Remembering the Second World War, 1945–1965: Narratives of Victimhood and Genocide

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Abstract

In many respects, ours is an era of memory and repentance. The great convulsion that was the Second World War is often at the center of such memories, although it is not the only historical focus. If ours is the age of apology, then the first half of the century in Europe was a time when self-proclaimed civilized societies justified or tolerated terrible experiments in social engineering in the name of ideologies. Consequently, the greatest danger in attempting to understand post Second World War memory is a cultural anachronism: the attempt to impose present-day moral expectations of what should have been remembered on what actually had been remembered. The question to ask is how, in the wake of such carnage, did Europeans' "inaccurate" memories help them interpret their post-1945 world? I would like to reflect on this topic, focusing on the score of years after 1945, by discussing two postwar memories: the notion of victimhood as well as the ways in which Europeans remembered the Jews after 1945, even while keeping silent about the genocide.

In many respects, ours is an era of memory and repentance. The great convulsion that was the Second World War is often at the center of such memories, although it is not the only historical focus. Apologies for the persecution of the Jews were heard from the Evangelical Lutheran Church in America (in 1994), the Vatican's half-hearted "We Remember" (in 1994), and the French bishops' "Declaration of Repentance" (in 1997). "Truth commissions" were established to investigate past regimes and crimes in democratizing Latin America, Eastern Europe, and South Africa. The United States government apologized to Japanese-Americans interned in the war, while the debate continues as to whether former slaves are owed reparations as well as an apology. The philosophical, moral, financial, and judicial aspects of reparations are a measure of our "age of apology" (Torpey 2001; Brooks 1999, 3–11; Ogletree 2002).

If ours is the age of apology, then the first half of the century in Europe was the age of murderous utopias to perfect society. It was a time when self-proclaimed civilized societies justified or tolerated terrible experiments in social engineering in the name of ideologies. Consequently, the greatest danger in attempting to understand post Second World War memory is a cultural anachronism: the attempt to impose present-day moral expectations of what should have been remembered on what actually had been remembered. The question to ask is how, in the wake of such carnage, did Europeans' "inaccurate" memories help them interpret their post-1945 world? I would like to reflect on this

topic, focusing on the score of years after 1945, by discussing two postwar memories: the notion of victimhood as well as the ways in which Europeans remembered the Jews after 1945, even while keeping silent about the genocide.

I use in this paper the notion of memory as a set of representations of the past that are constructed by a given social group (be it a nation, a class, a family, a religious community, or other) through a process of invention, appropriation, and selection, and that have bearings on relationships of power within society. I am aware that this is a broad and admittedly somewhat vague definition, but it suffices for the purpose of this essay, namely articulating general trends in postwar remembrance of victimhood and Genocide. A discussion of the theoretical and methodological implications of the notion of memory belongs elsewhere (Confino 1997; Confino 2004).

I

A heroic memory of the Second World War in the two decades after 1945 is familiar: the Great Patriotic War in Russia, the epic Battle of Britain, the resistance movements in France and Italy, the valiant saving of Danish Jews, and America's moral crusade that received a historical legitimacy in the Holocaust Memorial Museum in Washington (Tumarkin 1994; Garrard and Garrard 1992).[1] Even the state of Israel, which seemed to have nothing heroic to commemorate when it came to the war, constituted in 1959 a national Remembrance Day for the Holocaust and its Heroism (*Yom Hashoah Vehagvura*) (Segev 1993;

Almog 2002, chap. 2; Young 1990).[2] These heroic memories were fundamental to national recovery and to creating and sustaining national identity after the war. It is not exceptional for a war to be heroically commemorated. What is significant in the memory of the Second World War is that a second, no less important, memory was shaped that runs counter to heroic memory—one that emphasized victimhood as a pillar of national identity.

It is perhaps not surprising that after the Second World War the notions of victimhood, self-pity, and suffering became organizing metaphors to understand and explain it. Simplistic heroism could not quite capture the war experience, characterized by the humiliating occupation of proud nations, anguished or willing collaboration, forced labor, economic austerity, carpet bombing, persecution, deportations, extermination, and the transformation of combat heroes of previous wars into ordinary executioners.

The cases of France, Belgium, and the Netherlands, authoritatively analyzed by Pieter Lagrou in the *Legacy of Occupation: Patriotic Memory and National Recovery in Western Europe, 1945–1965*, are illustrative. The three countries experienced military defeat and occupation that offered little in the way of national heroism. Collaboration and forced labor complicated the picture further. As a result, "glorification of the contribution of the resistance movements was the only basis available for a true national myth." But the resistance raised problems too. "The soldier-hero [of the Great War]," observes Lagrou, "was replaced by much

more controversial hero-types: terrorist guerrillas, often primarily engaged in an ideological battle" (Lagrou 2000, 26, 3; Conway 2000, 133–156; Huyse 2000, 157–172; Romijn 2000, 174–193). Moreover, some of the resistance fighters were foreigners, while others were communists who were viewed as anti-national by traditional patriots. The war thus lent itself only with difficulty to the construction of a uniform national narrative of heroism.[3] And the reality of the war was that combatants, even broadly defined, made up only a minority of the victims of persecution. For the rest, "national memory imposed the paradigm of the martyr" (Lagrou 2000, 211). The martyred village Oradour-sur-Glane, whose entire population was massacred by the Germans in 1944, came to stand in France for the nation as a whole. *Déportation*, much more than *Résistance*, has developed into a central metaphor in postwar French memories (Lagrou 2000, 296; Farmer 1999).

It is not surprising that nations occupied by the Germans constructed a myth of martyrdom. But it is significant that the notion of victimhood became an organizing metaphor for perpetrators as well. West Germans, argues Robert Moeller eloquently in his path-breaking study *War Stories*, constructed a memory in the 1950s that embraced the war as part of their history but that simultaneously distanced them from the National Socialist regime. West Germans, like the French, Belgians, and the Dutch, remembered the war as victims. Expellees and POWs exemplified this memory. In the final months of the war some twelve million Germans fled or were expelled from Eastern Europe (Eastern Prussia, Silesia, and Czechoslovakia). In 1950, eight million of them lived in West Germany. Their suffering became the leitmotif of Germany as war victim. In addition, of the more than three million German soldiers who were in Soviet captivity at the end of the war, one million died in captivity, and the last POWs did not return home until 1955, following Konrad Adenauer's historic visit to Moscow. As a whole, Germans focused on stories of their suffering while ignoring their crimes. "They represented a Germany doubly victimized, first by a Nazi regime run amok, then by communists, and they allowed all West Germans to order the past in mutually exclusive categories in which perpetrators and victims were never the same people" (Moeller 2001, 3, 173).[4]

Postwar national memory of self-victimhood existed in West Germany, France, Belgium, and the Netherlands, but significant differences were evident among the countries. In West Germany, national victims were neither Communists nor Jews, but only "good Germans," such as expellees, POWs, or victims of Allied air bombings. Thus the category of postwar "victim" largely reproduced the Nazi definition of the national community, or "Volksgemeinschaft." Also in the Netherlands the category "victim" designated neither Communists nor Jews, though for reasons different than in Germany. The Communist Party did not participate in post-'45 Dutch governments and thus had little influence. More important, Dutch memory of the war was based on traditional and patriotic memory that defined victims narrowly as combatants. Those who did not com-

mit acts of resistance were largely excluded from the national memory (Lagrou 2000, 242–245). In France and Belgium, in contrast, memory was organized around the myth of anti-fascism, which was more inclusive. Victims of fascism were not all heroes, but they were all martyrs. Communists were viewed as national victims, testifying to the Communist political traditions and resistant activity, but Jews, who did not resist militarily, were not seen in this way.

