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Are two bodies in a trench a mass grave?

An attempt to bridge the gap between single and mass graves

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Abstract

The definitions for mass graves proposed in the past concentrated on the minimum number of casualties and whether they were in a connected body matrix. This meant that many graves practitioners encounter could not be classified properly. They were neither a single grave nor a mass grave.

This article proposes four key measures to address the grave classification issue. Firstly, it introduces three simple criteria to assist in classification. Secondly, it suggests three new grave types (*cluster*, *trench*, and *serial* grave) to name the most common graves. Thirdly, a final grave type, the multiple grave, is added to describe any grave that does not fit into any of the other categories. Finally, this article suggests that the threshold between *multiple* and *many* casualties, i.e. how many casualties constitutes a mass grave, should be set for each individual conflict or context rather than aiming for a universal figure.

These four measures are designed to be simple, intuitive and flexible enough to allow practitioners to use grave labels that make sense in their particular context for forensic and legal professionals as well as the general public.

Keywords

grave classification; forensic archaeology; single grave; mass grave; multiple grave

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Introduction

For many years, definitions for mass graves have been put forward and debated amongst academic practitioners (Skinner 1987; Schmitt 2002; Mant 1987; Connor 2012; Cox et al. 2008). There have also been international and state institutions that had to define mass graves as part of laws or regulations (United Nations 1994; ICRC 1977; Ministry of Human Rights Iraq 2006). Whilst in the eyes of many practitioners, this debate may sometimes appear rather academic (a grave is a grave whatever you call it), there has also been a consensus that none of the existing definitions completely cover what graves can be found in the field (Jessee and Skinner 2005; UNAMI/OHCHR 2018; Hunter, Simpson, and Sturdy Colls 2013; Skinner, Alempijevic, and Djuric-Srejic 2003; OHCHR 2020; Jogunčić et al. 2019; Klinkner, Smith, and ICMP 2020; Cox et al. 2008). The existing definitions, as well as common, public understanding of the terms, cover the two extremes very well: a single grave contains, obviously, one set of remains, and a structure with, for example, 200 closely packed bodies is clearly a *proper* mass grave. There can be no doubt about the terminology in either case. However, one commonly used criterium is that bodies are *closely packed* or *connecting* (Mant 1987); what if the 200 bodies were all put next to each other in one long grave with no direct contact between any two bodies? Would that not be a mass grave?

What should a grave with three bodies be called? According to the UN Special Rapporteur it is a mass grave (International Criminal Tribunal for the Former Yugoslavia Bulletin 1996) but according to Skinner it would need twice as many ("half a dozen") sets of remains (Skinner 1987). Pure logic may allow us a simple solution; any burial of more than one body is essentially a mass burial (Perera and Briggs 2008; Ghaleb et al. 2019). However, calling a shallow grave with two bodies a mass grave, just does not make sense when compared with a grave of 200 victims. From this discussion, it becomes clear that there is a gap in the terminology. Between a single grave and a *proper* mass grave, a whole range of graves exist where neither of these terms seem appropriate, which makes it necessary to develop terms and definition for them. Such definitions should not only make sense to forensic scientists and the legal world but also to the general public if possible.

Grave Categorisation

Some will argue that it makes no real difference whether a grave is called *single* or *mass grave* or something completely different? What it is called, does not substantially change the nature of the grave, the crime committed or the casualties in the grave. The most important issues are the identification of the victims and the forensic investigations of the crimes that took place.

Having said that, any criminal investigator or forensic archaeologist will still need to use a sensible and suitable term for what they find. Investigations of mass atrocities will be part of a national debate in the affected region or country (Gassiot Ballbé and Steadman 2008; Bevernage and Colaert 2014) and terms used in reports or in court hearings will be picked up in those discussions. It is therefore worthwhile to try to get the categorisation right. And that does not seem to be the case currently.

This article proposes four basic measures to help solve this issue. Firstly, a set of simple and straightforward criteria is introduced to accompany the definitions for the six different

grave categories. Most of the criteria are binary (true/false), which makes them easy to apply. Secondly, three new terms and definitions for a number of commonly found graves are introduced that are neither single nor mass graves. Thirdly, a final term that 'catches all' graves that do not fit in any of the other categories is defined. For this, the authors have taken the somehow surprising lead of the Indiana Department of Natural Resources, which has a category that sits between a single and a mass grave, called *multiple* graves, defined as "a grave where two or more bodies are buried together. […]" (Indiana Department of Natural Resources n.d.) in an online glossary document. Finally, the concept of having a universal threshold number that governs how many casualties are necessary to define a mass grave is abolished.

