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Casualty Recording & Agency After Life

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Abstract

Casualty recording can be traced back to ancient times. However, it is the numbers that are remembered, reproduced and reified in history. It is not the individuals themselves. While soldiers' lives are often documented, memorialized, and celebrated--even after death, civilian bodies lose their identity as reported statistics, and consequently lose their agency upon death. Access to mobile technology and the Internet make it possible to record casualties faster and in real-time of a conflict. This paper will discuss the similarities and differences between the Kosovo Memory Book and the Iraq Body Count--- an online database of casualties. This paper argues that as time passes and a body transforms its identity from civilian into casualty, the civilian body's agency diminishes. By reducing the time it takes to publicly report the identity of the casualty, technology is also preserving the body's agency. The Kosovo Memory book began documenting civilians in 2000 who were either missing or forcibly disappeared. The work was detailed, but slow and time-consuming. Data collection required local people to perform door-to-door interviews to gather information. The data was collected, analyzed and then written in a book that wasn't published until 2011. The Iraq Body Count (IBC) launched in 2003 by activists outside of the conflict. IBC produced data that was immediately available to the public via the Internet. For the first time, casualty data was available to the public for all casualties in an on-going conflict. The availability of this data provided insight into the harm being done to civilians now—not in the distant past. The data also facilitated debate, and consequently political pressure to protect civilians. This paper will argue and offer analysis on whether temporality is a factor preserving the body's identity and therefore, the agency of a body, in conflict.

Introduction

When messengers arrived in Rome in 216 BCE with news of Hannibal's defeat, they also brought news of a body count describing the loss of "fifty thousand dead on the field". Roman historian Livy claims, "no other nation in the world could have suffered so tremendous a series of disasters and not been overwhelmed" (Livy 22.54.10). The power of the numbers lost on the battlefield are evident in Livy's rhetoric, "the Romans had a greater spirit after the terrible disaster of Cannae than they would ever have in success" (De officiis 3.11.47). The practice of developing body counts and death tolls is not a new practice, and has been used throughout history to describe the magnitude of an event, the success of a victory on the battlefield, or the measure of an overwhelming burden of disaster.

Even in 2019, the number of civilian casualties in conflict zones and natural disasters is not fully known and the impact of harm to civilians is not well understood. While there have been extensive efforts to develop standardized methods for counting civilian casualties, little has been done to understand the impact of those doing the counting and the effects on those being counted. Casualty recording serves as a type of witness, seeking to document the loss and the identity for a grieving community.

During Eid festivities in 2019, a team leader for a Syrian NGO performing casualty recording stops at a market in Idlib to buy plastic swords and Barbies for her nieces and nephews. She notices a young girl pleading with her grandfather for a Barbie doll. The old man pulls the doll from her hand and walks away without a cry from the child. After a few minutes, the old man returns and tells the salesman "give me that doll. I am afraid we will be killed by shelling during our return and the girl will die wishing for it." That evening Syrian government

forces bombed three markets killing a number of children. Who were those children? What were there stories? The casualty recorder goes on to describe the scene: "I passed through random camps, carrying in my heart the feeling of helplessness and guilt towards these people, whose only sin was to want to live in dignity."

Purpose of this paper

This paper suggests temporality, specifically timing, plays a critical role in understanding how the causal mechanisms of casualties and conflicts unfold. For this paper, a broad international relations definition of *agency* is used: Agency refers to the capacity to act or exert power. This paper asks, if agency is only for the living or if it temporality provides for a mechanism for it to continue after death?

One of the lessons learned for humanitarian organizations in Rwanda, was the need to reduce distance to the population to increase political will to support the population (UNAMIR, 1999). Since Rwanda, humanitarian organizations acknowledge this reduction of distance between aid organizations and their populations as one way to increase response and serve needs. It then follows that by closing the distance in time between the death of a casualty and the reporting of a casualty, there may be opportunities to increase aid and political response.

Over the past thirty years, casualty recording has developed from a humanitarian activity performed by relief workers to a politically contested measurement of violence in conflict. What started out as Princen and Finger describe as a "global awareness of the need to protect humanity" (1994) or more simply as Clara Egger describes as "the moral conscience of a globalized world" (2017), has evolved into what Jennifer Hyndman argues is the transformation

of "unnamed dead people into abstract figures that obfuscates their political meanings of the violence, and its social and political consequences" (197). For Hyndman, casualty records matter because violence can be hidden due to "debates on methods and sources".