Other nations, in different ways, also put on the mantle of martyrdom. Austria, as is well known, constructed a myth of itself as the first victim of Hitler; it ranks among the most imaginative constructions of the past in the twentieth century. Austrian provisional president after the end of the war, Karl Renner, stated that the vast majority of Hitler's followers were victims of historical consequences, economic dislocation, and coercion (Burkey 2000, 227–228).[5] Poland justifiably saw itself as Hitler's victim (Steinlauf 1997). In Italy, the heroic memory of the resistance dominated after 1945 (Bosworth and Dogliani 1999, 1–9). At the same time, the fall of fascism in 1943, the civil war, and the German occupation shaped a coexisting memory: Italians generally viewed themselves as victims of German occupation, while the wide consensus around Mussolini's regime was silenced. A further myth of victimization was constructed around Italy's conflict along its northeastern border with Yugoslavia. The fascists talked of Italy's victimization by the terrible Slavs, and postwar governments picked up this rhetoric that fit well within anti-Communist Cold War discourse (Sluga 1999; Merridale 2000).[6]

Why did victimhood become a ubiquitous metaphor to understand the war? There are several ways to answer this question, all correct though none conclusive. Nations used the notion of victimhood to articulate their suffering at the hands of Germans, although this leaves unanswered the use of victimhood by the Germans themselves. The notion of victimhood was also used because it described accurately the conditions and experience of the war. This is true, but only half true. Remembering is not about getting the past right; it is often about getting it wrong, thus making the present bearable. In the reality of things people did suffer during the war, but this does not necessarily mean that people would remember the war as a tale of victimhood. Self-commiseration, in fact, is not the most attractive foundation for national recovery. Memory is always selective. The question is why did people choose to remember in the score years after 1945 one story of past suffering (the national story) while de-emphasizing others (the Jewish story and the Holocaust)?

It may be argued, indeed, that Europeans remembered the war using the notion of victimhood as a defense mechanism to avoid moral responsibility for their roles as Holocaust perpetrators, bystanders, and collaborators. Non-German Europeans found it easy to blame it all on Germany in order to forget the wide collaboration and the concentration camps on Polish, French, Austrian, and Czech territory (Judt 1992, 87). Similarly, many West Germans believed after 1945 that Nazism created many victims, among them also the Germans

(Moeller 2001).[7] Victimhood, then, was a way to avoid moral and historical responsibility. This argument is not wrong, but it is not wholly satisfactory. It runs the danger of reducing victimhood to an instrument of manipulation, while making it a prisoner of political reductionism and moral functionalism. It also runs the danger of explaining victimhood in purely psychological terms, such as denial and trauma, thus viewing a historical problem as a psychological problem. And it views victimhood and responsibility as polarized along a single axis, where one replaces but does not commingle with the other. The argument that victimhood was used to avoid moral and historical responsibility only begs the question: Why is it that, in the mind of contemporaries, victimhood and responsibility were linked at all? Why did people need the notion of victimhood in order to avoid responsibility?

The idea of being a victim assumes that certain individual or collective rights were violated. Victimhood, I would like to suggest, may be linked to the notion of rights within a broader modern rhetoric of individual and group identity. In the modern era of "rights"—the "inalienable rights" to "life, liberty, and the pursuit of happiness," the Declaration of the Rights of Man and Citizen, the Vindication of the Rights of Women, the right of self-determination, human rights, to mention but a few—victimhood seems to have emerged as a major component of identity as well. But what is perceived as a "right" for one may be viewed as a provocation for another. Your pursuit of happiness may well be perceived as an infringement on my "rights." "Rights"

and victimhood are not contradictory, but complementary within a general discourse of entitlement that is modernity. Some entitlements are innocent enough: shelter and food, for example. But others are potentially explosive, even murderous: the right to happiness, living space, self-determination, and free expression of identity. I am not arguing that a liberal, emancipatory notion of rights inevitably causes a notion of victimhood. There are no cause and effect relations between the modern ideas of rights and victimhood, but there are relations of affinity between the two. The idea that an individual and a group are entitled to express their (obviously subjective) inner essence leads, under certain circumstances, to the sentiment that this right for self expression is being violated, and that one is therefore a victim. Of course, not all sentiments of victimhood are equal: some victims are real, others are not.

Some notions of victimhood are based on tangible aspects such as territory (the German sense of injustice for the territories lost under the Versailles Treaty), property (the post-1945 lost estates of East Prussian landowners), or physical brutality, slave labor, and murder (the German treatment of Poles between 1939 and 1945). But there is always an intangible component in notions of rights and victimhood: the component of identity. It happens when one side experiences the actions of a second side as detrimental to its natural rights and inalienable character. For every perceived notion of victimhood there was a perceived notion of rights. By viewing the notion of victimhood as a counter-

part to the modern notion of rights, it may be possible to place postwar memory within modern European patterns of remembrance.

It is important to point out that victimhood, while coming in different guises, was appropriated in the last century by every ideological regime. It has become a fundamental aspect of the making of imagined national communities. It was used by the Nazis in the most horrifying case of the commingling between rights, victimhood, and identity. Hitler saw himself and Germany as victims of the Jews, who supposedly undermined German identity, purity, and racial-historical mission; this wholly imaginary worldview was the basis of Hitler's exterminatory rage (Gellately 2001, 75–76). It was common among democracies, as in the case of Germany, France, Belgium, and the Netherlands who remembered their role in the World Wars as a "community of suffering."[8] It was useful under communism, whether in Poland and Czechoslovakia where the Nazi occupation was remembered, or in East Germany where the authorities preferred to de-emphasize the responsibility of German society and culture to the Nazi crimes by reducing it to specific social groups (the bourgeoisie and East Prussian estate owners were fascists whereas workers and communists were anti-fascist heroes), while emphasizing the victimization of Dresden and other cities by the Allied bombings (Koshar 2000, 162; von Borries 2003).[9]

In the score of years after 1945, the war memory was organized around the notions of both victimhood and heroism. Heroism was important for national self-

esteem, but, had it been the only mode of commemorating the war, it would have been too dissonant with the actual experience of the war, which was often anything but heroic. Victimhood embraced people's experience, but had it been the only mode of commemoration it would have left little by way of restoring national pride. Memory of the past is often a fictitious image whose aim is a better understanding of the present. In this respect, remembering inaccurately was fundamental to postwar memory of the extermination of the Jews. It is to this topic that we shall now turn.