Grave Classification Criteria

This proposed system uses three criteria to classify graves: the number of bodies a grave was Intended for, the actual number of bodies in a grave, and whether bodies are connected in a body matrix or not. The second and third criteria are well established and have been used in previous definitions but the first criterium that assesses the number of bodies a grave was intended for is new. It was initially introduced to allow the definition of a grave that was clearly intended for one casualty but that contained several (see *cluster* grave). However, considering the intended number of casualties for a grave structure also makes sense for the rest of the grave spectrum, as demonstrated in Figure 1, with one exception; when a large structure is being created that could contain for example 200 victims, but only contains one. This case will not fit this new proposed grave classification. However, using common sense, it could simply be labelled "mass grave containing one casualty".

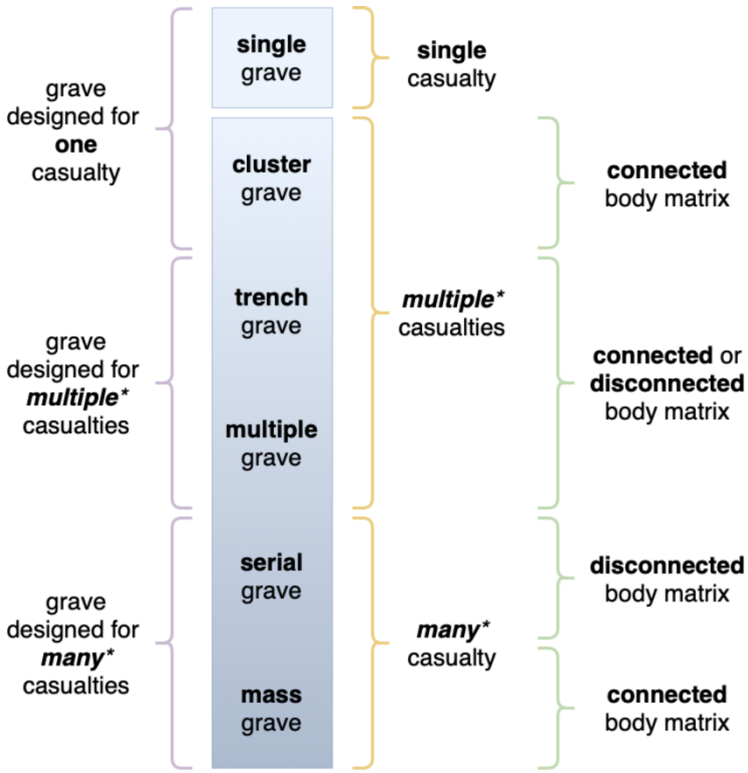


Figure 1: Grave type categorisation overview

Defining Context-dependant *Multiple* and *Many*

In Figure 1, a non-specific separation between *multiple* and *many* casualties is being proposed. While it may be tempting to simply define that distinction as a fixed number, such as 20 casualties, this article proposes not to do so but to allow practitioners to use a context-dependant definition.

Every conflict will have a certain number of documented disappeared, a number of suspected burial sites, a number of exhumed burial sites and a number of exhumed individuals. That means that each conflict has a certain distribution of how many victims are in graves, with a minimum, a mean and a maximum. This victim-per-grave distribution will be different for each conflict and context. It seems therefore sensible to define the divide between *multiple* and *many* in the context of each conflict.

What constitutes the divide between *multiple* and *many* in the context of the Guatemalan human rights investigations will be different to those in Bosnia & Herzegovina. Within Bosnia & Herzegovina, there may well be a contextual difference between the Srebrenica massacre investigations and other atrocities, such as the Prijedor ethnic cleansing case. Rwanda's mass grave sizes will differ from those on Cyprus and so on. What is *many* in one context, will be *multiple* in another. This is why any specific, universal number, such as six, will never make universal sense.

Single Grave

A single grave only has to fulfil two criteria: firstly, it is a structure designed to contain one casualty and secondly, it does contain one casualty.