The Body as a Locus of Power Production

The International Committee of the Red Cross (ICRC) defines casualty recording as a "systematic process to record all individuals killed in armed violence". Another definition to casualty recording describes it and the actors performing it. It is the process of documenting—in a systematic and continuous manner—every individual killed or injured in armed violence and can be undertaken by civil society, intergovernmental organizations, or state actors (Civilians in Conflict 2019).

However, terminology and definitions vary depending on who is doing the counting. Body counts are worthy of investigation because they influence diplomacy, promote alliances, and drive international interventions. Most importantly, body counts provide a measurement of the scope, size, and intensity of a conflict and the impact of harm on a civilian population. Casualty recording is important because it offers metrics for understanding the scope of violence humans experience in a conflict and it can be an invaluable element in the reconciliation process after the war. Dead bodies are not only objects for securing but also subjects for understanding security (Auchter 2016). This paper seeks to understand how temporality contributing to the ontology of conflict casualties.

Judith Butler provides context for considering which lives are lives that matter and lives that should be counted. In "Bodies that Matter", Butler argues bodies or subjects are constructed

as “a process of materialization that stabilizes over time to produce the effect of boundary, fixity, and surface we call matter”. Butler also tells us that performativity is not a single act but rather a “reiteration of a set of norms”. Butler’s work provides foundation for understanding bodies, including corpses, made material is a historical process of instituting societal norms. This suggests body counts in history, serve as a foundation and relate to contemporary body counts. This offers a possibility of gaining greater understanding of the reiterated norms of body counts through further research particularly with methods of discourse analysis.

Luther Gulick contributes “Performative Ontology” to understanding how identity is created through a body’s performance (1937). This paper considers how timing offered opportunities for ‘casualties’ who cannot actively ‘perform’, a performance is nevertheless choreographed for it as Butler described-- through reiterated societal norms.

This research argues the ‘body’, specifically a ‘civilian body’ has an identity through its performance acknowledged by International Humanitarian Law (KHL) as requiring protection. However, little research has been done to understand how the ‘body’ may retain its identity and agency after death through ‘performances’ for producing power as a method of protecting other ‘bodies’. This research considers how ‘bodies’ are treated as a site for security after life implicating a role as sites for power production.

Background of “Bodies” in Casualty Recording

In order to understand the current landscape of performing body counts in the context of humanitarianism, we must examine specific inflection points which ushered in the current increseas in casualty recording.

One such pivotal point occurred in 1992 after the Gulf War when a US Census Bureau analyst released an estimate of Iraqi casualties. Beth Osborne Daponte's estimate ignited a firestorm of controversy and contestation. The US government immediately denounced her and then took efforts to fire her. The government could have chosen to ignore it or just dismiss the figure as an inaccuracy of a low-level analyst, but they did not. Ms. Daponte's casualty numbers were significant for two reasons. First she produced an estimate that highlighted the number of women and children that were casualties of the Gulf War. Second, her estimate indicated the greatest number of deaths did not occur as a result of direct war efforts but rather from health effects after the war. In other words, the greatest number of deaths were preventable: "The lethality of indirect effects of warfare can be much greater than the direct lethality of the weapons themselves". After the controversy subsided, Ms. Daponte's report was replaced with one written by her supervisor Frank Hobbs. Mr. Hobbs' report reflected an identical estimate of military casualties, but there was one noticeable difference in the two reports—the estimated civilian casualties in Mr. Hobbs' report was significantly lower.

Meanwhile, the Defense Intelligence Agency (DIA) offered the highest estimate of Iraqi deaths at 100,000 (plus or minus 50,000). Despite Ms. Daponte's numbers and a high of casualtues from DIA, there was no rush to perform body counts or to map the crisis by humanitarian organizations. In 1992, no one was counting bodies (at least not publicly). There were no disputes over casualties or counting methods because there were no published counts, and it never occurred to the public to ask for one. The media was even reluctant to show humans depicted as casualties. Stella Kramer, an editor for Life magazine described the Gulf War: "As far as Americans were concerned, nobody ever died." (DeGhett 2014).

