

Foreword: Questioning Digital Technologies, Forensics, and Human Rights Law

By Marina Gržinić

Finally, we have the book by Dr. Adla Isanović in our hands. The book is a persuasive endeavor to think in-depth about what digital technology brings to our archives, memories, histories, and lives.

We saw on 6 January 2021 that a digital social platform like Twitter could incite a process of dismantling a democracy as powerful as that of the United States. However, the United States's democracy is still a racist one. A psychotic white male in power, President Trump, with Twitter messaging which he misused for four long years as a democratic politics forum, almost tore down the US Capitol with his insane tweet-led right-wing mob. A possible second Trump presidency term was stopped by the African-American US citizens who organized their forces and showed their power, contributing substantially in electing Joe Biden as the new US president in 2021 and Kamala Harris as vice president, when it seemed that Trump could not be stopped in his attempt to win a second US presidential mandate.

The Black Lives Matter! movement has persistently dismantled the myth of a neoliberal Occidental democracy as a postracial democracy. Black Lives Matter! is a revolutionary movement, a revolution that started from a radical need in the twenty-first century to stop a process of terror, police killing, and continuous degradation (colonial imperialism of the twenty-first century based on economic dispossession, exploitation, and extraction).

In the course of the previous decade, Adla Isanović embarked on a study of the changes brought by the digital in a specific place in the world, Bosnia and Herzegovina (BiH). Today, BiH is still struggling with the aftermath of the Balkan Wars in the 1990s on the territory of the today's nonexistent state of Yugoslavia. In 1995, there was an unspeakable genocide committed in Srebrenica (BiH) by the paramilitary Serbian forces. Bosnian Serb forces killed more than 8,000, mostly Muslim men and boys, in this town. The two key figures responsible for the Srebrenica genocide, "Republika Srpska" leader Radovan Karadžić and military commander Ratko Mladić, were finally caught in

2008 and 2011, respectively. Slobodan Milošević, the leader of Serbia who incited the war and the genocide, died in prison in the Hague before being sentenced. Several other accomplices have been sentenced to life imprisonment by the International Criminal Tribunal for the former Yugoslavia (ICTY).

Still, many other perpetrators remain free to this day and live in Serbia without facing the consequences. Men directly or indirectly involved in the massacre hold key positions in Serbia's political and economic spheres. The politicians presently in power in Serbia come from the former Milošević hyper-nationalist and racist contingent.

The book in front of us is indispensable for discussing and thinking about the aftermath of the 1990s war in Bosnia and Herzegovina. Excavated mass graves of Bosnians are now places open to forensics to speed up the processes of remembering past horrors of Srebrenica and other genocides on Bosnia and Herzegovina's territory. The delayed justice for what happened in Srebrenica could come to an end.

Forensic evidence is an integral part of present and future international criminal trials. The discipline has developed alongside advances in international human rights law. Isanović hits the nail on the head when she says that when we talk about Bosnia, it is to talk about Bosnian forensic realities.

In this book, she addresses the changes and reflections of the digital onto life in general. She takes two great steps: first, framing it to recuperate memory inside the transformation brought from biopolitics to necropolitics. In his mid-1970s *Society Must Be Defended*, Michel Foucault states that biopolitics is the ability to control people by maintaining them in life, not just by using the right to kill but by actually controlling life.¹ In Foucault's analysis, racism is necessary to give a reason to exercise the right to kill. As he expounds, "What in fact is racism? It is primarily a way of introducing a break into the domain of life that is under power's control: the break between what must live and what must die."²

Achille Mbembe in his pioneering text "Necropolitics" (2003)³ maintains that biopolitics does not fully capture how states still use the threat

1 Foucault, *Society Must Be Defended*, 241.

2 Ibid., 254.

3 Mbembe, "Necropolitics."

of violent death to maintain control over their populations. Rather, he argues that

war, after all, is as much a means of achieving sovereignty as a way of exercising the right to kill. Imagining politics as a form of war, we must ask: What place is given to life, death, and the human body (in particular the wounded or slain body)? How are they inscribed in the order of power?⁴

That means seeing the Srebrenica genocide and many other sparse genocidal sites throughout BiH as an outcome of anti-Muslim racism and blind but violent nationalist madness incited by the Serb entity and its paramilitary structures in BiH and Serbia and former Yugoslavia army structures as a necropolitical act. A genocidal necrocleansing act that is now returning violently, asking for memories and histories while the archives are still missing – or are still sealed. Isanović departs from an analysis of the digital procedures of biopolitical archival practice to come to the genocide in BiH. Equally, she questions the status of knowledge – how much we know, and what this means for the possibility to speak and to be visible to intervene.

The investigation of mass graves in former Yugoslavia takes place as the result of the standardization of forensic human rights anthropology since the field was established in the 1980s in Argentina. What is at stake is that human remains are imperative to the medico-legal context and the site map. Therefore, forensics is seen as a methodology allowing the community in situ to bury those who were tortured and executed and thrown into mass graves. The bodies are counted as a part of the state in BiH, as a specific state that was born out of the Dayton Agreement brokered by the big powers and international organizations after the Srebrenica genocide in 1995, and a peace constituted by a tripartite unity between Bosnians, Croats, and Serbs, where the Serbs maintain an outlaw self-proclaimed “republic” substantially financialized by the Serbian government in power. Moreover, Serbia does not recognize the genocide it committed in Srebrenica.

What we have presented in this book is politics, economics, affectivity, and life in Bosnia and Herzegovina being torn apart into three entities, to which the normalized violence of anti-Muslim racism is cen-

4 Ibid., 12.

tral and where forensics is not specific but an everyday practice. In the “scene” of the genocide(s), a forensics-based human rights social movement has started to be fully implemented. Collective memory can be combative, with the perpetrator state and the paramilitary forces of a self-proclaimed entity engaging in massively controlling the narrative.