> *A single grave is a structure designed to hold and does only contain one complete or incomplete set of human remains.*

Although there are only two criteria that define a single grave, many other aspects can vary. The grave may be specifically constructed for the purpose of concealing a victim or may have been a pre-existing cavity and used opportunistically. Such a grave can be excavated by hand, with a shovel or spade, a pick or mattock, or any implement that is available, such as a branch, a roof tile, knife or even a mechanical digger. The grave may be constructed long before or just after the killing, which can indicate premeditation or the opposite. Despite this variety and the multitude of questions investigators may ask about it, a single grave still remains any grave designed for and containing a single individual.

Cluster Grave

The first new grave type introduced here is essentially a grave structure designed for one but containing multiple casualties, which is illustrated in Figure 2. Such graves were, for instance, found in an ethnic cleansing case in Bosnia & Herzegovina. During exhumations on the Pasinac Cemetery in the Prijedor Area in Northern Bosnia in 2000, several single grave structures were excavated, some containing just one casualty, some multiple ones; grave PC13 (see Figure 3) is one such example (Wright 2000).

> *A cluster grave is a structure designed to hold one casualty but does contain multiple complete or incomplete sets of human remains in a connected body matrix.*

Considering these graves were meant for one, they are unlikely to contain more than maybe 6-8 casualties at the most and are more or less guaranteed to display a connected body matrix due to the restricted space.

The reasons for putting more than one body into such a structure can be emotional (victims belonging to a single family) or pragmatic (saving the perpetrators further labour). Regardless of the motivation, such a grave is clearly not a single grave but calling it a mass grave also seems inappropriate.

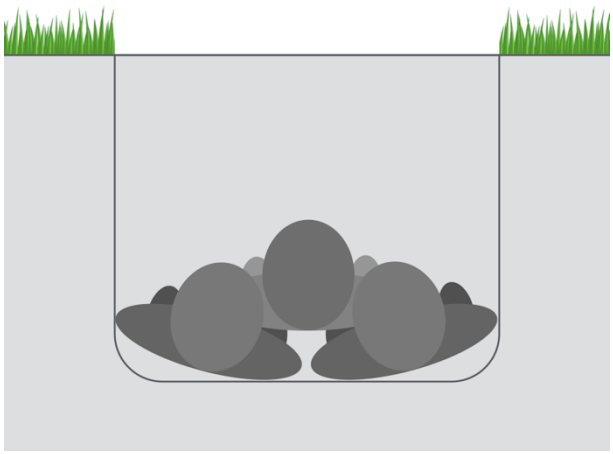


Figure 2: Illustration of a cluster grave



Figure 3: Three victims in a single grave structure on the Pasinac Cemetery, Prijedor Region, Bosnia (ICTY; Photos 999535-22A and 999535-25A)

Trench Grave

One very common grave type is the *trench* grave. They are clearly designed to contain *multiple* casualties but would not be used if casualty numbers are in the hundreds; it would just not make logistical sense to construct a narrow trench grave for 1,000 victims. A trench

grave may have a connected body matrix but not necessarily so. Even if casualties do not touch or overlap, the structure would still remain a trench grave.

> *A trench grave is a narrow, elongated structure designed to hold multiple casualties and does contain multiple complete or incomplete sets of human remains, regardless of whether they appear in a connected body matrix or not.*

Trench graves are usually just about the width of one body (see Figure 4), often shallow regardless of whether they were dug by hand or machine. Victims commonly overlap each other or are right on top of each other, if space permits (see illustration in Figure 5).



Figure 4: Simulated trench grave at the Cranfield Forensic Institute used for teaching MSc students (Cranfield University)