If counting casualties was taboo in 1992, what changed? A shift occurred from no organizations performing body counts in 1992 to twenty organizations by 2009 and a boom of more than 50 organizations producing public body counts by 2017. The Iraq War elicited at least thirteen different studies of casualty numbers (Table 1). This shift didn't just occur among institutions and NGOs but also within the US government. In 2002, Gen Tommy Franks famously quipped, "We don't do body counts". But in 2016, President Obama signed an executive order requiring the US to monitor civilian casualties and publish an annual report on the data.

Table 1: Casualty Recording Studies on Iraq War

Study	Deaths
Lancet 2004	98,000
Iraqi Living Conditions Survey (2004)	24,000
Lancet 2006	654,965
ILS	24,000
Iraq Family Health Survey 2008	151000
Conetta PDAR	12,950
UNAMI 2006	25,847
Iraq Index (Brookings)	97,017
Iraq Body Count (IBC)	80,621- 88,044
Just Foreign Policy	1,168,058
The People's Kifah	37,137
Iraqiyun	128,000
Iraqi Ministry of Health	100,000-150,000

*Source: C. Tapp et al 2008

To understand the critical role of temporality and the practice of body counts, this study considers how the timing of casualty recording translates into opportunities to mobilize resources, use for diplomatic support, and political power during a conflict rather than serving as a memorial after a conflict. The research will consider how body counts are used as a tool of 'digital diplomacy' to secure resources, manage security tensions and develop identities within and external to a state.

Methods & Approach

The theoretical underpinnings for this paper examines the elements of temporality as it relates to casualty recording by considering Grzymala-Busse's concept of timing. Grzymala-Busse introduces the concept of 'timing' or when events occur as an element contributing to the event itself.

Grzymala-Busse's work introduces timing as an element with the potential to impact causal processes in availability and cost-benefit strategies by affecting which sequence can unfold. In order to establish the context for this, the source of change must be exogenous to actors. "Sensitivity to timing reveals a set of contextual effects: It changes the set of options available, privileges those who arrive early or late, and alters which sequences unfold" (Grzymala-Busse). This research will investigate if the timing of casualty recording offers opportunities to those recording casualties in real-time of an on-going conflict rather than post-conflict.

This research relies on a mixed methods approach using both qualitative and quantitative analysis. First, consideration is given to two different casualty recording organizations performing and publishing casualty records at different points of a conflict. For analysis, this paper will juxtapose the casualty recording efforts of NGOs within the context of intra-state armed conflicts.

The frame of reference is that both are members of civil society and not parties to the conflict yet are performing casualty recording for an intra-state conflict. Since the actors and

their activities are comparable in nature--both are members of civil society and recording casualties, their efforts are comparable, and temporality can more easily be considered.

Numbers are influential and significant to shaping public opinion. Public opinion can be a powerful driver of politics. This paper uses mixed methods approach of qualitative methods such as discourse and semantic analysis of documents, as well as, a quantitative measure of casualty terms garnering front page status in newspapers.

Searches were conducted for newspaper headlines during each of the conflicts to measure influence of casualty recording on the public discourse. A Boolean search for "casualties", "victims", "civilian victims", "body count, casualty count, and civilian casualty count was conducted for Kosovo from February 28, 1998 to June 11, 1999. An additional search was conducted with the same terms from February 28, 1998 to November 1, 2021.

A second Boolean search was conducted for the Iraq conflict using the exact search terms but the date was changed to match the conflict. Searches were conducted for March 20, 2003 to December 15, 2011. An additional search was conducted from March 20, 2003 to the present to capture data after the initial conflict.

This paper argues temporality-- specifically timing, contributes to the causal mechanisms which unfold for casualties in conflicts. Timing contributes to the ability to use casualty records to gain resources and political support affecting on-going conflicts. While casualty records are used in post-conflict settings to garner political support and resources, the ability to affect the conflict is no longer an available option. Timing, when casualty records are published publicly, contributes to transforming statistics into civilians. Technology provides an opportunity for real-

time reporting of these 'civilian' deaths and create urgency for other civilians in violence rather static reports of 'victims' as Kosovo recorded.

