (soul) resided in the head. The heads of slain enemies, human sacrifices and probably also executed persons were retained and displayed as symbols of the king’s ritual, martial and political authority.¹⁵ In the Gold Coast, the Kingdom of Asante [or Ashanti] became infamous in British popular thought for its apparently widespread use of ‘bloodthirsty’ human sacrifices: Frederick Boyle wrote in his diary of the 1873-4 military expedition to pacify Asante that in the capital Kumasi ‘the sight they love is severed necks, the spouting blood and corpses that line the road in a dead procession.’¹⁶ It has been argued that this ‘human sacrifice’ was really capital punishment in practice.¹⁷ Judging from the victim selection in incidences of mass human sacrifice however, these cases cannot be accurately described as judicial executions.¹⁸ The fact that slaves, servants and prisoners of

¹⁴ Milner, *Nigerian Penal System*, p. 335.

¹⁵ Robin Law, “‘My Head Belongs to the King’: On the Political and Ritual Significance of Decapitation in Pre-Colonial Dahomey”, *Journal of African History*, 30 (1989), 399-415.

¹⁶ Frederick Boyle, *Through Fanteeland to Coomassie: A Diary of the Ashantee Expedition* (London, 1874), pp. 342-4. Such knowledge became significant in shaping colonial criminal justice and executions, as Ashanti had a far higher rate of execution than the coastal Gold Coast Colony. See GNA CSO 15/3 series.

¹⁷ Clifford Williams, ‘Asante: Human Sacrifice or Capital Punishment? An Assessment of the Period 1807-84’, *International Journal of African Historical Studies*, 21 (1988), 433-41.

¹⁸ Ivor Wilks, ‘Human Sacrifice or Capital Punishment? A Rejoinder’, *The International Journal of African Historical Studies*, 21 (1988), 443-52.

war were ceremonially decapitated in elaborate rituals during certain festivals or after an Asantehene's (king's) death belies such an argument.¹⁹ The Asante kingdom did otherwise have a carefully modulated range of capital offences, the *oman akyiwadie* (tribal sins and taboos), including reference to the death of its rulers, dereliction of duty, witchcraft, not running away from the presence of the Asantehene's wives, picking up dropped gold and suicide.²⁰ *Awudiei* (intentional murder) was regarded as a particularly serious capital crime by the Asante, not just because of the loss of life, but because it challenged the Asantehene's sovereign monopoly over the right to death.²¹ By the late nineteenth century, all murder trials were heard at the 'national court' and could not be resolved through clan justice alone: only the Asantehene and the great Paramount Chiefs 'held the knife', *ono owo sekan*, and had the

¹⁹ Williams, 'Asante: Human Sacrifice or Capital Punishment'. See R. S. Rattray, *Ashanti: Religion and Art* (London, 1927) and *Ashanti Law and Constitution* (Oxford, 1929); K. A. Busia, *The Position of the Chief in Modern Political System of Ashanti: A Study of the Influence of Contemporary Social Changes on Ashanti Political Institutions* (London, 1951); E. L. R. Meyerowitz, *The Sacred State of the Akan* (London, 1951).

²⁰ Williams, 'Asante: Human Sacrifice or Capital Punishment', 440. Suicide was considered a capital offence as only the Asantehene had the power to take life but many offenders chose suicide to escape from executions. Suicides' bodies would therefore be publicly decapitated, their estate confiscated by their chief and their family disinherited, and their corpses could not be buried in the clan burial ground. Rattray, *Ashanti Law*, pp. 301-2; E. A. Hoebel, *The Law of Primitive Man: A Study in Comparative Legal Dynamics* (Cambridge, 1954), p. 327.

²¹ *Ibid.*, pp. 219, 235; Rattray, *Ashanti Law*, pp. 295-6. The definition of *awudiei* however was wider than English legal definitions as it included heinous sexual offences including intercourse with a pregnant woman or with a pre-pubescent girl. Women and children could be executed for murder.

power to inflict capital punishment, which was ceremonially devolved onto the royal executioners.²² Crime was considered a communal rather than simply an individual responsibility, and something that could transcend the physical realm. It was said that ‘an *otofo* (executed criminal), if he or she “come back”, will “come back” as an *otofo*’: criminal propensities could be inherited from lineage forbears, but children could also bear the guilt of parents.²³ For murder within a kin group, the perpetrator was expelled from the kin group and could either be killed or forced into slavery, whilst for murders between different clan groups, the offender could be killed by the deceased’s clan.²⁴ Death sentences could however be commuted to mutilation or converted into *atitodie* (blood money) to be paid by the offender’s kin, and there are suggestions that this practice of *atitodie* led to death sentences increasing at times of political and economic uncertainty, with Asantehene Kwaku Dua (1834-74) in particular said to have made frequent use of converted death sentences in order to raise revenue.²⁵

²² Hoebel, *The Law of Primitive Man*, p. 235.

²³ Rattray, *Ashanti Law*, p. 43.

²⁴ *Ibid.*, pp. 219, 375.

²⁵ Tom C. McCaskie, ‘Accumulation, Wealth and Belief in Asante History, I: To the Close of the Nineteenth Century’, *Africa*, 53 (1983), 35.

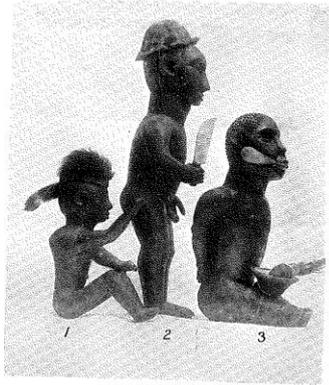


FIG. 41. 'The *Gyabon suman* is placed upon his lap'
(Ashanti wood-carving)
Herald. 2. Executioner. 3. Person about to be executed

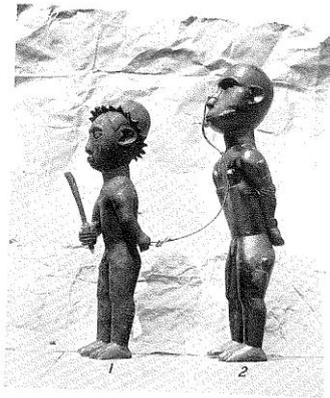


FIG. 42. 'The nasal septum is pierced'
(Ashanti wood-carving)

R. S. Rattray, *Religion and Art in Ashanti* (London, [1929]1957).

R. S. Rattray's ethnographic research on the Asante in the 1910s-20s gives historians the most detailed available account of execution procedures.²⁶ According to Rattray the pre-colonial Asante kingdom had a well-regulated system of judicial execution, finely calibrated by the offence and the status differential between the offender/victim. Execution was normally by decapitation with a 'small knife', or by strangling, clubbing to death, drowning or burning for witches, progressing in severity up to the 'dance of death', *atɔperɛ-goru*.²⁷ Executions in Asante did not serve simply to reinforce sovereign power in a Foucauldian spectacle of sovereign power, but also to appease supernatural forces, including the murder victim's vengeful *sasa* (ghost), which would otherwise haunt the community.²⁸ Rattray's interviews with the Asantehene's former executioner about the *atɔperɛ-goru* – reserved to

²⁶ Rattray, *Religion and Art*, pp. 88-90; Rattray, *Ashanti Law*, pp. 294-303.

²⁷ In contrast to eighteenth- and nineteenth-century Western European notions of strangling as a dishonourable death, strangling was usually reserved for elites as it avoided distasteful mutilation and the spilling of blood.