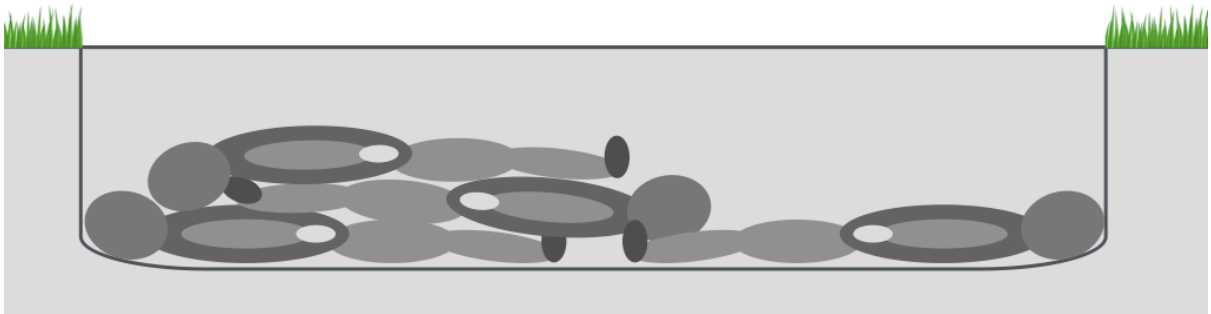


Figure 5: Trench grave example

Multiple Grave

Sitting more or less in the middle of the spectrum of grave types, the *multiple grave* is key to this new typology. Its strength is that it is the least distinct. It can therefore be used for any grave that does not fit into any other category. Most practitioners will have come across graves that just do not *feel* like either a mass grave or a single grave. Sometimes there is a clear reason for it, sometimes it is just a feeling. Regardless, for any grave that does not fit any of the other graves' definition or just does not feel right, this category of multiple grave can be used.

The term *multiple grave* had been used by the Indiana Department of Natural Resources (Indiana Department of Natural Resources n.d.) and by Connor (Connor 2007), who used the expression “Small Multiple Graves”, defined as two to six bodies, to bridge the gap between single and mass graves. It was also mentioned ‘in passing’ by Hanson, Wright, & Sterenberg (Hanson, Wright, and Sterenberg 2005) but without any context or definition.

> *A multiple grave is a structure designed to hold multiple casualties and does contain multiple complete or incomplete sets of human remains, regardless of whether they appear in a connected body matrix or not.*

The multiple grave has the same criteria as the trench grave according to Figure 1. The key difference is the width of the structure. If it is roughly the width of a body, it is a trench; if it is wider, it becomes a multiple grave.

Serial Grave

The last new category proposed in this article is the one that is more defined by the event necessitating its creation, i.e. the mass killing, than the actual physical structure in the ground. It is not uncommon in mass atrocities for many victims being killed in a single event but they are not buried in a typical mass grave containing a connected body mass.

> *A serial grave is a series of structures or a single structure designed to hold many casualties and does contain many complete or incomplete sets of human remains in a disconnected body matrix.*

Figure 6 illustrates a scenario, in which a series of individual single graves have been dug to bury victims form a mass killing, while Figure 7 shows two examples to demonstrate how such a scenario looks like in the real world (United States Holocaust Memorial Museum 2004; 2006).

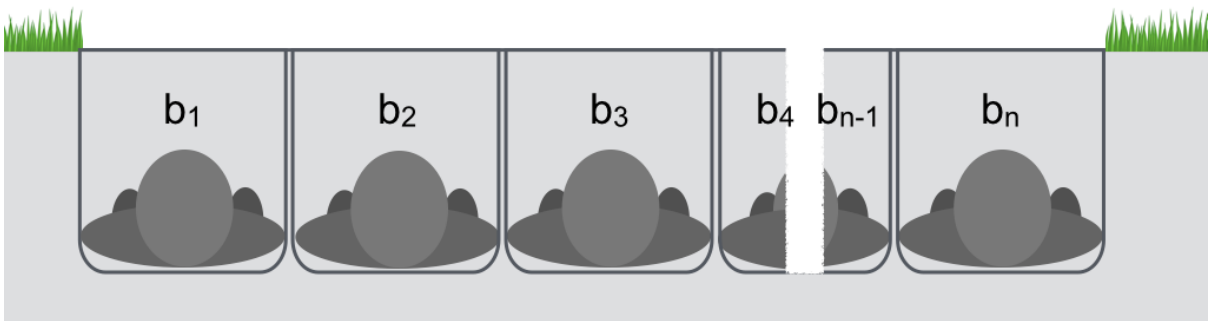


Figure 6: Distinctly separated graves all created for one mass killing resulting in a serial grave

Of course this could be called ‘a series of single graves’ but that does not capture the nature of the burials. Calling it a *serial* grave, which is a type of *mass* grave, allows for an accurate description that represents its origin and its nature.

In a slightly different scenario, the victims of the same killing may be buried next to one another in one long grave (see Figure 8) and there may even be two layers of bodies divided by a layer of soil, as was the case in the WWI graves at Fromelles (Loe et al. 2014).