This paper addresses a gap in the research of casualty recording by considering the critical role of temporality. While the majority of research to date is aimed at the methodology of casualty recording, little attention has been paid to the impact of publishing detailed, casualty data *during* conflicts has on human and state security. Since the increase in intra-state wars and coalition forces, there is a shift from state to person, so the need to account for casualties in armed conflict grew (Hamourtziadou 2017). Beyond understanding the international norms of casualties and how casualty recording developed, it is relevant and worthwhile to ask how temporality--specifically timing, shapes the understanding of casualties. Casualty data contains more meaning and applications than simply serving as a memorial for lives lost in a conflict. The data are elements with political, sociological, and economic possibilities.

Results

Kosovo:

The Kosovo war was a conflict of short duration, only lasting from February 28, 1998 to June 11, 1999. The international community provided significant resources to resolve the conflict. It had substantial diplomatic efforts and international attention. In May of 1998, the first meetings aimed at diplomatic resolutions occurred Milosevic, President of Serbia and Rugova , President of Kosovo. Despite efforts to resolve the dispute diplomatically, NATO intervened in June of 1998 with an "air show"of force. Sanctions followed and more efforts to resolve via diplomatic channels. Despite monitors on the ground—the Kosovo Verification

Mission established by NATO sanctions, violence continued to escalate. More failed diplomatic efforts with the Rambouillet negotiations left Kosovo in a vulnerable position for continued violence.

Before NATO took action in Kosovo, President Clinton on March 29, 1999 asked 'how many have to die' and 'how many can be saved'? President Clinton invokes an imaginary with body counts and also an imaginary of saving civilians to garner support for intervention. The State Department claimed 'genocide was unfolding in Kosovo' and James Rubin of the State Department "accused the Serbs of "abhorrent and criminal action on a maximum scale". After NATO bombed Kosovo, US Defense Secretary William Cohen, pled a case to the public on May 16 1999 of the 100,000 Kosovo Albanian men of military age who were missing, "They may have been murdered". This statistic of 100,000 Albanians missing or dead in Kosovo was repeated by President Clinton and PM Tony Blair (p.326, Thomas 2003).

In the early phase of this project, Humanitarian Law Centre called it "Lost Lives" research. The term 'casualty recording' was not yet a term invented to describe the practice. As early as 1998, the Humanitarian Law Centre of Kosovo (HLC) describes phone calls from families reporting murders or the disappearance of a family member. However, witnesses were interviewed by phone and reports were written or typed. The HLC office in Kosovo was moved to Montenegro in 1999. This served to protect the HLC office but also to remove it from the witnesses providing casualty information. The Internet was not yet a source for casualty recorders to collaborate across distances, and the tasks were slow and laborious. As more data came in to the HLC, it became evident that this project would produce copious amounts of data.

In 2000, immediately after the war in Yugoslavia, humanitarians in Kosovo began "registering" the deaths and disappearances of civilians. The effort---as described by the recorders, were field missions where humanitarian workers would go door-to-door collecting information. It was a slow, painstaking effort of visiting victim's families for information.

By 2005, Kosovo began to do strategic planning, as well as, defining requirements for how data was collected. "Registering" victims would require two primary sources for validation, and the work was titled, "Kosovo Memory Book". By 2006, it became possible to create a database of the data. The database developed into a highly detailed and complex description of casualties. Every line was given the ability to be translated into English, Croatian, Serbian, and Albanian. The database has a feature that allows "source" and "judgment" layers to be separated. This allows multiples streams of potentially contradictory information to be preserved in the same records. In all, this effort would take fourteen years but would result in documenting nearly all casualties from 1998-2000 (Source: Ruiz Interviews).

It is the casualties of war that produce political, judicial, and economic power relating to Kosovo. The casualties of the war in Kosovo continued to produce influence through political channels in acknowledging Kosovo's independence. The casualties also produced judicial power through the international tribunal aimed at prosecuting war crimes. Additionally, the casualties are the foremost topic of presentations to the Committee on Foreign Affairs in the US Congress.

On April 30th, 2019 the former President of Kosovo submitted testimony to the US Congress about the human losses during the war. President Atifete Jahjaga tells the story of a ten-year old survivor Besarta Jashari, and how her family of 56 were killed by Serbian forces. President Jahjaga described numerous other instances of torture and violence. These casualties

were decades old but still wielding power by capturing the attention and time of the US Congress (Jahjaga 2019).

