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Between
Vengeance and
Forgiveness
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6. Facing History

"I can't understand what I'm seeing through the billows of smoke, and at the same time I do understand, but it doesn't connect up with anything I know, either in pictures or in words. I just feel that this is a place where everything ends, not just the embankment and the rails. This is where this world stops being a world at all." — Benjamin Wilkomirski

*"not to rake up old coals / but to see with new eyes"
— Nikki Nojima Louis*

After mass atrocity, what can and should be faced about the past? World-denying experiences defy description and perhaps even memory; yet refusing to remember even this can risk insulting the victimized and leaving rage to fester. To seek a path between vengeance and forgiveness is also to seek a route between too much memory and too much forgetting. Too much memory is a disease, comments Michael Roth.¹ Charles Maier argues that Americans in particular have "become addicted to memory," making modern American politics "a competition for enshrining grievances."² Philosopher Hermann Lubbe argued that suppression of the Nazi past through amnesty and amnesia permitted West Germany in the 1950s to build a stable democracy.³

Yet Jean Baudrillard explains that "[f]orgetting the extermination is part of the extermination itself."⁴ Journalist Tina Rosenberg concluded from her investigations in Eastern Europe and Latin America that "[n]ations, like individuals, need to face up to and understand traumatic past events before they can put them aside and move on to normal life."⁵ Milan Kundera's phrase has come to summarize resistance against totalitarianism: "The struggle against power is the struggle of memory against forgetting."⁶ Timothy Garton Ash argues that "victims and their relatives have a moral right to know at whose hands they or their loved

ones suffered." In addition, memory becomes a political tool: "Dirty fragments of the past constantly resurface and are used, often dirtily, in current political disputes."⁷

The alternation of forgetting and remembering itself etches the path of power. William Gladstone is said to have commented that "the cause of the problem in Ireland is that the Irish will never forget and the British will never remember."⁸ According to historian Patrice Higonnet, French leaders in the nineteenth century conveyed to the nation a commitment to remember and hate the French Revolution and its terror as a form of expiation, while politicians and ordinary citizens in France today treat the Terror as a historical misfortune that one should try to forget.⁹

The double-edged dangers of too much and too little memory lead contemporary figures to make paradoxical calls about remembering the past. Dullah Omar, South Africa's justice minister, exhorts "we want to put the past behind us but we don't want to forget, we want to remember."¹⁰ In his afterword to *Death and the Maiden*, the chilling play of post-terror revenge and justice, Ariel Dorfman writes, "How do we keep the past alive without becoming its prisoner? How do we forget it without risking its repetition in the future?"¹¹ Even a contemporary children's book tells of a young elephant who must learn to remember what to forget; notably, he must remember to forget another elephant's injurious but accidental assault and violation of rules in order to remember their fundamental brotherhood.¹²

Living after genocide, mass atrocity, totalitarian terror, however, makes remembering and forgetting not just about dealing with the past. The treatment of the past through remembering and forgetting crucially shapes the present and future for individuals and entire societies. Mona Wiessmark, whose parents survived Nazi concentration camps, and Ilona Kuphal, whose father was a Nazi SS officer, organized the first meeting between children of Nazis and children of Holocaust survivors to explore their guilt, anger, resentment. Their intent was not to focus on the past but to change the future.¹³ For individuals, and even for communities, traumatic violence becomes part of the current human psyche forged by past oppression.¹⁴ Tina Rosenberg

writes, "The first lesson I learned was that many countries are not dealing with the past, because the past is still with them."¹⁵ What's needed, then, is not memory but remembering,¹⁶ not retrieval of some intact picture but instead a dynamic process of both tying together and distinguishing fragments of past and present.¹⁷ What's needed, paradoxically, is a process for reinterpreting what cannot be made sensible, for assembling what cannot be put together, and for separating what cannot be severed from both present and future.

Andrea Barnes, a therapist who became a law student, reflects on the relationships between remembering and forgetting trauma:

When something happens that is "unthinkable"—so inconsistent with our view of the world that we can't imagine it—we do predictable things to make sense of it. We deny it, assuming we misunderstood or interpreted incorrectly. We find some explanation that helps us feel safer—if we can decide we were responsible for the event, then at least we have some control. We try to push it out of our minds in some kind of voluntary forgetting. The problem is that in our efforts to make this event "logical," we must maintain our role as victim (i.e., there was some reason why this terrible event was supposed to happen).¹⁸

Therapy is the slow process of reinterpretation.