In talking about the shift from a biopolitical archive to a necropolitical database, Isanović takes us directly to the phenomenon of the passage from biopolitics to necropolitics, one that is mediated through the digital: forensics. Forensics as a new sovereign politics and DNA identification is the final truth that the dead are part of specific communities.

In order to disassemble the forensics, Isanović engages with what I will name in relation to Foucault and Mbembe the configuration of biopower and necropower in the trajectory of biopolitics and necropolitics. Necropolitics controls large populations and even more the environment via the management of death, rather than controlling populations via the management of life.

Biopower and necropower are indispensable notions in thinking about the relation of the State (Bosnia and Herzegovina) and the people who live or lived there. In his *Society Must Be Defended*, Foucault identifies that in preserving a nation-state by those in power or as a community of people rooted in blood and soil, it is necessary to nurture the racist idea of biology and the nation as one. He sees racism as whatever “justifies the death-function in the economy of biopower by appealing to the principle that the death of others makes one biologically stronger insofar as one is a member of a race or population.”⁵

So, Foucault exposes population as a biologically racist entity that is kept in unity with elimination when threatened by “others,” or being ready to support and submit to regulations, prohibitions, and quarantines. Precisely such a desire to eliminate or to “subjugate” is what biopower is. It is the desire to submit in order to “survive,” or to violently, discriminatorily, and fascistically get rid of anybody that is seen as threat. Biopower is flourishing under the grip of massive measures of protection, something we witness again and again in the time of the COVID-19 pandemic. So, at the very center of biopolitics lies biopower, and more, for the condition of the possibility to exercise the biopolitical,

5 Foucault, *Society Must Be Defended*, 258.

it is important that biopower is accepted and embraced by the population. In contrast to biopower, necropower focuses on the “negative” goal of control over death as opposed to biopower’s “positive” goal of control over life.

The forensic identification of bones as the remains of those who were once living members of the community but were killed by this same community under a racist, hyper-nationalist aegis (nationalistic racist biopower) is what is at stake in the forensics of the genocides. We witness the opposite procedure of biopolitics: necropower is a painful ritual of a “nationalization of remains,” to include them again in the nation-state body, after being forensically DNA identified.

As Mbembe in his already mentioned pioneering study *Necropolitics* from 2003 and referring to the book *Racial State* (2001) by David Theo Goldberg reports,

there are at least two historically competing traditions of racial rationalization: naturism (based on an inferiority claim) and historicism (based on the claim of the historical ‘immaturity’ – and therefore ‘educability’ – of the natives), and these two traditions are played out differently when it came to issues of sovereignty, states of exception, and forms of necropower.⁶

Mbembe continues that in Goldberg’s view, “necropower can take multiple forms: the terror of actual death; or a more ‘benevolent’ form – the result of which is the destruction of a culture in order to ‘save the people’ from themselves.”⁷

In the case of BiH, it was initially a republic inside the state of Yugoslavia (which came to an end in the 1990s) but was then transformed into a racial republic under the hyper-nationalism of the Bosnian Serbs who carried out mass killings and the genocide that took only eleven days (11 July 1995–22 July 1995) to take the lives of 8,000 Bosnian Muslim men and boys in and around the town of Srebrenica during the Bosnian War. What we have today is necropower, central to BiH. It exercises the state’s power over the production and management of the dead and demonstrates “that the notion of biopower is insufficient to account for contemporary forms of subjugation of life to the power of death” (Mbembe).⁸

6 Mbembe, “Necropolitics,” 22.

7 Ibid.

8 Ibid., 39–40.

Francisco Ferrándiz & Antonius C. G. M. Robben proposed another way to think about the present necropower and forensics. They suggest the appropriating of necropower by thinking of forensic tactics as a way to use necropower to fight a necropolitics of not just disposability but also disappearance.⁹ It is up to us to see whether this is the possible future of forensics and the embracing of necropower.

Isanović presents in that desert of bones and hyper-digitalization of biometric data the perplexing question of the place of necropower inside the necropolitical reality. Though Bosnian forensic reality is central to this book, Isanović also brings into our thoughts another reality: that many are still alive and could speak vividly as testimonies of the killings and genocides in Bosnia and Herzegovina. Which they do! But who is really willing to listen?

Biocitizenship is indeed changing into a new necrocitizenship as the genetic technologies of excavated bones inspections act as guarantors of a person's right to be identified as a family member and a citizen. DNA forensic identification restitutes the identities to excavated remains.

By identifying the impact of the shift from archive to databases, Isanović instantaneously raises worrisome questions about digital technologies, forensics, biotechnology, and human rights law. Does that mean that a whole nation is transformed into forensic territory through forensic criminal procedures?

The collapse of the modernist biopolitical archive into the neoliberal necropolitical database is a radical shift brought by neoliberalism and its digital technologies. Mass graves and excavated bones without names made the forensic DNA method central to postwar BiH democracy and justice, and the biotechnology of DNA verification is its password. Instead of politics, digital technology – or, more precisely the biotechnology of DNA forensics – enters the political space. With forensic DNA testing and by embracing genetics we are also familiar with infectious disease genetic testing and genetically engineered vaccines. The line is continual.

Forensic methodologies reconstruct communities, allowing “bones to utter a proper name” – they speak to us. But what do they say? Indeed.

9 Ferrándiz and Robben, “Introduction,” 14.

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Adla Isanović, Sarajevo, January 2021