Figure 7: Left: The bodies of prisoners who died in the Woebbelin concentration camp lie next to open graves on the palace grounds of the Archduke of Mecklenburg in Ludwigslust, Germany; Right View of the cemetery at the Hadamar Institute, where victims of the N

An example of such a grave can be seen in Figure 9 (United States Holocaust Memorial Museum 2000). This kind of grave is likely to be labelled a *mass grave* by most practitioners as well as the general public and there is essentially nothing wrong with that. If the criterium of *connected body matrix* were to be abandoned, this would be a mass grave. However, the previous example of a *serial grave* with distinctly separated graves shows the necessity of the category and it also allows practitioners to use this term for this kind of grave. Either *serial* or *mass grave* will capture the essence of this structure appropriately.

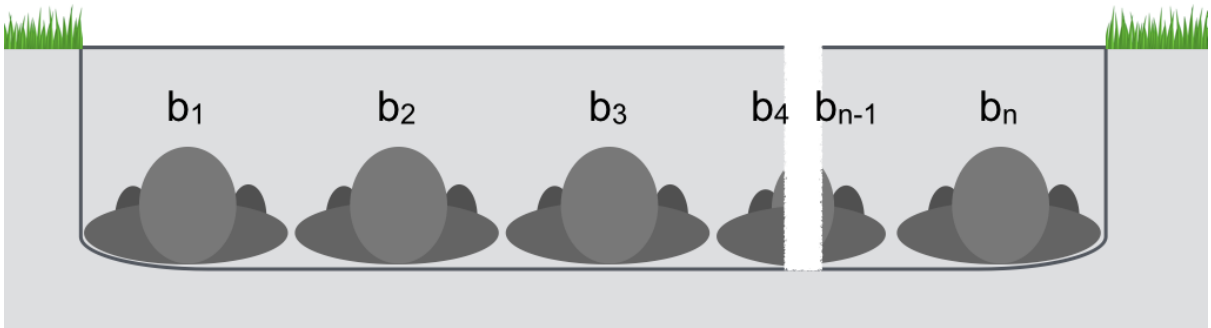


Figure 8: A disconnected body matrix making this a serial grave rather than a mass grave

Mass Grave

The term *mass grave* is the most commonly used one by the general public as well as many practitioners. In the absence of other terms, it represents the killing and deposition of many casualties.

> *A mass grave is a structure designed to hold many casualties and does contain many complete or incomplete sets of human remains in a connected body matrix.*

As a category, mass graves can show the same variety as single graves. They can be purpose-dug structures, as demonstrated in Figure 10 (United States Holocaust Memorial Museum 2013). They can be wells, caves or mines, using the Huda Jama mine shown in Figure 11 (Jamnik 2014). They can be natural depressions or pre-existing holes in the ground that are used opportunistically and later covered with earth.



Figure 9: WWII Mass Grave at Nordhausen, Germany (United States Holocaust Memorial Museum, courtesy of Joseph Mendelsohn)



Figure 10: WWII mass grave in the Bergen-Belsen concentration camp, Germany (United States Holocaust Memorial Museum, courtesy of Arnold Bauer Barach)



Figure 11: Barbara Pit massacre at the Huda Jama mine, Slovenia (Pavel Jamnik)

Conclusion

For a long time, a mass grave was defined by the number of victims it contained. Some definitions considered two victims sufficient to call it a mass grave, others four or six. Since none of these numbers really make sense, this article proposes to leave the number of victims that constitutes the threshold between multiple victims and many victims to practitioners who work on certain conflicts or contexts. Those practitioners will be aware of the distribution of victims per grave and can set a number that make sense in their context.

The second measure introduced by this article is the introduction and definition of the terms *cluster* grave, *trench* grave, and *serial* grave. These three are commonly encountered

grave types that can easily be defined. Together with *singe* and *mass* grave, this spectrum will cover most burial structures practitioners will encounter. For any grave that still does not fit in any of these categories, the term *multiple* grave is suggested.

All categories proposed here are easily defined primarily by three criteria: the number of casualties a grave was intended for, the number of casualties it actually contains and whether there is a connected body matrix or not.

While this is unlikely to be the end of the mass grave definition debate, it will hopefully to a valuable contribution towards it.

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