²⁸ Michel Foucault, *Surveiller et Punir: Naissance de la Prison* (Paris, 1975); Rattray, *Ashanti Law*, p. 295.

punish murder or adultery with royal wives, and apparently last enacted in the 1880s – reveal that in a visible spectacle of royal authority the condemned person would have his nasal septum threaded with a rope, cheeks pierced with a knife to prevent him cursing the Asantehene, and be led around the town having his shins scraped and ears cut off by senior figures, then be made to dance to the *atɔperɛ* drums all day before being taken before the Asantehene, where he was dismembered and decapitated. After death occurred, ‘the pieces of the body were collected and cast away in the hollow near the spot formerly called Diakomfoase’, one of four execution spaces for the city: again, here we find the *disjecta membra* thrown into the bush rather than being buried.²⁹ The *atɔperɛ* was a public theatre of death, but death was not the fundamental aim of the punishment: the systematic dissolution of the corporeal body was instead its principle element. As McCaskie describes, ‘apposite wholeness was a mark of the body’s success – in death as in life.’³⁰ The exceptional violence of the *atɔperɛ* therefore represented the invasive ideological power of the state at an absolute level – the body, its wholeness, its integrity, simply disappeared, and literally vanished from history. The dismemberment of the body in the course of *atɔperɛ* was accomplished as a morphological analogue of the ‘shape’ of the state itself, conducted around a prescribed spatial and political route, with officials in ascending order of rank appropriating items from the body that equated to their position within the state, ending with the Asantehene ‘taking’ the offender’s head. In *atɔperɛ* the offender’s existence and body were appropriated by and

²⁹ Rattray, *Religion and Art*, p. 89. It is difficult to determine how visible this space was due to the rapid expansion of Kumasi during the colonial period, and at the time of Rattray’s investigations the space had become a liquor store. See also T. E. Bowdich, *Mission from the Cape Coast to Ashantee with a Statistical Account of that Kingdom and Geographical Notices of Other Parts of the Interior of Africa* (London, 1819), p. 293.

³⁰ T. C. McCaskie, *State and Society in Pre-Colonial Asante* (Cambridge, 1995), p. 254.

liquidated within the framework of the state's morphological representation of itself, with the end result being 'an expulsion and vanishing from history in the shattering of the body'.³¹ The dissolution and dismemberment of an offending body was a significant element of Ashanti penalty. In another display of chiefly authority, offenders who committed adultery with senior stool chiefs' wives would have their penis or ears cut off and nailed to significant trees or drums before decapitation, and their blood would be used to 'blood' drums, which held strong ritual significance in Ashanti culture.³² In times of war, a captured enemy general was killed after trial for *Epo* (high treason). Even if he had died in battle or committed suicide, his corpse would still be tried and decapitated. The body would then be cut up and apportioned, with the commander of the army taking the head to adorn the *odwira suman*, a powerful fetish, or the *fontonfrom* drum, thereby harnessing its ritual power.³³ The physical violence of execution and the treatment of the corpse served to physically inscribe royal authority onto the offending body in the material realm, but also to temper or harness the body's immaterial, supernatural power. The dissolution of their body did not entirely eradicate an offender from Asante cosmology, however. One of the key events in the Asante

³¹ *Ibid.*, p. 255.

³² Decapitation was held as necessary to ensure the spirit of the deceased was unable to pass into the spirit world and eventually be reborn.

³³ Rattray, *Ashanti Law*, p. 125. When the Governor of the Gold Coast, Sir Charles McCarthy, was killed during the 1823-4 Ashanti war, his body was decapitated and the skull retained as a drinking cup by the Asantehene, which would be displayed during the *odwira*. See H. I. Ricketts, *Narrative of the Ashantee War, With a View of the Present State of the Colony of Sierra Leone* (London, 1831), p. 83. Colonial accounts also state that his heart was consumed by the Asante chiefs to imbibe his bravery, and his bones were distributed as charms.

calendar was the *odwira*, also known as the ‘Yam Custom’, a ‘festival that condensed and expressed defilement, and that then transacted a cathartic communal or societal purification’ whilst reflecting the centralized authority of the state and the Asantehene.³⁴ As part of the ceremony, ritual preparations sought to summon and placate the ancestral *asamanfoɔ* (spirits) in order to secure their cooperation in the successful performance of *odwira*. Summoning these *asamanfoɔ* was a very perilous activity. Also summoned were the spirits, or ghosts, of those persons executed on royal authority, who were ritually induced to manifest themselves. On 15 December 1871 for example, some two hundred royal executioners, with their characteristic leopard-skin headgear and bandoliers of knives, bodies daubed in red clay to symbolize their defiance and sorrow for their past actions, danced in a frenzied manner throughout the whole afternoon in Kumasi, brandishing their knives and with human skulls and jawbones clenched in their teeth. They cried out, using a mix of insults, flattery, mocking and coaxing, to attract the *asamanfoɔ* of those persons they had executed since the previous *odwira*.³⁵ After sunset, the executioners would travel to the sites of execution and places where executed bodies were discarded, still calling out to the spirits of the dead. These revenant spirits were called forth to give their forgiveness for the punishments enacted on their mortal bodies.

Outside of Asante, that most accounts of pre-colonial executions do not mention what happened to bodies after the sentence was carried out can be taken as an indication that post-mortem display did not routinely form a significant component of the punishment in many cultures. Across Africa the most common treatment of a corpse after execution was for it to

³⁴ McCaskie, *State and Society*, p. 144.

³⁵ Bonnat MSS, Cahier 7, entry dd. Kumase, 15 December 1871, cited in McCaskie, *State and Society*, p. 202.

be deposited in the 'bush': the bush being outside society, representing dark, untamed nature. This was a literal and symbolic casting of the condemned outside of the community, outside of civilization. Instead of post-mortem display or desecration of the corpse, it was the denial of proper burial rights that intensified the punishment of death. Meek notes that among the Ibo of Nigeria the body of an executed murderer would be dumped in the bush 'to prevent reincarnation'.³⁶ Within many African cosmologies death is a process rather than an event; from physical death, to social death, then through funerary and burial rituals to another realm of life for the spirit/soul.³⁷ Funerary and burial rites varied widely across Africa, and were often replaced or amended by Christian and Muslim practices as those religions spread across the continent, but among the Ibo for example, the physical death of an elder or chief would be followed by various sacrifices (often animal sacrifices) performed by his family to appease the spirit, protect the deceased on their journey to the underworld, and to guarantee the strength, health and prosperity of the soul once it is reborn.³⁸ The washing and preparation of the corpse was followed by grave burial, sometimes with the sacrifice of a slave, whose body would be placed in the grave first.³⁹ Across pre-colonial Africa funerary and burial rites

³⁶ C. K. Meek, *Law and Authority in a Nigerian Tribe* (London, 1937), pp. 208-12.

³⁷ See Michael Jindra and Joel Noret (eds), *Funerals in Africa: Explorations of a Social Phenomenon* (London, 2011).

³⁸ Meek, *Law and Authority in a Nigerian Tribe*, pp. 303-10. Burials and funerary rites could be highlight contested as tensions between 'customary' law and modern, westernised life grew in many parts of Africa. See David William Cohen and E. S. Atieno Odhiambo, *Burying SM: The Politics of Knowledge and the Sociology of Power in Africa* (London, 1992).

³⁹ This custom was gradually replaced by the placing of money, of equivalent value to the purchase of a slave, in the grave.

varied according to the status of the deceased, and the form their death had taken: whilst the funerals of high-status persons would last many days and be accompanied by widespread mourning, sacrifices, and celebrations, those who had died of disease or suffered ‘dishonourable’ deaths would not be buried with full rites or within burial spaces, their bodies being cast into the bush or buried outside of the homestead.⁴⁰ Without proper funerary rites a condemned person’s soul could neither be fully reborn within the lineage, nor become an ancestor. Executed corpses do not seem to have held special ritual or supernatural powers, beyond those naturally attributed to the human body. Where mutilation and the ritual use of corpses did occur, it was more frequently related to so-called ‘medicine murders’ or fetishes; murders committed to secure body parts for spells or fetishes which harnessed supernatural powers for personal or political gain.⁴¹ The exception came in cases of witches killed to protect the community, whose powers – if they resided within their body – had to be neutralised effectively. In equatorial West Africa executed witches would be ritually autopsied by a *banganga* (spirit healer) to process the witch-substance into charms for the protection of the community or to destroy the corpse completely to get rid of its nefarious power.⁴² Executions in pre-colonial Africa were part of procedures of retribution and

⁴⁰ In some cultures, the bodies of women who had died without giving birth to any children would be denied proper burial and thrown into the bush, as they were considered to have failed in their duty to continue the lineage and procreative immortality.