Crucial for some may be ritualized meetings that emphasize the here and now while also underscoring a combination of personal powerlessness about what has happened and personal responsibility for what will happen. As incongruous as it may seem, precisely this combination of ritualized meetings and emphatic acceptance of both powerlessness and personal responsibility seems to account for the remarkable success of twelve-step mutual aid groups such as Alcoholics Anonymous.¹⁹

In contrast to individual therapy and mutual aid groups, trials, truth commissions, and reparations each summon official acts to reflect and enable processes of reinterpretation. The focus is not only individuals, but also communities and nation states. The work must be for, but not only for, the victimized; about, but not

preoccupied with, the perpetrators; and addressed to but also designed to convert bystanders into actors, agents in their national worlds now and tomorrow.

After mass atrocities, victims, perpetrators, and bystanders each require mutual acknowledgment.²⁰ Yet there are costs of embracing these three roles as if they are sharply demarcated. Few who survive can fit comfortably into simply one of them. No whites in South Africa have clean hands, notes Alex Boraine at the TRC. Many victims also feel guilt—for their survival, for their failures to do more to help others. And yes, perpetrators too are often victims either of systems of ideology and deceit that led them to believe they acted on principle or, later, of simplistic blame that alleviates everyone else of responsibility or even self-scrutiny. "Hating, blaming and rejecting a group of people does ensure that we do not have to take the risk or responsibility of looking more honestly at the individual members of the group; nor for that matter looking honestly at ourselves and at our deeper feelings."²¹

In the context of ordinary criminal law enforcement, prosecutions and punishments that humiliate and isolate offenders rather than reintegrating them do not reduce crime or make the society more secure.²² Philosopher Jean Hampton explains that a successful retributive punishment is one that simultaneously inflicts suffering so as to deny the wrongdoer the position of superiority claimed by his or her violence.²³ But such punishment should not itself degrade the wrongdoer so much as render him or her lower than the victim.²⁴

Mass violence is different. Torture, kidnappings, and murders—regimes of rape and terror—call for more severe responses than would any ordinary criminal conduct, even the murder of an individual. And yet, there is no punishment that could express the proper scale of outrage. And if the longer-term goals include avoiding cycles of revenge, social reintegration of at least lower-level perpetrators should be pursued. In many circumstances, demonizing all on "that side" means demonizing large segments of the society, including many individuals who believed they were acting for a larger good or who acted out of fear or who

rationalize their conduct in other ways. To try to understand those beliefs is not a capitulation to evil nor merely a pragmatic effort to avoid laying the ground for further group conflicts. It is a recognition of the filters of meaning and memory that lead people to view their own conduct and beliefs as justifiable.²⁵

Trials, truth commissions, and reparations each hold potential for affording acknowledgment without locking people into roles as victims or trapping them in feelings of unrelenting hatred. Yet, as this book has explored, each response to atrocity also has sharp limitations, in theory and in practice. Here I revisit all three together and consider still further potential responses. Yet perhaps most crucial for individuals and for nations are the processes for deliberating, constructing, disputing, accepting, rejecting, and reconsidering potential responses to mass violence. The victimized who survive must not be treated as objects without ability to participate in those processes. The fact that some perpetrators elude punishment must not excuse everyone else from demanding a process of response. The public staging of official apologies must not silence those who do not accept them. Respect for individuals must pervade the process as well as the results of public and private responses to mass violence.

Trials, Truth Commissions, and Reparations

Trials for war crimes and atrocities convert the impulse for revenge into state-managed truth-seeking and punishment and yet depend for the most part upon symbolism rather than effectuation of the rule of law. At best, tribunals can try a small percentage of those actually involved in collective violence on the scale of recent events in places like Bosnia, Rwanda, Argentina, Cambodia. Prosecutorial decisions at times may seem to create scapegoats; the exercise of discretion not to prosecute may imply a kind of amnesty without any public debate or approval. Especially in the emerging fields of international tribunals, these prosecutorial decisions are deeply influenced by resources and cooperation with other power centers over matters such as arrests and investigations.

There is a stunning juxtaposition of the rhetoric used to justify

trials and the discussions of the politics surrounding them. Judge Antonio Cassese from Italy served as the president of the Appeals Chamber from the inception of the International Tribunal for the former Yugoslavia until November, 1997. He describes how “those who set up the tribunal never intended or expected anything to happen,” but the appointed judges and a dedicated staff produced a body of procedural rules even in the absence of a courtroom, defendants, or a culture of legal responses to impunity.²⁶ After doing so, the immediate participants made the tribunal more of a reality than its funders expected. Now that it, and other tribunals, exist and proceed to address issues of mass atrocity, advocates and journalists claim that trials produce justice, gather truth, and create needed public acknowledgment.