II

For a long time, the study of how Germans and Europeans remembered the Holocaust was informed by a laudable moral urgency that asked, nonetheless, the wrong historical questions. According to this common interpretation, now in decline, after the war "National Socialism was treated for a whole generation with collective silence and wide-spread amnesia" (Benz 1990, 12).[10] The repression thesis appears to be an exemplary case of the dangers of imposing a worthy moral cause on the vicissitudes and contingencies of historical and human affairs; it has been less successful in explaining Europeans' changing attitudes toward National Socialism than in providing a sweeping condemnation of the war generation. As a consequence, the repression approach was content with an explanation that ignored the complex negotiations between remembering and forgetting. It was founded, in a sense, on an explanatory framework that countered repression with atonement: in this

dichotomous relationship, Germans and other Europeans after 1945 (and until the 1960s, which was seen as the turning point) could either fully atone for their crimes or else they were repressing them. There was little middle ground between the two extremes. But this appears to be an imposition of our own moral values and expectations on a historical situation—and on an image of the past—that was significantly more complex. By focusing on sins of omission, a fundamental question may be ignored: just what exactly *did* Germans and other Europeans remember of the war and of the genocide? And if they remembered the war selectively, as we have seen, stressing national heroism and victimhood, then this raises the evident question: how did the genocide of the Jews fit within this framework of martyred nations?

In many ways, it didn't. Across Europe, the experience of one group of victims was not publicly acknowledged, let alone personally internalized, in the two decades after the war: the Jewish victims of genocide. In France, Belgium, and the Netherlands, the need to construct a heroic national narrative after the war marginalized the genocide (Lagrou 2000, 251–261). In West Germany, a basic moral unwillingness to face up to the genocide commingled with the urgent need to construct, from the total bankruptcy of German nationhood, a somewhat viable post-'45 collective identity. East Germany circumvented the issue altogether by viewing Nazism as a historical phenomenon determined by class, not race; the extermination of the Jews was thus not acknowledged as a particular historical event and problem. Also in Yugoslavia,

Poland, Russia, Italy, Hungary, and Greece, evasion was the norm (Bosworth and Dogliani 1999; Steinlauf 1997). The construction of postwar national identity also clashed with the fact that the Holocaust was a multi-national, pan-European event that did not conform to usual traditions of persecution.

But if notions of national victimhood and martyrdom did not include Jews, Jews still figured prominently in the postwar image of national recovery. This is a theme that calls for more research and articulation. Incidents of anti-Semitism were not uncommon in postwar Western Europe. It may seem shocking now, but here lies the danger of anachronism. Those who committed or supported crimes against the Jews during the National Socialist dominance in Europe did not change their views overnight. Anti-Semitic incidents ranged from anti-Jewish graffiti found in Courbevoie on February 19, 1945—"down with the war, down with the denouncers, the firing squad for all Jews"—to the arrest in the Netherlands of stateless Jews upon their return from Bergen-Belsen (these were Jews who arrived in the Netherlands in the 1930s from the Third Reich and had been deported during the German occupation) (Lagrou 2000, 255–6).[11] In Poland a pogrom in Kielce took place on July 4, 1946; the motivations for the pogrom were complex, though anti-Semitism and greed combined in a mixture already evident in the Holocaust. Kielce's Jewish population before the war was 18,200 out of a total of 58,200. During the war the town's Jews were exterminated, but in 1945 the population of the city returned to its pre-

war level when Poles from the rural surroundings moved into Jewish houses and took over Jewish property. When the war ended and 304 of Kielce's Jews returned, Poles were afraid of being "dispossessed" of their new property as well as of their perceived space and identity. Forty-two Jews were murdered (Melezin 1999).

The Jewish absence was evident in postwar societies (Bartov 1997). The murder of the Jews was used in several separate but linked ways. On the one hand, it became immediately a recognized moral yardstick by which to measure suffering. The West Germans' use in the 1950s of Jewish suffering was the most revealing: they appropriated it by claiming that "Jews and Germans had experienced the same forms of persecution." Expellees deserved compensation, argued Adenauer's Justice Minister Thomas Dehler, because they, like the Jews, had suffered the destruction of political rights, property, and life. Significantly, the language used by West Germans to bolster their victim status was similar to the language used by the Nazis to victimize the Jews. The head of the Ministry for Expellees, Refugees, and the War-Damaged spoke of "final solutions" against the expellees (Moeller 2001, 32–33). This rhetoric provided West Germans with self-justification and selective memory. It was also a measure of larger memory trends.

Immediately after 1945 the murder of the Jews became a canon of sorts (formula is perhaps a better term) to talk and think about victimhood and injustice.[12] But this canon was made neither with the self-consciousness nor with the mo-

tivations of present-day Holocaust commemorations. West Germans' use of the Jewish extermination to describe their own suffering goes beyond selective memory. It points to a sentiment of commingled guilt and anti-Semitism: the knowledge that by killing the Jews one acted beyond the moral pale, while at the same time perceiving the act as justified and necessary on various grounds. There was neither remorse nor penitence in the West German's comparisons of Jewish and expellees' suffering. The moral non sequitur of this view is jarring: Germans never mentioned who was responsible for the suffering of Jews who now became a model of sorts for their own suffering.

In this respect, this 1950s West German discourse showed remarkable continuity in terms of argumentation and historical analogies across the divide of 1945.[13] The postwar discourse created the dissonance between Germans who had caused the suffering of the Jews during the war, while using this same suffering as a model to construct their own post-1945 sense of victimhood. The Third Reich discourse created the dissonance between Germans who started the Second World War in which they exterminated the Jews, while blaming the war on the Jews. Hitler viewed Germany as the innocent victim of the Jews. This sentiment reached its height when Hitler blamed the war on the Jews. In his January 30, 1939 speech to the Reichstag he made his famous prophecy that if the Jews will be successful in bringing a war again, as they brought the First World War, "the result will not be the Bolshevization of the earth and thereby

the victory of Jewry, but the destruction of the Jewish race in Europe." This prophecy was thereafter repeated often, by Hitler, Goebbels, and Nazi newspapers and radio. Hitler reiterated it on April 24, 1942, in the last Reichstag meeting in the Third Reich, when he presented Germany again as an innocent victim of the Jews (Gellately 2001, 83, 147, and chap. 6; Sauer 2003). His final words, in his will, reiterated the theme.

At the same time, while the murder of the Jews was used as a yardstick of sorts, it was also viewed by Germans and East Europeans as one incident in a universe of atrocities committed by many sides in the 1930s and '40s. According to the East Prussian expellee Hans Graf von Lehndorff, "we are experiencing nothing unusual, nothing different from what millions of people have experienced in the past years." Maria Zatschen, an expellee from Czechoslovakia, observed that "what a bad comedy all this is: nothing is original, a copy of the Hitler regime, again and again we have to hear: 'just as you have treated the Jews.'" And Czech guards explained to an imprisoned German university professor that their model for handling of Germans was Hitler's concentration camps: "pictures of these camps were displayed at the entrance [to the internment camp]. It would have been possible to make similar pictures in our camp as well" (all examples are from Moeller 2001, 78). It is reasonable to interpret these views as proof of Germans' knowledge of the crimes against the Jews, and their refusal to face up to them. The West German postwar historical project of documenting the expulsion of Germans from Eastern Eu-

rope recorded many such comparative, selective stories whose aim was to dilute German crimes. This interpretation is true and insightful. But my concern is that it is insightful from a particular kind of perspective that remains focused on the recollections as a reflection of some other, "real," intentions. By analyzing utterances as expressions of hidden agendas, of power, denial, selective memory, and concealed intentions, we run the risk of failing to listen attentively to what people in the past tell about themselves, often in simple words. Interestingly, if the repression approach runs the danger of ignoring signs of remembrance, while arguing for a postwar complete silence concerning the Holocaust, then the current emphasis on memory runs the danger of interpreting selective remembrances as a similar refusal to remember Germany's crimes. Paradoxically, the result of the two approaches is the same, and only the mechanism is different: in the repression argument people repressed in order to forget the murder of the Jews, while in the memory argument people remembered selectively in order to forget the murder of the Jews.