⁴¹ Roger Gocking, ‘A Chieftaincy Dispute and Ritual Murder in Elmina, Ghana, 1945-6’, *Journal of African History*, 41 (2000), 197-219; Richard Rathbone, *Murder and Politics in Colonial Ghana* (New Haven, 1993); Colin Murray and Peter Sanders, *Medicine Murder in Colonial Lesotho: An Anatomy of a Moral Crisis* (Edinburgh, 2006).

⁴² Bernault, ‘Body, Power and Sacrifice’. During the colonial era these ritual autopsies were interpreted as profanation of corpse by colonial authorities and carried a death sentence.

reconciliation, and post-mortem treatment of those executed was geared towards re-establishing the material and immaterial boundaries of the community and social order within.

[B] Public or Private, Civilized or Barbaric? Capital Punishment in Colonial Africa

Colonialism, with its new laws and proliferation of Christianity, disrupted accepted relationships between the material and the immaterial, the sacred and the profane. This created tensions between local conceptions of the body as a fetish (material entity with sacred power) and European notions of the body as a sign (which does not hold but merely signals power).⁴³ As practices of forced labour, corporal punishment and the seizing of African bodies for entertainment and scientific investigation reveal, the control and exploitation of African bodies was key to both the moral and political economies of European colonialism.⁴⁴ With Africans constructed by colonialism as being innately ‘other’ and outside of modern ‘civilization’, they did not need to be criminalized for their bodies to be appropriated and exploited. As a symbol of sovereign authority and terror, the exceptional violence of execution consequently played a subsidiary role to the near ubiquitous *kiboko* (whip) and the labour gang. This, combined with new global humanitarian sensibilities and legal reforms

⁴³ Ibid., 211.

⁴⁴ Andrew Bank, “‘Of Native Skulls’ and ‘Noble Caucasians’”: Phrenology in Colonial South Africa’, *Journal of Southern African Studies*, 22 (1996), 387-403; Stephen Pierce and Anupama Rao (eds), *Discipline and the Other Body: Correction, Corporeality and Colonialism* (Durham, NC, 2006); Clifton Crais and Pamela Scully, *Sara Baartman and the Hottentot Venus: A Ghost Story and a Biography* (Princeton, 2009).

meant that the treatment of the condemned criminal and his body fell increasingly into line with modern European norms – at least, until colonial control was threatened.

With the colonization of Africa by European powers and their imposition of European criminal justice systems, the death penalty became increasingly secularized and institutionalized across the continent, as well as progressively restricted in its focus to murder and treason.⁴⁵ Executions quickly became central to colonial iconographies, with a focus on control and deterrence more than individual retribution.⁴⁶ Colonial justice in Africa was however marked by tensions between the messages which needed to be conveyed to local and imperial audiences: between the need for effective deterrence and ‘civilizing’ rule. The strategies of punishment deployed revolved around corporeal violence and spectacle rather than modern discipline.⁴⁷ Some colonizers even argued that violence itself was a ‘civilizing force’ and the only language ‘savage’ Africans could understand. The exigencies of governing the colonized sometimes produced chilling homologies between the so-called

⁴⁵ Chanock, *Law, Custom and Social Order*; Kristin Mann and Richard Roberts (eds), *Law in Colonial Africa* (London, 1991); Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton, 1996), pp. 109-37; Simon Coldham, ‘Crime and Punishment in British Colonial Africa’, *Recueils de la Société Jean Bodin*, 58 (1991), 57-66.

⁴⁶ Stacey Hynd, ‘Killing the Condemned: The Practice and Process of Capital Punishment in British Colonial Africa, c.1900-58’, *Journal of African History*, 49 (2008), 403-18.

⁴⁷ Florence Bernault, ‘The Shadow of Rule: Colonial Power and Modern Punishment in Africa’, in Frank Dikötter and Ian Brown (eds), *Cultures of Confinement: A History of the Prison in Africa, Asia and Latin America* (New York, 2007), pp. 55-94.

‘barbarism’ of native practices and the acts of terror used to rule them.⁴⁸ Albie Sachs recounts how in the Cape Colony [today part of South Africa], colonized in the seventeenth and eighteenth centuries by Dutch settlers, judicial procedures were adopted from the Dutch trading empire. This included public executions by hanging, strangling, breaking on the wheel or cross, or burning. With the Colony’s political economy based on plantations and slave labour, the most severe sentences were unsurprisingly reserved for runaway slaves or those who threatened their masters: one man, convicted of ‘two frightful murders... in a land where justice and righteousness are maintained as pillars of public peace’ was tied to the wheel, flesh pinched and broken alive by eight blows of a club.⁴⁹ Another slave was bound naked to a cross, had ten pieces of flesh ripped from him by red hot pincers at lengthy intervals, his right hand hacked off and thrown into a face, his body quartered and dragged in portions throughout the town, and his head secured to a pole as prey to the birds.⁵⁰

Such spectacles served the double purpose of inscribing the power and authority of white minority rule on its human property, and of attempting to secure the compliance of the black African population through terror. In line with the ‘sanitization’ of punishment in Europe however, these extreme punishments were dying out by the late eighteenth century and ended with the onset of British rule.⁵¹ A tension between modernized governance and penal archaism however continued to mark criminal justice systems across the continent into the twentieth century. During the colonization and ‘pacification’ of sub-Saharan Africa in the late nineteenth century, as penal economies witnessed intensification of punishments

⁴⁸ Pierce and Rao, *Discipline and the Other Body*, p. 2.

⁴⁹ Albie Sachs, *Justice in South Africa* (Berkeley, 1973), pp. 26-7.

⁵⁰ *Ibid.*

⁵¹ Spierenburg, *The Spectacle of Suffering*.

executions of those who challenged colonial power were not uncommon. The death penalty was abolished in Portugal in 1869, but practiced in Angola until 1932.⁵² In the Congo Free State [Democratic Republic of the Congo], the law allowed capital punishment and public execution in 1898, thirty years after they had been abandoned in Belgium.⁵³ The death penalty was widely used in French West Africa, under both native courts and French jurisdictions, for political offences, banditry and witchcraft activities. Public executions in these territories were commonplace, frequently conducted in market places using other prisoners or local inhabitants as executioners. Executions could be ‘carried out in accordance with local custom’ or by firing squad, before the guillotine was introduced in the 1930s.⁵⁴ Again, the archive reveals few details about the treatment of the bodies of executed criminals. In the case of the murderers of Abdel Jeanet, a colonial agent in Senegal, ‘the assassins of Jeanet and two princes, former Lamtooro Sidiki Sal and Mammadu Yero, were decapitated in

⁵² Vansina, ‘L’Enfermement dans l’Angola Ancien’, in Bernault, *Enfermement, Prison et Châtiments*, p. 56.

⁵³ J. L. Vellut, ‘Une Exécution Publique à Elizabethville (20 Septembre 1922). Notes sur la Pratique de la Peine Capital dans l’Histoire Colonial du Congo’, article MS, Louvain-la-Neuve, 21 April 1989, cited in F. Bernault, ‘De l’Afrique Ouverte à l’Afrique Fermée: Comprendre l’Histoire des Réclusions Continentales’, in Bernault, *Enfermement, Prison et Châtiments*, pp. 40-1.