The International Criminal Tribunal of Former Yugoslavia (ICTY) prosecuted numerous leaders for war crimes during the war. In 2016, a special court was established in the Hague and in September 2020, the first trials began for war crimes.

Kosovo went on to gain international acknowledgement and legitimacy. It joined the IMF and the World Bank in 2009. The US and 22 out of 27 EU countries recognized Kosovo's independence on February 27, 2008. The stories of the war in Kosovo and the casualties also secure economic benefits. The US has consistently offered Kosovo foreign aid of approximately $50 million per year since the war (Congressional Research Service 2021).

Iraq:

It is the casualties of the Iraq war that produce political, judicial, and economic power relating to Iraq. In January of 2003, the Iraq Body Count (IBC) began recording casualties in Iraq. IBC was comprised of humanitarian activists and tech savvy leaders. The combination of the technical expertise of the founders of IBC, advancement in collaborative platforms, and a lack of reporting in Iraq created a gap to publish casualty records on the Internet in near real-time. This ability gave the public insight into the on-going conflict and violence. Casualty data, identifying victims by name, became available for the first time directly to the public. This data was detailed, specific and being reported by an NGO, not a state authority. The data, and the timeliness of its reporting, provided opportunities for both state and non-state actors to make

claims (Table 2). It allowed news organizations to connect the casualties to the Iraqi population still vulnerable to violence. The timeliness of the reporting also allowed for political and economic decisions to be made based on the casualty data being published to the Internet.

Table 2: Civilian Deaths 2003-2018	
ISIS is responsible for:	26,745
Anti Gov/ Anti occupation forces:	50,943
US Forces (without Iraqi forces):	17,054
US forces (w/ Iraqi Forces):	24,791
Unknown actors responsible for:	116,837

Source: Iraq Body Count Database

In a January 10, 2007 speech to the American people, President Bush announced a surge of troops in Iraq to protect the Iraqi population. In that speech, the President argued more troops would result in a safer population with "fewer brazen acts of terror" and if the US withdrew, it would "result in mass killings on an unimaginable scale". The President's speech comes on the heels of a report by the UN Assistance Mission for Iraq (UNAMI) providing civilian body count numbers. The UN reports 34,452 dead in Iraq in 2006. These numbers were obtained from the Baghdad Medico-Legal Institute and the Iraqi Ministry of Health. However, the UN casualty count is three times higher than the casualty numbers provided by the Iraqi government. The report went on to prescribe intervention and says "Without significant progress on the rule of law sectarian violence will continue indefinitely "and eventually spiral out of control,"

After the surge, numbers of civilian casualties remain a priority. Petraeus' testimony on September 10-11, 2007 following the surge of troops in Iraq, mentioned 'number' in relation to casualties more than a dozen times. It is clear the surge was tied directly to reducing civilian casualties and lowering body counts. Not only does Petraeus attribute the reduced ethno-sectarian violence to the troop surge, he makes specific claims about success of the surge on civilian lives: "bringing down the number of ethno-sectarian deaths substantially in Baghdad and across Iraq since the height of the sectarian violence last December". Petraeus' presentation included slides with maps of density plots of violence across Iraq. While each slide shows ethno-sectarian categories, each slide also reflects numbers----body counts, including a scatterplot graph titled "Iraq Civilian Deaths". Petraeus "The number of overall civilian deaths has also declined during this period, although the numbers in each area are still at troubling levels." (Congressional Testimony 2007).

During his testimony to the Congressional Foreign Relations Committee on September 11th, 2007, General Petraus' produced a number of charts detailing civilian deaths in Iraq. Petraus used the body count data to illustrate the success realized through the US troop surge. Petraus testified, "Civilian deaths of all categories, less natural causes, have also declined considerably." Petraus' testimony goes on to detail civilian deaths by method (car bomb, etc) as well as by perpetrator and offers statistics on sectarian violence. During this session, another source of civilian casualty statistics is entered as evidence. Senator Dodd quotes the August 2007 National Intelligence Estimate as "casualties among civilians remains high". This hearing is significant because the testimony uses body counts to justify the additional military force. It is an example of body counts as the basis for more US troops and for those to provide internal security within the Iraqi state. This internal security argument is one of human security for Iraqi

civilians and it is made as a prerequisite to resolving issues of state security. The US has provided more than $3 billion in aid to Iraq in humanitarian assistance since 2014 (State Dept). However, most of the funds the US provides to Iraq is in support of their military and police forces (Cost of War Project).