The Germans and Czechs mentioned above perceived the atrocities of all sides as linked, comparable, and emulated. This perception may be interpreted as repression and/or as selective memory, but it should also be viewed for what it tells us clearly: that in the immediate postwar rhetoric the murder of the Jews was understood and acknowledged as an integral part of the inhumanity that was Europe in the 1930s and '40s. This and other assertions by contemporaries

provide a reminder of a period that now may seem distant, even strange and immoral, of a period before the Holocaust became "the obsession of our age" in North America, Western Europe, and Israel (Bessel 2002). The contemporary status of the Holocaust as a moral compass in public and popular culture has also generated a view of the Holocaust as unique and for many incomprehensible. But the historical comprehension of the Holocaust has itself a history, which cannot possibly be one-directional. Utterances that made the Holocaust part of a larger whole may seem to some a dishonest attempt to trivialize. But it may just be that in the future—and, I believe, it will come sooner than we think—when the Holocaust will be fully acknowledged as part of European history, the obsession about whether the Holocaust was unique will seem a peculiarity of present-day culture.

The exterminatory utopian experiences of Germans and East Europeans in the 1930s and '40s, whether as perpetrators, victims, or both, made it thinkable for them in the years after the war to link the murder of the Jews with other inhumanities. This did not fit with the experience of France, Belgium, and the Netherlands. While the non-Jewish population of these countries bonded by the sheer force of a humiliating war experience, they did not suffer extermination or brutal racial occupation; silencing the genocide was thus a preferred avenue on the way to an untainted national recovery. It is not surprising that the murder of the European Jews generated specific national memories as well as multinational memories based on shared re-gional experiences. The Holocaust was a pan-European event.[14] Memory and silence were common across national frontiers; the inability to own up to the past was not a German trait, but a European one.

The difficulty of integrating the murder of the Jews into a meaningful postwar national identity is perhaps best illustrated by the case of Israel. There, the silences, noises, and anguish of memory were all evident. The Yishuv, the Jewish community in Palestine, and later the state of Israel, struggled to include the genocide within a heroic Zionist national narrative. The challenge was confronted by what can be called imaginative inaccuracy, namely including Jewish heroism during the Shoah in the Holocaust remembrance day. At the same time, the dignity of the victims was not fully acknowledged. Survivors who came from "there," as the Holocaust was called in a mixture of awe and removal, symbolized the Diaspora Jews who went like lamb to the slaughter, a diametrically opposed image to the new Jewish man and woman of the Zionist revolution, who worked the land and defended the homeland. But the silence over the victim's experience in the heroic national narrative was commingled with many noises of Holocaust memories and traumas in Israeli society. In contrast to common wisdom that has emphasized repression between 1945 and the Eichmann trial, new research has shown the presence of the Shoah in Israeli culture in this period in novels, political rhetoric, and legal cases (Yablonka 2001; Shtauber 2000; Segev 1993; Shapira 1997; Kimmerling 2001, 7, 36–7).

One reason the murder of the Jews was more explicable after the war is that the totality of the Final Solution had not yet been known and disseminated in popular culture. The enormity of the Holocaust was not yet known and certainly not yet understood. The murder of the Jews was perceived as fitting within patterns of murderous utopias: collectivization, ethnic cleansing, forced migration, and, as Walter Benjamin put it, the Enlightenment's belief in the inexorable course of the "infinite perfectibility of mankind" (Benjamin 1986, 260). Paradoxically, then, the last sixty years reverse a cherished Enlightenment ideal, namely, that knowledge provides better understanding. The more we know about the Holocaust, it appears, the less we understand it.

III

Let us tie the arguments of this essay together. We begin with the notion of memory as interpretative attraction and problem. Some scholars think that memory studies are a fashion and a fad. As one historian recently put it, "Everyone is doing memory work these days. Titles with the word 'memory' in them fill sagging library shelves. Memory, it would seem, is a major industry . . . . Why this should be the case is still an open question. The concern with memory in recent years reflects an egocentric obsession with the past-in-the-present in the guise of preparing for a 'better' future" (Chamberlin 2001, 74). While not all historians are writing on memory, many do. It is now a leading term, perhaps *the* leading term, in current historical analysis, replacing the previously dominant terms of class, race, and gender. By focusing on memory, historians reflect, more than they shape, contemporary engagement with the past that is evident at all levels of society, in popular culture, government initiatives, heritage and tourist industry, family and genealogical history, reparation claims and repentance declarations. It follows that to dismiss memory ironically as fashionable will not do. The reason to take it seriously is precisely because so many *are* doing memory work these days: national truth commissions, governments, the Pope, financial and industrial companies—the list can go on and on (Mommsen 1996; Feldman 2001; Cullen 1999; Jeismann 1999).[15] The focus on memory is a fad, but it has also developed into a fundamental term with which individuals and collectivities define their identity. It deserves serious, though critical, consideration. With respect to studying the Second World War, it calls for an awareness that—precisely because memory is a leading cultural term and the Holocaust is the moral signifier of our age—the danger of interpretative anachronism is always present.

Based on this idea, the essay argues that the focus of postwar European nations on victimhood was associated with modern ideas of individual and collective rights. But when it came to remembering the extermination of the Jews, this memory was silenced, viewed as a model of historical injustice, and placed unexceptionally within the general inhumanity of the period. These were coexisting representations, not so much contradictory as commingling and complementary, which belonged to a moral uni-

verse that was different from ours.

A reshuffling of the meaning of victimhood, rights, and genocide remembrances has been at the heart of a remarkable turnabout in which the memory of the Second World War has become in the last sixty years not simply more inclusive of the victims of the war, but indeed dominated by them. The full story of this shift is still to be told. What Lagrou observed about French memory is true for other countries as well: *Déportation* has become more illustrative than *Résistance* as a leading metaphor for the war (Lagrou 2000, 296). In France, Belgium, and the Netherlands, as in other European countries, the memory of the war is now heavily centered on the Jewish genocide. In Italy in 1999, the readers of the leading newspaper *Corriere della sera* chose the Holocaust as the most significant event of the century. A proposal to display at every school in Italy the photograph of the Jewish boy raising his hands in the Warsaw ghetto received wide support.[16] In Germany, a distinct move has taken place in public culture to remember the victims of the Nazi regime. When Germans now speak of the victims of the Second World War they most often mean the victims of German aggression, and not their own victimhood. The theme of Germany as a victim appears occasionally in literature and cinema, but it ought not to be interpreted as dominant (for a different view, see Bartov 2000a, 2000b). In contrast, in the 1950s the policy debates over reparations for victims of Nazi persecution, on the one hand, and laws to help expellees and POWs, on the other, showed the narrowness of the West German defini-

tion of "victim" and the basic unwillingness of Germans of all walks of life to acknowledge the crimes committed in the name of Germany. Fifty years later, a different memory culture has come to exist. Thus, in December 1999, an anonymous Berliner, age 72, sent 10,000 Marks to the newly-instituted slave labor compensation fund. During the war, he wrote the German committee, his father employed a Ukrainian woman in the family restaurant in Münster. He never forgot this. "Her name was Anna and she worked for us for three years—certainly not of her own free will. My contribution pays a moral debt."[17]