⁵⁴ Dior Konate, ‘On Colonial State Violence: A History of the Death Penalty in Senegal c.1892-1960’, (unpublished research paper); Odile Georg, ‘Urbanism Colonial et Prison en Afrique: Quelques Elements de Reflexion à Propos de Conakry et Freetown, 1903-1960’, in Bernault, *Enfermement, Prison et Châtiments*, p. 171.

public, their bodies put into bags and thrown into the Senegal River.’⁵⁵ Such a disposal of the corpses was presumably intended to contravene local and Muslim burial practices, intensifying the opprobrium of the punishment, but it is not clear whether this was a frequent occurrence.

In British Africa, public executions were usually conducted by hanging, although occasionally by firing squad.⁵⁶ Hanging was not a traditional method of execution in Africa, being more commonly associated with suicide.⁵⁷ Among the Igbo of south-eastern Nigeria, hanging was considered a particularly shameful method of death as the body lies vertical, not horizontally in alignment with the earth goddess. Spirits of people who died by hanging were not allowed to be buried with their kinsmen or enter into cycles of reincarnation.⁵⁸ It is unclear whether colonial authorities were aware of such local beliefs and intended this to intensify the punishment: mostly likely, hangings were uncritically adopted from metropolitan practice. There is little mention in the archives of bodies being left on display for extended periods, perhaps because this was regarded as ‘primitive’ practice more in line with ‘barbaric’ African custom than the ‘civilizing mission’ which supposedly justified

⁵⁵ Moustapha Kane, ‘A History of Fuuta Tooro, 1890s-1920s: Senegal under Colonial Rule: The Protectorate’, (unpublished Ph.D. thesis, Michigan State University, 1987), p. 15

⁵⁶ ‘Central Africa: Papers relating to the Execution of Mr Stokes in the Congo State’, Rhodes House Library, Oxford, 730.17 s.1/1896.

⁵⁷ On suicide, see Megan Vaughan, ‘Suicide in Late Colonial Africa: Evidence from Inquests in Nyasaland’, *American Historical Review*, 115 (2010), 365-404.

⁵⁸ Misty L. Bastian, ‘Buried beneath Six Feet of Crude Oil: State Sponsored Death and the Absent Body of Ken Saro-Wiwa’, in Craig W. McLuckie and Aubrey McPhail (eds), *Ken Saro-Wiwa: Writer and Political Activist* (Boulder, CO, 1999), p. 136.

imperial conquest.⁵⁹ More practically, tropical climates ensured rapid decomposition and the presence of human flesh could encourage the presence of carnivorous scavengers, including lions and leopards. Where corpses were left on display, it was usually as a result of military executions during pacification campaigns, as during the Bushiri bin Salim's campaign against German colonialism in Tanganyika [Tanzania], the Chilembwe uprising in Nyasaland [Malawi], or extra-judicial killings by settlers or colonial agents, where the restoration of white authority and 'monopoly' of violence was paramount.⁶⁰ The imagery of such executed corpses could resonate on an imperial and global stage, inverting the intended signification of the execution, from an assertion of state power to a threat to that power. Most infamously, in the aftermath of the Herero genocide and German campaigns during the First World War, when the League of Nations was debating awarding German colonies to other powers as mandates, the British produced a report denigrating German imperialism using images seized from German stores during fighting in Namibia.⁶¹ These detailed German strategies of violence against their indigenous subjects:

⁵⁹ David Killingray, 'The Maintenance of Law and Order in British Colonial Africa', *African Affairs*, 85 (1986), 411-37.

⁶⁰ Jonathon Glassman, *Feasts and Riot: Revelry, Rebellion, and Popular Consciousness on the Swahili Coast, 1856-1888* (London, 1995), p. 258; Sir George Smith, 'The Empire at War: Nyasaland', p. 8, NAM S1/496/19; David N. Beach, 'An Innocent Woman, Unjustly Accused: Charwe, Medium of the Nehanda Mhondoro Spirit, and the 1896-7 Central Shona Rising in Zimbabwe', *History in Africa*, 25 (1998), 27-54.

⁶¹ Jeremy Silvester and Jan-Bart Gewald, *Words cannot be Found: An Annotated Reprint of the 1918 Blue Book* (Leiden, 2003).

Executions were carried out in a very crude and cruel manner. The condemned prisoner was conducted to the nearest tree and placed on ammunition, biscuit, soap, or other box or convenient object, and the rope, after being run around his neck and through a fork of the tree, was fixed to the trunk. The box was then removed and death resulted from asphyxiation... There was no privacy about the proceedings, nor except in towns or their immediate vicinity, was the body taken down and immediately buried.⁶²

Of course, Germany responded with its own diplomatic assault on the barbaric violence of British imperialism, selecting as one of its main examples the hangings in Denshawai in Egypt, 1906, where four *fellahin* [peasants] were executed for the ‘murder’ of Captain Bull.⁶³ Captain Bull however had died of heatstroke after an altercation between his unit and the villagers in Denshawai occasioned by the British soldiers shooting the villagers’ pigeons. The convictions and executions were furiously condemned, provoking nationalist uproar and

⁶² ‘Observations on Capital Punishment as Practised by Germans in South Africa, 19 January 1918’, L. Fourie, Captain SAMC/District Surgeon, Windhuk, cited in Union of South Africa, *Report on the Natives of South-West Africa and their Treatment by Germany: Prepared in the Administrator's Office, Windhuk, South-West Africa, January 1918* (London, 1918), Cd 9146.

⁶³ German Colonial Office, *The Treatment of Native and other Populations in the Colonial Possessions of Germany and England* (Berlin, 1919); Kimberley Luke, ‘Order or Justice: The Denshawai Incident and British Imperialism’, *History Compass*, 5 (2007), 278-81.

international condemnation, and became memorialized in Egyptian art, literature and popular culture.⁶⁴



Lithograph, A. H. Zaki, c.1908-1914, ©Corbis.

Such scandals provoked reform, occurring as they did against a background of international humanitarianism and emerging human rights sentiments which read the colonized body as a site of pain and violence in need of salvation. Under imperial pressure to ‘modernize’ criminal justice and conform to metropolitan legal and penal standards, the Colonial Office sent out repeated circulars between the 1890s and the 1950s insisting that public executions be ended in British colonies and that hangings take place inside prison walls.⁶⁵ The opening decades of the twentieth century also saw a widespread privatization,

⁶⁴ See George Bernard Shaw, ‘John Bull’s Other Island’, and Abdel- Sabour, ‘The Hanging of Zahran’. In 1999 a museum was opened at Al-Minufiyah commemorating the Denshawai victims.

⁶⁵ Cited in ‘Capital Punishment: Procedures and Equipment 1952-3’, Circular 288/53, NRA CO 859/445.

centralization and sanitization of hangings.⁶⁶ Hangings were to conform to Home Office standards on a long-drop gallows, with the condemned person taken down promptly after execution, examined by a medical officer to confirm death, and then quickly buried in the prison grounds or a nearby cemetery under the appropriate religious rites.⁶⁷ However scaffold crowds had unique functions that were not easily disavowed.⁶⁸ There was therefore no unilinear abolition of public executions in Africa: the symbolic power of the executed body was too great for colonial governments to be so easily relinquished. Authorities did however become increasingly aware of the negative images conveyed to an international audience by ‘botched’ or ‘excessive’ executions, particularly as new technologies like telegraphy and photography speeded and widened transmission of accounts and images from hangings. In early 1919, the British colonial government in Calabar, Nigeria resorted to mass public hangings to combat the *esiere* poison bean ordeals which had killed many people as communities sought explanations for the widespread deaths following the Spanish influenza epidemic. Officials felt that such hangings were necessary to maintain colonial authority in the face of the alternative locus of supernatural power, but were keenly aware of the potential for scandal if news of the executions spread abroad or back to London. Assistant District Officer Jeffreys, attending one execution, angrily confiscated photographic negatives to prevent news of the executions spreading after ‘a Native photographer took several large

⁶⁶ See ‘Murder Trial – Rex v. Jim and Makoshonga’, NAM S1/2664/23.