The data collected for front page news during the conflicts reflect similar findings for the terms with the most frequent use: 'casualties' and 'victims'. However, there are two notable points about the data. The term "Civilian casualty count" was not used for any front page articles for Kosovo. However, it was used twice during the Iraq conflict for front page headlines in the New York Times. The first time was January 17, 2007 in an article claiming to produce the first "comprehensive annual count of civilian deaths". The article also claims it is a measure of the Iraq and US military to provide security. The second use of 'civilian casualty count' was in a September 8, 2007 article assessing the surge of troops in Iraq and "hinting at progress". Both uses of the term "civilian casualty count" in 2007 relate to the surge of troops in Iraq. In other words, the use of the terms is utilized as a political device to gather political support and the use of casualties is tantamount to 'population'.

The second notable point about the data during the conflict is the proportion of uses of the term "civilian casualties". As a percentage, the use of "civilian casualties" is significantly higher in the Kosovo conflict. It comprises 16.28% of the total casualty terms used in front page news stories during the conflict. Comparatively, only 8.92% of Iraq's total casualty terms was 'civilian casualties".

The data for use of the terms after the conflict period offers insight into how terminology changed post-conflict. For both conflicts the term "victims" became the most used front-page

descriptor for casualties. Also, the terminology relating to tabulating casualties nearly ceased. The front page articles no longer produced headlines with the aggregation of casualties but still used terminology relating to status as 'civilians'.

Kosovo	
During Conflict (2/28/98-6/11/99)	
"Casualties"	168
"Victims"	120
"Civilian Casualties"	58
"Body count"	5
"Casualty count"	3
"Civilian casualty count"	0
Post Conflict (6/11/1999-11/1/2021)	
"Casualties"	124
"Victims"	153
"Civilian Casualties"	38
"Body count"	0
"Casualty count"	0
"Civilian casualty count"	0
Total War Victims: Source: Kosovo Memory Book	**13,517**

Iraq	
During Conflict (3/20/2003-12/15/11)	
"Casualties"	1008
"Victims"	709
"Civilian Casualties"	173
"Body count"	23
"Casualty count"	24
"Civilian casualty count"	2
Post Conflict (12/15/11-11/1/2021)	
"Casualties"	144
"Victims"	202
"Civilian Casualties"	55
"Body count"	3
"Casualty count"	0
"Civilian casualty count"	0
Total Casualties 2003-2011: Source: Iraq Body Count	**120,107**

Conclusion & Implications

The protection of civilians in conflict has garnered support, resources, and advanced policy since WWII. A policy mechanism for ensuring civilians are protected in war is the tenets of International Humanitarian Law (IHL). Another mechanism for protecting civilians in war is R2P. In 2005, all members of the UN General Assembly signed the Responsibility to Protect (R2P) commitment. The policies of R2P are aimed at committing international resources to protecting civilians if a state fails to do so. The third pillar of R2P highlights "timely and decisive response". However, there is limited understanding for how timeliness can be implemented to impact civilians in conflict. This paper reflects uses of casualty data to gain

political support, military force, and economic resources. It further argues the 'timing' of casualty data is critical and a mechanism to impact the conflict (Grzymala-Busse). The case in Iraq illustrates how casualty data can be used to gain public, and consequently political support, for a surge in troops and affect the outcome of a conflict. If the same data is not available until a post-conflict period, it may still be useful in gaining political support and economic resources, as evidenced in Kosovo. However, it would not be a tool for impacting the conflict itself. After death, casualties continue to be able to produce influence and power for politics, judicial, and economic uses. In using the broad definition of agency as the ability to produce power, casualties do meet this criteria. Additionally, casualties' continue to have the ability to garner front page headlines post-conflict. This reflects their enduring ability to produce power through public opinion. As the casualty recorder in Syria reflects: "I think we should humanize the victims. It doesn't matter if there are 35,000 or 40,000 or 130,000. Behind each victim, there's a family, there's a story—a girlfriend, a job. That's what we're trying to do. It's not just a body count, it's like a naming of the tragedy".

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