We end, then, where we began: with memory and repentance as signifiers of our era. In our age of apology, one hears of scholars as well as laypersons who admonish European societies between 1945 and 1965 for failing to come to terms with the Second World War and the Holocaust. But reversing this logic seems more appropriate. Perhaps we should be amazed that societies are now so open about their wrong deeds, and ready to apologize with such frequency. It is, after all, easier to understand why individuals as well as societies would prefer to repress their crimes rather than to understand why they atone with such insistence, indeed with a religious sense of purification. When we take human fallibility and weaknesses into serious consideration, then the right question may be not only: why did postwar societies remember the war so selectively?, but also: why is it that at the end of the twentieth century memory and repentance have become fundamental creeds for topics of morality, of legal proceed-

ings, of international relations, and of group and individual identity?

This is the question I hope to raise by writing this essay. Thinking critically about memory, about victimhood and rights, and about Holocaust memory are some possible beginnings to answering this question. A conclusive answer was not an aim of this essay, but a series of further suggestions can be provided as to where other answers might be sought. The interpretative framework of the Second World War and the Holocaust in the three decades after 1945 was influenced by several factors that were not conducive to explore individual and human rights. Historiographically, the dominance of Marxism de-emphasized the racial aspect of the war and the victimhood of ordinary citizens and Jews (other than workers and communists). An influential non-Marxist historiographic approach wrote history from the point of view of the state and of political, military, and economic organizations, not of the subjective memory and experience of individuals. Politically, the Cold War determined a polar ideological view of the war and its aftermath; under these conditions, discussion of memory and human rights were often reduced to an instrumentalization of history.

In the last generation we have witnessed the dismantling of Marxism as a leading interpretation of history, the collapse of communism and the end of the Cold War, the rise of new historical approaches (such as gender, culture, and everyday-life history) that put at the center the subjective experience of individuals and the imaginative reconstruction of

cultures, and last but not least a generational change that opened up new historical topics that had hitherto been taboo. As a result, interpretations have set their gaze to the massive, unprecedented violation of individual and human rights that took place in the name of ideologies and social engineering during the war. The notion of human rights became individualized, whether in scholarship where the experience of victims of persecution is explored, or in politics and the legal profession where victims claim compensation from states and other organizations for, for example, lost property and slave labor. But the notion of human rights did not become only individualized, it also became a property of humanity as a whole. The creation of the United Nations' International Criminal Tribunal, based on previous documents such as the 1949 Geneva Convention, makes genocide a punishable offence for rulers and their helpers; such supra-national bodies are the International Criminal Tribunals for the former Yugoslavia (ICTY) established on May 1993 and for Rwanda (ICTR) established on November 1994. The state as the crux of political inviolability and historical research has thus been challenged, and to some extent replaced, by a focus on the specific experience of individuals and on the abstract notion of humanity's rights.

There are certainly additional elements to this history, but as I write this short narrative I realize that whatever happened in the world since 1945, there is a reason to think that at least some people drew so far a correct, valuable lesson from the past of the Second World War. And this is no small feat.

<u>Notes</u>

[1] All these memories are, of course, selective. The controversial politics surrounding the Holocaust Museum in Washington is a case in point. The Museum was seen by some as confirming American moral superiority by vanquishing evil, but to others it raises the question of why the Holocaust is chosen as a commemorated genocide on the Mall and whether Armenians or Indians should not receive a similar museum. Moreover, the function of the Museum as a symbol of a perceived US historical mission does not contradict the fact that the museum is also appropriately critical of specific US policies.

[2] Israel's Holocaust Remembrance Day had multiple meanings. For a complex analysis, see Segev 1993.

[3] The difference between France, Belgium, and the Netherlands, on the one hand, and Britain and the United States, on the other, is significant. The last two did not experience fascist movements, occupation, collaboration, forced labor, resistance, and defeat. Their memories of the war are less burdened by moral dilemmas and painful evasions, and are organized more around heroism and moral fortitude. This is exemplified by the Holocaust Memorial Museum in Washington, which commemorates not only the genocide, but also America's historical destiny as a fighter against evil. Interestingly, the legacy of anti-fascism as mainstream ideal and political discourse was fundamental in most postwar continental countries. But it was not important in postwar Britain and the United States beyond limited Communist and Trotskyist circles. In Britain "democratic populism" served the functions of antifascism in political discourse. See Eley 1996, 73–100, esp. 73–75, 96–97. On the Holocaust museum, see Handler 1994; Linenthal 1995; Stone 1999.

In Britain to this day, as one scholar has argued, "public remembering of the war [presents] the idea of a national unity, a shared aim of defeating fascism and liberating occupied Europe, [an idea] which cut across distinctions of wealth, rank, and politics." (Noakes 1998, 2; see also Evans and Lunn 1997). Alternative memories that do not fit easily with the heroic narrative have been produced in the US and Britain, but the heroic narrative remained powerful in contrast to, say, Italy and France, where forceful and controversial questionings of the Vichy regime and of the *resistenza* (resistance) have taken place in recent years. See Rousso 1991; Tranfaglia 1996; Pavone 1991.

[4] The representation of German suffering during the war has recently been a controversial topic in German society following, among others, the publication of Friedrich 2002 and Grass 2002. On Friedrich's book and the debate over the Allied bombing, see Kettenacker 2003 and the Forum on H-German Net: http://www.h-net.org/~german/discuss/WWII_bombing/WWII-bombing_index.html. See also Moeller 2003.

The film *Das Wunder von Bern* (2003) used the story of West Germany's 1954 World Cup victory as a backdrop to Germany's postwar suffering, grief, and miraculous resurrection. Focused on the relationship of 11-year-old Matthias with his father who returned home after 11 years in Soviet captivity, it raised concerns among some commentators about the image of Germany as a postwar nation of victims. See *New York Times*, November 10, 2003, A4.

[5] The Austrians also saw themselves as a "community of suffering" in the immediate postwar years as a result of the de-Nazification policies of the American occupation forces. See Burkey 2000.

[6] Russia may be one important exception to this pattern of constructing memories of victimhood in European nations. Victimhood, according to Catherine Merridale, was not part of personal or political language, and the psychological tradition, based on such terms as trauma and denial, is largely unhelpful in explaining Russians' attitudes toward death. This is an intriguing argument that demands more study and evidence. See Merridale 2000.

[7] For a gender dimension of German victimhood, see Heineman 1996.

[8] For using "community of suffering" to describe French self-perception, see Bartov 2000a, 18, and Lagrou 2000, 297. Elizabeth Domansky 1997, 256, uses it to describe German self-perception after 1945.