⁶⁷ The corpse could be returned to the condemned person’s family for burial, but transportation and burial would then be at the family’s expense. See ‘Prison Rules 1919-29’, NAM S1/1328/19.

⁶⁸ Gatrell, *The Hanging Tree*, p. 601.

snapshots of the hangings, showing the prisoners being led up, on the drop, and actually suspended' and began selling them.⁶⁹

Even where hangings had been moved behind prison walls, when colonial rule was felt to come under threat from local 'disorder' authorities reverted to public execution, as in the face of intertribal affrays in Kenya, spates of robbery and violence in Uganda and 'leopard-men' killings in Nigeria.⁷⁰ Colonial executions saw the criminal body punished but not disempowered in African cosmologies. Escaping local procedures of retribution and reconciliation, it was instead transformed into a key resource for white power.⁷¹ In Kenya, the government minuted in 1933 that many Africans did not believe executions were carried out and that the condemned men were rather 'being sent to England or otherwise disposed of.' This disbelief from Africans in the reality of executions was particularly prevalent in cases where magical or ritual powers were attributed to the condemned man.⁷² To combat such sentiments, in Kenya a semi-private system of execution was introduced, whereby two witnesses from the condemned man's community were brought to view him before and after

⁶⁹ 'Nigeria: Calabar Executions [Oron] 1923', British & Foreign Anti-Slavery and Aborigines Protection Society, RHL, MSS.Brit.Emp.s.22 G241.

⁷⁰ Martin Mahony, 'Barsaloi Diaries', 21 June 1922, RHL' MSS.Afr.s.487; 'Public Executions – Uganda 1932', NRA, CO 536/172/14. It is significant that these late public executions occurred under the authority of deputy governors and colonial secretaries, indicating that more politically experienced governors were less likely to adopt such practices.

⁷¹ See Bernault, 'Body, Power and Sacrifice', 211-13.

⁷² 'Execution of Murderers', 1925, KNA, DC/LDW/2/21/18.

execution.⁷³ The imputation was that justice must be ‘seen’ to be done, even if state violence itself was to be hidden. This viewing of the executed body shows that whilst changing sensibilities regarding acceptable violence and the treatment of Africans were encouraging more ostensibly ‘humane’ punishments, the perceived need for effective deterrence and firm discipline necessitated retaining the symbolic violence of the execution, if in a moderated form.⁷⁴

In the decolonization era, colonies were expected to follow metropolitan reforms of criminal justice. British colonies faced considerable pressure from London to adopt the 1948 Homicide Bill and subsequent moratorium on capital punishment. However, against a backdrop of rising nationalist agitation, colonial governments refused to accede to London’s demands, believing that relinquishing the extreme penalty of the law would be taken as an indication of weakness by anti-colonial forces.⁷⁵ All colonial states determined to retain the extreme penalty of the law to shore up their fragile rule, but it was in Kenya during the Mau Mau State of Emergency that capital punishment reached its zenith. Between 1952 and 1957 an almost unprecedented 1,090 Kikuyu were executed on State of Emergency charges, ranging from murder to associating with known terrorists.⁷⁶ Although calls from settlers for

⁷³ Note by W. Bottomley, 21 March 1918, NRA, CO 533/193. The execution was also announced in the condemned man’s locality. This system subsequently spread to other colonies.

⁷⁴ Hynd, ‘Killing the Condemned’, 403-18.

⁷⁵ ‘Capital Punishment 1957-9’, NRA, CO 859/985-90; ‘Capital Punishment for Political Offences in Peace Time’, 1966, NRA, CO 1032/512.

⁷⁶ David M. Anderson, *Histories of the Hanged: The Dirty War in Kenya and the End of Empire* (London, 2005).

the reintroduction of public execution were rejected for fear of creating martyrs and arousing international opprobrium, it is not clear just how ‘private’ some executions actually were in practice as in some cases the gallows could be ominously viewed from the courthouses, such as with the 1953 Lari Massacre trials. Notices of execution were published across Kenya, but the dead were quietly buried in unmarked graves to avoid memorialization.⁷⁷ It is perhaps surprising that there was no greater official recourse to the post-mortem display or punishment of hanged Mau Mau rebels. Perhaps the sheer number of executions was considered a sufficient deterrent and the fear of humanitarian outcry too great. Any interference with the bodies certainly would have shattered the judicial façade of legitimacy and ‘civilized’ governance that the convictions were meant to convey. More significantly, capital punishment formed only one aspect of the state’s strategy of exceptional violence. Mass internment in detention camps sought to ‘rehabilitate’ Kikuyu minds and bodies whilst the systematic use of torture to extract information punished them.⁷⁸ Extra-judicial killings heightened the terror of colonial counterinsurgency. Within such a regime of violence, the display or mutilation of executed bodies lacked symbolic force and became almost redundant. A similar positioning of the executed ‘terrorist’ can be found in Algeria, where during the liberation war over 1,500 death sentences were pronounced and 222 FLN militants were executed, most by guillotine, as part of the wider French counter-insurgency strategy which

⁷⁷*Ibid.*, pp. 155, 174, 342.

⁷⁸ Caroline Elkins, *Britain’s Gulag: The Brutal End of Empire in Kenya* (London, 2005); David M. Anderson, ‘British Abuse and Torture in Kenya’s Counter-Insurgency, 1952-60’, *Small Wars & Insurgencies*, 23 (2012), 700-19.

deployed systematic torture, mass reprisal killings, summary executions and death flights to try to destroy Algerian nationalism.⁷⁹

[B] Global and Local Deaths: Methods and Meanings of Post-Colonial Executions

In the aftermath of Mau Mau and Algeria, international audiences increasingly came to regard the widespread use of the death penalty and calls for public executions as a marker of a lack of ‘civilization’ and fitness to rule. Early independence-era Southern Rhodesia [Zimbabwe] and Malawi were both internationally condemned for their use of the death penalty against political opponents, whilst in 1964 Nelson Mandela narrowly avoided being sentenced to death by the apartheid regime in South Africa after international protests.⁸⁰

During the post-colonial era many parts of Africa fell into military and authoritarian rule in the wake of political and economic crisis. Although most countries formally retained legal systems inherited from colonialism, standards of justice weakened and penal severity increased. Data are difficult to obtain but, particularly in areas under military rule, the death penalty was expanded to encompass economic threats to the state, including embezzlement and smuggling, violent crime and political offences, where both judicial and extra-judicial

⁷⁹ See Sylvie Thénault, *Une drôle de Justice. Les Magistrats dans la Guerre d’Algérie* (Paris, 2001); Raphaëlle Branche, *La Torture et l’Armée Pendant la Guerre d’Algérie, 1954-62* (Paris, 2002).

⁸⁰ Stacey Hynd, ‘Decorum or Deterrence: The Politics of Executions in Malawi, 1915-66’, *Cultural and Social History*, 5 (2008), 440-46; ‘Southern Rhodesia: Law and Order Maintenance Act’, NRA, DO 154/79.

killings were widely used.⁸¹ South Africa under the apartheid regime notoriously had one of the world's highest confirmed rates of execution.⁸² Nigeria was also prolific in its use of the death penalty under military rule in the 1970s-80s, with some 1,110 recorded executions between 1979 and 1985.⁸³ Part of the reason for this was the extension of capital punishment in an attempt to combat the wave of armed robberies which were wracking the country, with mandatory death sentences for armed robbery established. Public executions by firing squad were introduced as a deterrent, but when even that did not seem to work, it was decided in 1971 to televise the execution of one particularly notorious armed robber, 'Dr. Oyenusi', live on state television, a precedent then adopted in other cases. As one Nigerian recalled:

These executions were shown on NBC [state television] back then. Some of the criminals would shout out (only saw their mouth action). Probably, shouting obscenes [sic] of abuse at the executors. Some refused the religious priest blessing, some looked dead terrified before shots were fired. The camera would pan on every one of them. Then there is a command, the rambles of shot fired and to slumped bodies tied to the stake in front of the drums. It was a family viewing show. Everyone gathered around to watch

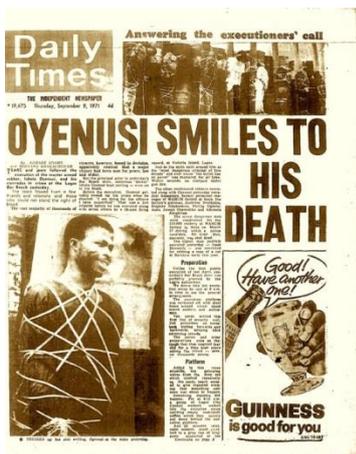
⁸¹ Roger Hood, *The Death Penalty: A Worldwide Perspective* (3rd edn, Oxford, 2002), pp. 73-82.

⁸² David Welsh, 'Capital Punishment in South Africa', in Milner (ed.), *African Penal Systems*, pp. 397-427.

⁸³ A. A. Adeyemi, 'Death Penalty: Criminological Perspectives – The Nigerian Solution', *Revue Internationale de Droit Penale*, 58 (1987), 485.

the telly while there were also live viewing [sic]. Some of these accused were defiant vocally until you see them slump.⁸⁴

Televsual and front page newspaper coverage spread the message far wider than the tens of thousands of people who were reported to have watched Oyenusi's and other armed robbers' executions in situ. Such images, indexical to the bodies they represent, fed popular memories of armed robbers which have subsequently been reworked into filmic and literary representations, granting the likes of 'Dr Oyenusi' and Lawrence 'The Law' Anini an afterlife as folk heroes or symbols of the ills then facing Nigeria, depending on a person's perspective.⁸⁵



The Daily Times, Lagos, 9 September 1971

Legacies of colonial violence combined with autocratic politics have led in some parts of Africa to the emergence of a form of what Mbembe has called 'necropolitics', the

⁸⁴ Cited in 'Nigerian Nostalgia', posted in Colin Plantall's blog on 1 February 2012, <http://colinpantall.blogspot.co.uk/2012/02/previous-post-on-narrators-photo-led-me.html> (accessed 20 August 2013).

⁸⁵ Otwin Marenini, 'The Anini Saga: Armed Robbery and the Reproduction of Ideology in Nigeria', *The Journal of Modern African Studies*, 25 (1987), 259-281.

subjugation of life to the power of death in political authority, particularly in those areas affected by conflict. Finding Foucault's conception of 'biopower' insufficient to account for modern forms of sovereign power in the postcolony, Mbembe develops the concept of necropower, which goes beyond inscribing power on bodies through disciplinary apparatuses to the creation of 'deathscapes, new and unique forms of social existence in which vast populations are subjected to conditions of life conferring upon them the status of living dead.'⁸⁶ Necro-political formations can be traced in state or armed faction's deployment of execution against political opponents, both judicially and extra-judicially. In contemporary Nigeria, for example, the police have been widely condemned by human rights organizations for the mass killing of suspected criminals, terrorists and armed robbers.⁸⁷ The bodies of those killed by police are often unidentified or unclaimed by their families, who fear arrest.⁸⁸ These 'bodies without narrative', corpses without an identity, highlight the pervasiveness of the 'deathscapes' that can reduce individuals to 'bare life' where they can be killed without punishment.⁸⁹

⁸⁶ Achille Mbembe, 'Necropolitics', *Political Culture*, 15 (2003), 11-40; Christian Höller, 'Africa in Motion: An Interview with the Postcolonialism Theoretician Achille Mbembe', *Springerlin* 3 (2002). For Mbembe, the contemporary colonial occupation of Palestine is the most accomplished form of necropolitics.

⁸⁷ Amnesty International, *Killing at Will: Extrajudicial Executions and Other Unlawful Killings by the Police in Nigeria*, AFR 44/038/2009.

⁸⁸ Many thanks to Oliver Owen for this information.

⁸⁹ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (trans. Daniel Heller-Roazen, Stanford, 1998).

At the other end of the scale are the targeted and sometimes almost ritualistic killings of those who pose a direct threat to the state or armed faction. Public executions of high-profile political opponents appear to have become a recurring theme from the 1970s-90s, often from military courts or in extra-judicial killings by armed factions during Africa's civil wars. In Liberia, after Samuel Doe's coup of 12 April 1980, the incumbent cabinet of William Tolbert were paraded virtually naked throughout Monrovia and then executed on the main beach to mark Doe's seizure of power. A new form of 'public' audience emerged with the spread of mass media across Africa, as became apparent when ten years later Doe himself was tortured, mutilated and then murdered by Prince Johnson's forces during the Liberian civil war. These acts were recorded on a video made by a Palestinian journalist: the video was later shown to journalists by Johnson to prove Doe's death to a global audience and bolster Johnson's power, copies were sold across West Africa, and it was subsequently uploaded onto the internet for global consumption. During the video, Johnson's men appear anxious to prevent the tightly-bound Doe escaping 'by the power of some voodoo'. Doe's body was subsequently paraded through Monrovia and put on display for two to three days to convince the populace that he was really dead, and had not used supernatural powers to miraculously fly away or disappear.⁹⁰ Ellis highlights that events during Liberia's war, need to be 'read at two levels, both as descriptions of visible events and as possible evidence of

⁹⁰ Agetua, *Operation Liberty*, pp. 51-2. In many parts of Africa, the transition to authoritarian rule was marked by the emergence of 'cults of personality' surrounding political leaders, which built on traditions of patrimonial, or 'Big Man' politics, in the continent. In some cultures, significant ritual and supernatural power was accorded to such 'Big Men', many of whom appropriated such narratives to bolster their authority.

moral arcane forces.⁹¹ Here we can see the continued need to counteract and contain both the material and immaterial force of the body. Rumours abound within Liberia and on the internet as to what happened to Doe's body: was it dismembered and eaten by Johnson's men? Rumours, and apparently the practice, of cannibalism periodically surface in Africa, with autocrats like Idi Amin and Jean-Bédél Bokassa notably accused, alongside armed groups during the Congo, Sierra Leone and Liberian civil wars. Such rumours play into global racial stereotypes of African 'savagery', but read from within local moral economies and spiritual discourses, the physical and/or symbolic consumption of a defeated opponent's flesh was a recognized (if reprehensible) symbolic means to consume and appropriate their power. From ritual murder to vampirism, post-colonial Africa is replete with tales of how the rich and powerful use monstrous means to appropriate the physical bodies and life force of their lesser compatriots to strengthen themselves.⁹² In his testimony to the Liberian Truth and Reconciliation Commission in 2009, Prince Johnson denied having eaten Doe however, claiming those rumours were spread by his political opponents to defame him, and asserted that Doe had instead been embalmed and secretly buried to prevent his grave becoming a site of opposition, before later being dug up, cremated and his ashes thrown in a river whilst Johnson retained his skull.⁹³

⁹¹ Stephen Ellis, *The Mask of Anarchy: The Destruction of Liberia and the Religious Dimensions of an African Civil War* (London, 1999), p. 16.

⁹² Jean Comaroff and John L. Comaroff, 'Occult Economies and the Violence of Abstraction: Notes from the South African Postcolony', *American Ethnologist*, 26 (1999), 279-303.