[9] See von Borries 2003 on the persistent representation in East German textbooks of bourgeois West Germany as a continuation of Nazism.

[10] The essayist Jane Kramer, who argued that Germans "buried the past . . . without a reckoning, without committing the past to history," popularized this view on the pages of *The New Yorker*; see Kramer 1996. For a discussion and critique of the repression approach, see Moeller 2001. It should be noted that before 1989 most of the research on how Germans came to terms with the past had concentrated on West Germany. For a study of both Germanies, see Herf 1997.

[11] The anti-Jewish graffiti in Courbevoie continued a wartime French practice. Under Nazi occupation, anti-Jewish graffiti appeared in Lyon such as "TUER un Juif c'est venger un soldat" (TO KILL a Jew is to avenge a soldier). See Bebenrieth 2001.

[12] I use the term "murder of the Jews" in this context because the term "Holocaust" entered into use only later, and in itself demonstrates awareness of the totality and perceived uniqueness of the extermination of the Jews.

[13] There were important qualitative differences between the two projections, however. Chief among them was that West German victimhood discourse was expressed under conditions of political democracy and open civil society.

[14] I use "event" here much as we refer to the Industrial Revolution, which was a process, as an event. Just as the Industrial Revolution happened differently in each country but can still be historically analyzed in terms of general cause and effect, implications, and consequences, so too can the Holocaust.

[15] Volkswagen and Allianz Versicherungs AG are among the companies that have opened their Third Reich archives; see Mommsen 1996 and Feldman 2001. On the Berlin Holocaust memorial, see Cullen 1999 and Jeismann 1999. The Swiss government formed an international committee of scholars to look at Switzerland's role in the Second World War. The committee's final report is available at: www.uek.ch

[16] *Corriere della sera*, December 27, 1999, 17; December 30, 1999, 21; December 31, 1999, 12.

[17] *Der Tagesspiegel*, December 14, 1999, 5. He wrote to Otto Graf Lambsdorff, the chair of the committee who represented the German government in the negotiations. In contrast to the man in this story, the conduct of German financial and industrial companies in establishing the fund was often despicable.

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Responses

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Alon Confino asks: "Why did victimhood become a ubiquitous metaphor to understand the [Second World] war?" He contrasts rhetorics of victimization—used by Germans and others to describe their experiences—with the ways in which Germans and others have remembered and commemorated the Holocaust. I'm flattered that he's found my work useful in his approach to these problems. Our conversations about these topics that have taken place in cyberspace via email can now continue here in a more public context, and I welcome the invitation to respond to this insightful, thought-provoking piece. Confino's analysis extends to all of Europe, but he has the most to say about Germany, and it's on that case that I'll focus most of my attention as well.

Confino notes the dismantling of Marxism as a leading interpretation of history, but perhaps the past master's prologue to *The 18th Brumaire of Louis Bonaparte* can still help us think through how memories take shape. Marx writes: "Men make their own history, but they do not make it as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past" (Marx 1852). Substitute memory for history, and Marx's observation still holds true. Confino gives us a good sense of "those already existing circumstances" in which post-World War II memories take shape, but I'd add to

his list. Foremost among those circumstances postwar Germans did not choose was the larger geopolitical context of the Cold War, and to understand the narratives of both heroism and victimization that Confino discusses, it would be important to remember that framework. The Cold War does make a cameo appearance late in Confino's essay, but I'd argue that it might be allowed more than a walk-on role. The western Allies—particularly the United States—and the Soviets did little to encourage postwar Germans—in East and West—to dwell on German crimes against Jews and other civilians, as they rushed to draw a clear distinction between a handful of evil Nazis and the overwhelming majority of good Germans who could be rapidly integrated into postwar military alliances. East Germans could be enlisted to remain vigilant against capitalist imperialism, lest it unleash destruction a second time. And in the West, rehabilitated enemies became allies in a battle against the foe they'd fought from 1941–1945.

Marx continues: "The tradition of all dead generations weighs like a nightmare on the brains of the living," and this time we might replace tradition with memory. In passing, Confino refers to past German experiences of victimhood—the Versailles Treaty and German territorial losses after World War I—but heeding Marx's advice, we might think through more systematically the different ways in which victim discourses played themselves out after 1918 and again after 1945. For the Nazis and others on the political right, the only way to redeem the victimization of Germany by the Allies and the

"November criminals" and the sacrifice of those who had died struggling against the Weimar state was through the glorification of force, the promise that Germany would once again assume its rightful place as a world power, and the pursuit of the real perpetrator of crimes against Germans, the Jew. Once the Second World War commenced and particularly after the number of German military and civilian deaths began to soar, justifying sacrifice became more and more difficult for the regime. Beginning in 1943, the Nazi state attempted to transform once triumphant Germans into victims whose sacrifice demanded fighting to the finish. The rhetoric of victimization only intensified as the war continued to sour for Germans in the winter of 1944 and the spring of 1945. Some modes of understanding defeat and destruction, which would reappear with variations in the late 1940s and early 1950s, could be traced back into the war and even the interwar period. This longer term perspective, however, can also remind us that however incomplete and selective were German memories of the Second World War, a second time around rhetorics of victimization did not trigger demands for revenge and retribution. To be sure, unconditional surrender, the presence of sizable occupation forces, the prosecution of German military and political leaders at Nuremberg, and the Cold War all distinguished 1945 from 1918. But in neither East nor West was there evidence that post-World War II rhetorics of victimization translated into the politics of resentment that had contributed to the triumph of the Nazis.

There was no "Stalingrad syndrome," no lost war for which Germans must seek revenge. The public commemoration of mass death, loss, and suffering was accompanied by the exhortation to avoid all future wars, not to redeem loss at the end of a gun. The German word *Opfer* can denote both passive victimization and sacrifice or suffering in service of a higher cause. The pre-1945 emphasis on the latter meaning of the term gave way in the late 1940s and 1950s to the former. And looking back from the viewpoint of the present, it might be possible to trace out how, particularly in the West, public memories of German suffering in the war translated into widespread opposition to rearmament and placement of nuclear weapons on German soil. German political resistance to the use of armed force could be justified by claims that Germans knew altogether too well what destruction wars could unleash.

I find particularly intriguing Confino's idea that we understand claims to victim status in terms of a "modern rhetoric of individual and group identity," and the discourse of rights and entitlement runs throughout postwar West German discussions of restitution and reparations—to the victims of bombs, expellees from eastern Europe, and POWs who lost the "best years of their lives" in Soviet captivity. But Confino might also want to look more carefully at conceptions of sacrifice and victimization that were deeply rooted in a Christian discourse that was shared by both Protestants and Catholics and described sacrifice as the first step toward atonement and moral restitution

that was not determined in a court of law or the halls of parliament. For example, Frank Biess demonstrates how POWs returning to the West were described as "survivors of totalitarianism," victims first of fanatical Nazis, then the Red Army, who emerged as representatives of a specifically Christian German *Kulturnation*. They had lived to tell the tales of Soviet captivity and could serve as the source of the "spiritual renewal" of postwar society. No other group had done more penance for National Socialism's defeat in war, and when the POW was depicted as a shaven head, framed by barbed wire, the association with a crown of thorns was not accidental. The POW's redemption for past crimes became the redemption of all Germans, and as Biess makes clear, in the West the churches played a crucial role in shaping the terms in which redemption was understood. In the East, redemption lay not in Christianity but in the ersatz religion of an anti-fascist education, available to many in Soviet prisoner-of-war camps, where German soldiers were transformed into "pioneers of a new Germany" whose labor rebuilding the Soviet Union had paid off some of the debt owed by Germans to their liberators. As Biess has demonstrated, the process of conversion also brought with it forgiveness of all past individual and collective sins (Biess 1999, 2001, 2002). In both East and West, claiming status as a victim was the first step toward establishing an identity as a survivor, and survivors became the shapers of their own destinies, able to return Germany to the proper path— whether that path pointed toward a

"Christian occident" and the "social market economy" or toward a light from the east and communism. Embracing victim status was the first step toward overcoming it.