⁹³ 'Prince Johnson Displayed Doe's Skull... Commany Wesseh', posted on the website of the Truth and Reconciliation Commission of Liberia [date unknown],

It was not just sovereign authority that invoked the 'theatre of death' to inscribe its authority on subject bodies. The power and symbolism of human bodies has long formed an important element in cultures of protest and authority across Africa, as in the display of women's naked bodies in the Ibo 'Women's War' and beer hall protests in South Africa in 1929.⁹⁴ Public displays of the bodies of those killed extra-judicially by state officials or vigilantes have formed important symbols of power, and been constituent elements of attempts to re/build a moral community. In South Africa, necklacing, which involves placing a tyre soaked in petrol around the victim's neck and setting it alight, became infamous after its use by black township protestors against those suspected of collaboration with the apartheid regime. The symbolic horror and graphic potency of these burnings was frequently compounded by the denial of burial or decapitation of the corpse.⁹⁵ As in the pre-colonial period, the denial of burial continued to be an intensifier of punishment: during Zimbabwe's

http://trcofliberia.org/press_releases/91 (accessed 20 August 2013). Johnson did not specify why the skull had been retained.

⁹⁴ See Marc Matera, Misty Bastian and Susan Kinglsey Kent, *The Women's War of 1929: Gender and Violence in Colonial Nigeria* (London, 2011); Helen Bradford, "'We Are Now the Men': Women's Beer Hall Protests in the Natal Countryside, 1929', in Belinda Bozzoli (ed.), *Class, Community and Conflict: South African Perspectives* (Johannesburg, 1987), pp. 292-323. More widely, see Megan Vaughan and Wilima T. Kalusa, *Death, Belief and Politics in Central African History* (Lusaka, 2013).

⁹⁵ See Joanne Ball, 'The Ritual of the Necklace', (unpublished paper for the Centre for the Study of Violence and Reconciliation, Johannesburg, March 1994). The practice of necklacing, specifically involving tires around the neck, apparently emerged from wider practices of burning as a punishment against suspected witches, murderers or other serious offenders against the community.

liberation struggles and post-independence political violence, the bodies of slain ‘dissidents’ or ‘sell-outs’ would be denied burial, symbolically and spirituality rejecting them from the social order.⁹⁶

Post-mortem displays of bodies were most common where states or factions sought to establish and legitimize their political control, and needed to prove the death of their enemies against rumours of their mystical ability to escape justice, as in the display of guerrilla’s bodies by Rhodesian forces during Zimbabwe’s war of liberation, or the 2002 televised display of UNITA leader Jonas Savimbi’s corpse by the MPLA government in Angola after his death in battle.⁹⁷ But in some cases, the bodies of executed opponents became icons that assaulted the legitimacy of a regime even in their desecration and absence. Patrice Lumumba, the first Prime Minister of the Republic of the Congo, became a popular hero after helping the former Belgian colony win its independence in June 1960. However as the country spiralled into crisis, Lumumba’s nationalism and alleged communist leanings drew the ire of the United States and Belgium, who conspired with Joseph Mobutu and Katangan forces to have Lumumba assassinated. Infamously, Lumumba was captured and sent under arrest to Elizabethville (Lubumbashi) where he was killed by firing squad alongside two colleagues on the evening of 17 January 1971 in the presence of Belgian and Katangan authorities. Their

⁹⁶ Many thanks to Jocelyn Alexander for this information. On the politics of burials and remembrance more widely, see Richard Werbner, ‘Smoke from the Barrel of the Gun: Postwars of the Dead, Memory and Reinscription in Zimbabwe’, in Richard Werbner (ed.), *Memory and the Postcolony: African Anthropology and the Critique of Power* (London, 1998), pp. 71-102.

⁹⁷ Many thanks to Jocelyn Alexander for this information. See Justin Pearce, *An Outbreak of Peace: Angola’s Situation of Confusion* (Claremont, 2005), pp. 57-64.

corpses were disinterred twice before being dismembered and thrown into a barrel of sulphuric acid, the bones subsequently being scattered. According to Gerard Soete, the former Belgian Police Commissioner who later confessed to involvement in Lumumba's killing and the desecration of his corpse:

Here is the only material proof of the Prophet's [Lumumba's] death. If a cult of martyrdom every appeared, he could provide it with relics...He picks up the torso, puts it in the barrel on top of the limbs and lays the head over it. He opens one of the demijohns and pours the contents on the dismembered body. A column of gas, white and whistling rises to the sky. The acids turns the Prophet into a mass of mucous.⁹⁸

Lumumba's body was destroyed in an attempt to prevent identification and to obfuscate his murder, but also to prevent his body providing 'relics' for a cult to 'Lumumba the martyr'. Even without such physical relics however, the rumours and conspiracy theories surrounding Lumumba's scandalous death, the children, roads and universities named after him, the statues and stamps that bear his image, and the films and plays that depict his death – all these images, narratives and artefacts have combined together to form a simulacrum of the man, granting Lumumba an (im)material afterlife.⁹⁹ Whilst orientalist narratives have often spoken about colonized people's fears of cameras 'stealing souls', photography has become a site of resistance as well as appropriation. Photographs of the condemned can function as a

⁹⁸ Gerard Soete, *De Arena. Het Verhaal van de moord op Lumumba* (Bruges, 1978), pp. 156-68 cited in Ludo De Witte, *The Assassination of Lumumba* (trans. Ann Wright and Renée Fenby, London, 2002).

⁹⁹ See for example Aimé Césaire, *Une Saison au Congo* (1966), Raoul Peck, *Lumumba* (2000), and Moscow's Patrice Lumumba People's Friendship University (1961-1992).

‘magical summons rather than an icon of death’, particularly where there are no physical images of their death, preserving the ‘spirit’ of these vanished subjects.¹⁰⁰ In a similar vein, popular narratives and rumours, in retelling and recasting the lives and deaths of the executed man, create an ongoing, disembodied but not fully disempowered, version of the dead. The naming of children after the departed man recalls the rebirth of a soul back into an ancestral lineage, whilst ascribing his name to streets, buildings and institutions stamps a physical presence onto the globe. The texts, images and narratives are indexical of Lumumba’s person, and when read together they form a simulacrum redolent at once of anti-colonialism, rebellion and nationalism. Without a physical body, without a gravesite, the memories and representations of heroes/victims/martyrs like Lumumba become more amorphous, harder to contain, and perhaps even more powerful, particularly in the era of the internet. The emergent simulacrum functions almost as a form of modern global socio-political phantasmagoria, an imaginative enterprise which haunts states and governments, reflecting both the nightmarish landscapes of power and popular cries for ‘justice’ and representation.¹⁰¹

¹⁰⁰ Marina Warner, *Phantasmagoria: Spirit Visions, Metaphors and Media into the Twenty-First Century* (Oxford, 2006), p. 201.

¹⁰¹ *Ibid.*



Arrest of Patrice Lumumba, 1 November 1960 ©AFP/Stringer.

Thirty-four years after Lumumba's death, in Nigeria, the Ogoni intellectual and activist Ken Saro-Wiwa was arrested alongside eight fellow activists for his opposition to the Nigerian government and Shell's exploitation of the Ogoni peoples, land and oil in the Niger Delta. The 'Ogoni Nine' as they became known were convicted by military authorities in May 1994 for incitement to murder, allegedly with Shell's collusion, and sentenced to death.¹⁰² In the face of widespread criticism by human rights organizations, the 'Ogoni Nine' were quietly executed at Port Harcourt on 10 November 1995, but such was the concern about Saro-Wiwa's treatment that news of the execution leaked out quickly, provoking international outrage and Nigeria's suspension from the Commonwealth of Nations, with the executions condemned as a travesty and a 'judicial murder'.¹⁰³ Unlike Nigeria's armed robbers, the Ogoni Nine were hanged, perhaps because the Abacha regime were aware of the stigma attached to hanging in Igbo culture and, wanting to shame their political opponents,

¹⁰² Royal Dutch Shell denied culpability in the executions and other human rights abuses but settled out of court with Saro-Wiwa's family for \$15.5 million.

¹⁰³ Human Rights Watch/Africa, press statement 27 September 1996.

felt that this stigma would also have resonance within Ogoni cultures, or perhaps because they felt that hanging conveyed a greater judicial legitimacy. Any claims to popular or international legitimacy however were decried by the manner of execution and the treatment of the condemned men's bodies. After his colleagues had been sent to their deaths, it allegedly took five attempts to hang Saro-Wiwa. Whilst the military administrator in Port Harcourt claimed that the 'criminals' were buried 'each one in a coffin in his own grave', other accounts contradict this official narrative, suggesting that the 'Ogoni Nine' were dumped in a mass grave in downtown Port Harcourt without burial rites and their families denied access. To erase their identities their bodies were supposedly doused in acid or lime. A private videotape was sent to General Abacha as confirmation that Saro-Wiwa was dead: a privatized image rather than spectacle of sovereign authority.¹⁰⁴

Despite the state's attempts to publicly elide the killing of a political opponent, ending his life and destroying his body, Ken Saro-Wiwa's image and spirit live on in the struggle of local activism, and international humanitarian campaigning to protect the Ogoni peoples, a local 'hero' becoming a global icon of resistance to capitalism and authoritarian injustice.¹⁰⁵ As Bastian suggests, the invisibility of Saro-Wiwa's corpse 'because of the lack of fixity that visibility offers, [would gain] a certain power over death.' In the absence of a body, images of Ken Saro-Wiwa protesting whilst alive dominated media discussions, whilst his writings

¹⁰⁴ Tom Mbeke-Ekanem, *Beyond the Execution: Understanding Ethnic and Military Politics in Nigeria* (Lincoln, 2000).

¹⁰⁵ See for example the website 'Remember Saro-Wira', <http://remembersarowiwa.com/> (accessed 20 August 2013), and Glenn Ellis's documentary *In Rememberance: Ken Saro-Wiwa* (1996).

continue to be widely read.¹⁰⁶ In Nigerian popular rhetoric, the spilling of Saro-Wiwa and the other ‘Ogoni Nine’ men’s blood was conflated with the flow of oil out of Ogoniland. On the Nigerian online forum, Naijanet, it was said that

as if, in dying and dissolving into the land without a proper, lineage-based burial, Saro-Wiwa and the other activists had taken on ancestral responsibilities for all of Nigeria. There were prayers addressed to them on Naijanet and ominous statements made about the efficacy of their martyred bodies; they were referred to as sacrifices and powerful political medicines.¹⁰⁷

As one protestor later stated, ‘Ken Saro-Wiwa’s blood won’t dry up... It will keep working.’¹⁰⁸

¹⁰⁶ In particular, see Ken Saro-Wiwa, *A Month and a Day: A Detention Diary* (New York, 1995) and more widely Onookome Okome (ed.), *Before I am Hanged: Ken Saro-Wiwa, Literature, Politics and Dissent* (Trenton, N.J., 1999). Saro-Wiwa’s family also continue his remembrance.

¹⁰⁷ Bastian, ‘Buried Beneath Six Feet of Crude Oil’, pp. 138-40.

¹⁰⁸ Wil Haygood, ‘In Ogoniland: The Last Days and Legacy of Ken Saro-Wiwa’, *The Boston Globe*, 7 April 1996.

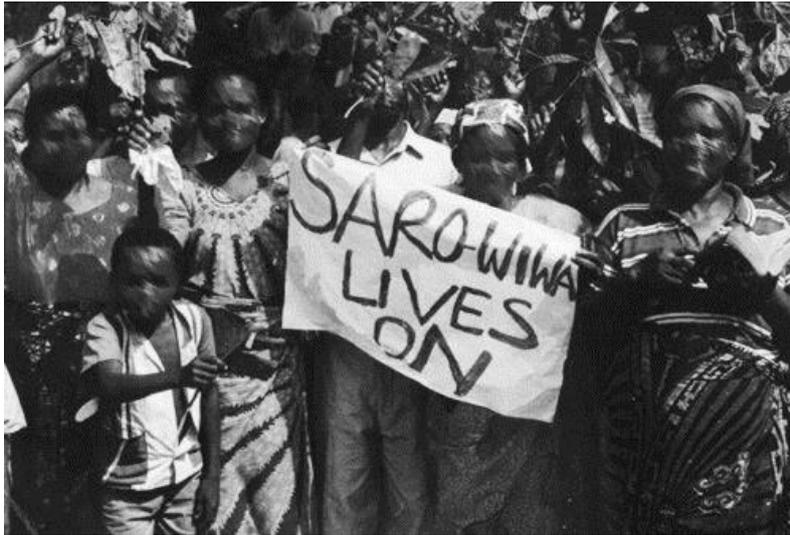


Photo by Gopal, Notes from Nowhere (ed.), We Are Everywhere (London, 2003).

[B] Conclusions

The dismembering and remembering of executed bodies in Africa shifted in practice, audience and signification from the mid-nineteenth to the late twentieth century, moulded by changing forms of politics, punishment and tensions between differing conceptions of the human body. Whilst executions in pre-colonial Ashanti acted upon both the materiality and the sacrality of the human body, in some instances dismembering the body to enact royal authority and to appease spirits, colonial executions had to balance ‘civilized’ norms of governance against their reliance on violence to control their African subjects. Despite the influence of monotheistic religion, colonialism and modern medicine, traditional conceptions of the body retained significance among large sectors of the populace in the postcolonial period. Attempts in the twentieth century to physically eradicate political opponents suggest that there was still a concern with the physical symbolism and supernatural power of the body. The use of material effigies appears to be relatively rare in political protests or punishment in Africa, perhaps because the physical body and its immaterial spirit have

remained so prominent.¹⁰⁹ The instrumentalization of the death penalty and executed bodies by colonial and postcolonial armies reveals the more direct relationship between the body and power conceived within military discourses of authority, and the continued importance of execution as a spectacle of citizenship. One area that lies beyond the scope of the current chapter and requires greater research is what the differing treatments of executed bodies can tell the historian about the shifting relationship between law, violence and the social contract between rulers and the ruled.¹¹⁰

The symbolism of the executed body varies, from the ‘bodies without narrative’ of the postcolonial massacre, to the ‘narratives without bodies’ where states physical destroy those who threaten their power, as with the Asante *atɔperɛ* and the disappearance of Lumumba and Saro-Wiwa. In high-profile contemporary executions in Africa, rather than a physical effigy being executed in the condemned man’s stead as occurred in early modern Europe, an immaterial effigy can emerge from the execution to re-member the body and spirit of the condemned.¹¹¹ Ken Saro-Wiwa and Patrice Lumumba’s persons both became pervasive in the absence of their bodies; ghostly simulacra that haunt political landscapes and popular memories. If we think of their bodies as containing both material and immaterial elements however, the dissolution of the physical corpse is not the end of the person. Without proper

¹⁰⁹ Many thanks to David Pratten, Miles Larmer, Jocelyn Alexander, Oliver Owen and Sarah Jane Knock-Cooper for this information.

¹¹⁰ The wider role and significance of bodies in political protest is also a topic deserving of greater research.

¹¹¹ On the ‘execution’ of effigies in early modern France, for example, see Paul Friedland, ‘Beyond Deterrence: Cadavers, Effigies, Animals and the Logic of Executions in Premodern France’, *Historical Reflections*, 29 (2003), 295-317.

burial, their gravesites were conduits, rather than containers, for their spiritual force and political legacies, and the executed men became icons of opposition to authoritarianism and (neo-)colonialism. In many ways Africa has witnessed a recasting of the public theatre of execution during the previous century, from local, to imperial, to global, with multiple audiences witnessing and re/interpreting events. Whilst the ancient Egyptians believed that to speak the name of the dead was to make them live again, today we show their image, remembering the suffering of the human body alongside the ideals (or crimes) of the spirit. Modern mass media allow executions to form a powerful new spectacle of global/local citizenship and protest.