How Germans described their victim status differed for women and men. In a doubtless intentionally polemical fashion, Confino argues that memory is "now a leading term, perhaps *the* leading term, in current historical analysis, replacing the previously dominant terms of class, race, and gender." Elsewhere, he has identified memory as a crucial object of study in any attempt to write a "history of sensibilities" and outline the "mental horizon of society," part of a cultural history that would explore "mental and emotional perceptions" (Confino 2004, also 2002). But surely in attempting to describe this horizon we will continue to employ those other categories of analysis, and to race, class, and gender, I'd add sexuality. Consider a few examples: In Elizabeth Heineman's study of postwar discussions of women as victims of rape by the Red Army, she describes how a specifically female discourse of victimization became central to the creation of West German collective memory and shaped national identity after 1945 (Heineman 1996). In her work on "Trauma, Memory, and Motherhood," Atina Grossman concludes that "many Germans conceived of their experience as that of *Opfer*, and they did so in gendered and sexualized terms, which focused on birth and abortion rates, infant and child mortality, on female victimization and rape" (Grossmann 2003). Men, returning from the war, defeated and often disabled, carried other images

of *armes Deutschland*, which registered clearly in public memory, and by the early 1950s, as Biess's work suggests, the hour of the man had struck in East and West, as the returning veteran and POW became symbols of a new, rehabilitated—and remasculinized—Germany. When Lutz Niethammer and his co-workers set out to compile the postwar memories of working class women and men in the Ruhr in the late 1970s (Niethammer 1983a, 1983b), interviewers quickly determined that men's and women's memories focused on very different things. The memories collected by Rob Epstein and Jeffrey Friedman in their moving documentary, *Paragraph 175*, tell other victim stories, those of gay men, who in one case wore a Wehrmacht uniform and served the Third Reich (Epstein and Friedman 2002). And Claudia Schoppmann has much to say about the lived experience and memories of lesbians who were not subject to criminal prosection in the Third Reich but whose sexuality left them far outside the *Volksgemeinschaft* (Schoppmann 1996).

Confino concludes this essay by fast-forwarding to a present in which Germans who speak of "the victims of the Second World War . . . most often mean the victims of German aggression, and not their own victimhood." Getting to that point is a story that exceeds what he undertakes in this essay, but the dates in his title—1945–1965—suggest that the change comes after the mid-1960s. I would encourage him to set the date a bit earlier. Although East German public memory with its emphasis on heroic anti-fascism remained largely uncon-tested, in the West the story is more interesting. Consider a few indicators of the West German public's willingness to entertain a greater range of victim memories and pursue perpetrators with faces and names a decade or so after the end of the war: *The Diary of Anne Frank* appeared in a popular paperback edition in 1955 and was soon followed by a staged version in 1957. A year later, millions of West Germans went to see the movie based on the play. In the last third of the 1950s, a growing number of acts of antisemitic vandalism against synagogues and Jewish cemeteries also raised fears domestically and abroad that one troubling phoenix was arising from the ashes of National Socialism and led to more aggressive West German prosecution of at least some of the Nazis who had committed crimes. By the mid-1960s, West Germans had watched Eichmann on trial in Jerusalem and had also observed a trial of Auschwitz guards in a West German court in Frankfurt am Main that began in 1963 and went on for twenty months. And throughout the 1960s, when a majority of the legislators in the West German parliament voted to extend the statute of limitations for murder, they were particularly concerned with murders of a very specific sort—those committed by Nazis in the service of the Third Reich (Marcuse 2001). I agree with Confino's conclusion that Germany is among those societies that "are now so open about their wrong deeds, and ready to apologize with such frequency," but I would trace the beginning of this development to the last third of the 1950s when in many respects the postwar period—in which Germans imagined

themselves most often as a "nation of victims"—was over.

If Confino dates the beginnings of a major shift in Germany's "memory landscape" a bit late, he perhaps announces a bit too soon that when Germans speak of victims, they mean victims of the Nazi regime. Tucked in a footnote he makes reference to Günter Grass's recent novel, *Crabwalk*, which calls on Germans to remember the victims of the expulsion, and Jörg Friedrich's *Der Brand* (The Conflagration), slated for English translation, a massive compilation of history and memories of the bombing of German cities during the Second World War. The expulsion has also loomed large in public demands for a Center Against Expulsions, located in Berlin, that would place the fate of Germans, displaced from their eastern European homes, in the context of other victims of "ethnic cleansing" and forced population transfers in the twentieth century. A past of German victimization is also at the movies. Confino calls attention to *Das Wunder von Bern* (The Miracle in Bern), a movie in which a returning POW is redeemed by his embrace of fatherhood. And *Der Untergang* (The Downfall), a movie that opened in September 2004, directed by Oliver Hirschbiegel and produced by Bernd Eichinger, who also wrote the screenplay, presents a story of the last days of the Third Reich in which no one dies but Germans. Guido Knopp, an historian turned television producer, has also churned out a steady stream of memories, commemorating the sixtieth anniversary of defeat at Stalingrad, the bombing war, and the expulsion of Germans from eastern Europe. Against the background of the completion of a massive "monument to the murdered Jews of Europe" in the center of the capital of a unified Germany, it is difficult not to hear echoes of the juxtaposition of fates of German victims and victims of Germans that dominated the discourse of the 1950s. Finally, in fascinating analyses of interviews of three generations of German families to determine how memory is communicated across generations, Harald Welzer, Sabine Moeller, Karoline Tschuggnall, and Olaf Jensen determined that German young people are perfectly capable of dissociating the accounts of National Socialist crimes that they hear in school from their memories of their own grandparents who emerge as heroes or heroic survivors of victim fates. A small group of Nazis remain distinct from the vast majority of good Germans, many Germans are victims, and "Opa was no Nazi." Memory—now reproduced in the third generation—and history continue to collide (Welzer, Moller, and Tschuggnall 2002; Jensen 2004).

Confino concludes that one post-Second World War/Holocaust legacy is that the "notion of human rights"—so profoundly violated by the National Socialist regime—has become a "property of humanity as a whole." I wish I could share his optimism. He is certainly correct that this is a "correct, valuable lesson from the past of the Second World War" that "at least some people drew." However, Samantha Powers' riveting book *"A Problem from Hell"* (Powers 2002) offers powerful evidence of how little has been done since 1945 to prevent genocide and how remarkably able members

of the international community—in particular the United States—have been to put nationally-defined self-interest ahead of any commitment to an abstract conception of human rights. "Self-proclaimed civilized societies" have continued to justify "or tolerate terrible experiments in social engineering in the name of ideologies" well into the second half of the twentieth century in ways that confound, dismay, anger, and sadden. They make no less relevant the study of the history and memory of the mass murder of Jews and other civilians in the Second World War and they suggest the importance of seeing the Holocaust in a comparative trans-national framework which would also include careful attention to the kinds of narratives of victimhood and genocide that were constructed in the aftermath of other moments of state-organized mass death and destruction. As we continue to pursue these topics, there's no question that Alon Confino will have much to contribute, and we should all listen carefully to what he has to say.

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Memory and human rights

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The powerful and insightful re marks offered by Alon Confino on memory, victimhood, and identity since 1945 are important in two respects. First, they provide a framework to understand the human rights boom of the later twentieth century. Secondly, they adopt a conceptual rigor in the handling of the term "memory" conspicuously lacking in most accounts of the subject.

These comments are offered, therefore, in the hope that his interpretation can be pushed further. My reflections concern the way in which human rights discourse emerged in the later twentieth century. In 1948, René Cassin read out to the United Nations assembled in Paris the text of the Universal Declaration of Human Rights. In the same year Rafael Lemkin's project of securing a Convention on the Prevention and Punishment of the Crime of Genocide was realized.

It has taken nearly half a century for both of these documents, and the ideas underlying them, to grow into pillars of the international polity and legal and moral thinking. Why did it take so long? And how does this slow growth in the public profile of human rights affect our understanding of notions of victimhood, identity, and memory?

It is evident that Cassin and Lemkin, both Jewish jurists, had the Holocaust in mind when they set about transforming international law. Both had lost most of their families in the war, and had few illusions as to the disappearance of anti-Semitism in 1945. And yet they had the foresight to see that law is organic, and though in the short term it might not reach those who need it, in the longer term a commitment to rights could come to protect the victims of state power.

Both the Universal Declaration and the Convention on Genocide were challenges to the notions of state sovereignty. The Nazis were explicit in stating their complete freedom of action within their own borders. The Holocaust made such affirmations that the sovereign "est une châtelaine dans son château" no longer tenable. But claims or even conventions that human rights supersede national sovereignty are one thing; political practice is another. It took two decades for Cassin's own government to sign on to the Universal Declaration, that is, until the vicious civil war in Algeria was finally over.

What made possible both public acknowledgment of the significance of the Holocaust and the human rights epoch lay elsewhere. The interpretive framework in which war and Holocaust were set after 1945 was either statist or Marxist or both. The turn away from a pure belief in state sovereignty or from Marxism took time. The Second World War obviously was a war about state borders and boundaries, and the Soviet Union held understandably conservative views on this matter, having lost (according to different estimates) between 20 and 50 million lives in the defense of their territory.

Facing the Holocaust and reinterpreting the Second World War as a war in which individual or human rights were challenged in an unprecedented way took time. The state had (and to a degree still has) its claims to see the story differently. But in a period of globalization, of growing trans-national identities, of the emergence of European federalism, and after the collapse of communism, the whole intellectual and legal framework of state power has come under significant review. In Europe, the doctrine of supremacy of EU law over national law has inserted the commitment to human rights and international conventions within the legal frameworks of the constituent states of the European Union.

That is why in 1998, Gustavo Pinochet was arrested on a writ issued by a magistrate in Madrid and enforced by a magistrate in London to hold him accountable for the work of Chilean secret police assassins murdering Spaniards (among others) in Buenos Aires. It is not that the state has vanished as a legal force; it is that its reach and writ are now contested as never before.

Herein lies one of the key sources of the recent increment in the visibility and power of the human rights agenda. Only when Marxist ideas of the state and what may be termed Schmittian notions of emergency powers and absolute sovereignty began to fade, did the campaign for human rights finally come into its own. As against the notion of state identity, other identities—ethnic, multi-national, or gendered—can now make claims they could not make in what may be termed the *étatiste* age. That age lasted

well into the second half of the twentieth century and beyond, but its future is uncertain (for a full elaboration of this argument, see Winter 2006a).

Some of these claims now being made are corporate. Rigoberta Menchu Tum speaks for Indians suffering genocidal acts in Guatemala. But other claims about rights have become both entirely individualized and thereby become the property of humanity as a whole.

One way in which individual voices have become the voices of humanity is through the emergence of what Avishai Margalit (2000) terms the "moral witness." This individual directly faced the cruelties of what Kant termed "radical evil" and took risks to tell that story. Thus journalists, judges, historians are not moral witnesses, in Margalit's terms, since they did not go through the suffering. But most of those who suffer and survive do not tell the story. It is too difficult, too dangerous. Those who come forward anyway are moral witnesses.

It is in the context of contested state power that the moral witness has emerged as an iconic figure in the later twentieth century and after. And here the term "witness" takes on multiple connotations. Echoes abound. The first meaning is religious. The witness testifies to the faith and suffers the consequences. The second usage is legal. Much "memory work" is codified, validated, communicated, legitimated in court rooms and in commissions of inquiry about human rights abuses. The third— closer to Margalit's central point—is moral. The moral witness is someone who tells the tale of such inhumanity that one wonders if moral reasoning can sur-

vive it at all. By telling the tale, whatever the consequences, the moral witness reaffirms the very possibilities of moral thinking. Only the voice of an individual—a still small voice in the rhetoric of the prophets—can do that (see further Winter 2006b).

One extension of Confino's argument is, therefore, that "victimhood" has become central to memory work for two fundamental reasons. The first is that the state is no longer free to act without reference to human rights law. The second is that as and to the degree that the moral content of national or Marxist frameworks has waned, so the claims of human rights as individual rights has been extended to humanity as a whole. Moral witnesses are individuals who tell us what human rights are even by describing their violation. The act of telling is what counts. Here remembrance and victimhood come together in an inextricable embrace, one which affirms, despite all, the Enlightenment commitment to moral reasoning, without which the notion of human rights vanishes into thin air.

One set of images may help to further clarify the point I wish to make about the framework in which to set this phenomenon. In 1955, Edward Steichen constructed an idealized vision of humanity, "the family of man." The appeal of this exhibition, initially held at the Museum of Modern Art, and then turned into a traveling exhibition which toured 37 countries in eight years, was evident. What gave it power was sentiment, affect, the identification of viewer with faces and family relationships like their own. Now a half century later, I doubt if

such an exhibition would draw the same attention. Today what humanity has in common is less affect than rights. We all have families, but we do not all have rights. Steichen's faces are those of the common man; they are witnesses to a time, and to an ideology of liberal individualism, but they are not moral witnesses, since their suffering is not portrayed, and there is no risk in doing so. Today the faces and voices of victims describe humanity, and through their testimony their memories become iconic and thereby become our common cultural property. Memory, however defined, is what makes us feel that we can still use the term "humanity;" perhaps this is one reason why so much "memory work" has accompanied so much activity about human rights. It is in their intersection that we may find the key to an important facet of contemporary cultural life.

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