The claim, and the hope, is that trials create official records of the scope of violence and the participants in it, and that guilty verdicts afford public acknowledgment of what happened, and its utter wrongfulness. Justice Jackson argued to the judges in Nuremberg: “If you were to say of these men that they are not guilty, it would be as true to say that there has been no war, there are no slain, there had been no crime.”²⁷ The need for acknowledgment is as likely to come within the group in whose name the violence was done as for any survivors of the victimized. “Serbs and Croats need war crimes trials like the Germans needed Nuremberg—to expose them to the bald, grotesque reality of what political and military leaders did in their name.”²⁸ At the same time, “[i]t is important for the Serbs to know who is a war criminal and who isn’t,” said one Bosnian Serb this year. “Otherwise, this world will think it is all of us.”²⁹ Hopes for justice and accountability surged recently in Argentina because of the arrest of an individual allegedly involved in the abduction of children “of the disappeared” during the military junta between 1976 and 1983. The Truth Commission reported at least 172 instances in which such children were kidnapped and given to military families. An Argentine newspaper greeted the news of the recent arrest with the headline, “God Exists.”³⁰

No recent episode better illuminates the hopes and criticisms

of prosecutions than the international and domestic trials following the genocidal crimes, killing some 800,000 people during 1994 in Rwanda.³¹ The justice system in the nation seemed destroyed; the failure of international intervention became a subject of media discussion; and the UN Security Council created an international criminal tribunal situated in Arusha, Tanzania, to prosecute those responsible for the genocide. The creation of the International Criminal Tribunal for the former Yugoslavia provided a precedent and a goal. Inside Rwanda, the government worked to rebuild its own justice system, training police investigators, prosecutors, and judges. Some 115,000 people were arrested and sent to prisons and detention centers in anticipation of national trials. By 1997, both the international tribunal in Arusha and the Rwanda courts began trials. Defendants in the initial Rwandan trials had no lawyers or opportunities for presenting witnesses or cross-examining prosecution witnesses.³² Because Rwanda as of 1997 had fewer than fifty practicing lawyers, and most refused to represent defendants charged with genocide, the lack of defense counsel proved a serious obstacle to fair trials.³³

Tens of thousands of Rwandans came in April, 1998, to watch the executions of twenty-two people convicted by Rwandan courts of genocide.³⁴ These were the first death penalties ordered for any murders of Tutsi. Included in the group was Froduald Karamira, the primary source of propagandist hate broadcasts that encouraged Hutus to join mass killings of Tutsis in 1994.³⁵ Rwanda officials justified the trials and convictions as reestablishment of the rule of law and an end to the repeated waves of ethnically motivated violence since the nation's 1962 independence.³⁶ Instead, according to news reports, the crowd watching the executions at times seemed overtaken with bloodlust. International human rights leaders objected that the underlying trials failed to comport with international standards of justice. Some defendants had no legal representation; others had lawyers without time to prepare. As a result, the Pope, the European Union, the United States, and many human rights organizations unsuccessfully urged stays of execution. Rather than ending the cycles of revenge, the trials themselves were revenge.³⁷ The more delibera-

tive prosecutions for Rwandan genocide undertaken by the UN Tribunal—prosecutions focusing on the relatively high-ranking governmental officials—reached no convictions for three years.³⁸ Yet with twenty-two high-ranking officials in custody, this tribunal actually has a greater chance of successful prosecutions than the tribunal for the former Yugoslavia which has detained few of the accused.³⁹

In a remarkable breakthrough, on May 1, 1998, the former prime minister of Rwanda pleaded guilty to genocide charges before the UN Tribunal, and also promised to offer testimony against others.⁴⁰ This high-ranking leader, Jean Kambanda, thereby fulfilled the vision of a system of accountability for genocide. Kambanda himself led meetings where massacres were planned, ordered roadblocks to catch escaping Tutsis, and personally refused requests to save Tutsi children who had survived one massacre, only to die in another one.⁴¹ The guilty plea involved no exchange for a reduced sentence. The promise of testimony suggested the possibility of a detailed account of the activities of the interim government that presided over the massacres in 1994.

Where trials do occur, one hope is the creation of transparent court records that simply speak the truth to the relevant audiences. This hope depends on fairness throughout the proceedings, which seems in jeopardy in the domestic Rwandan trials. The idea of accessible court records that speak for themselves, even under much better trial conditions, is problematic. Even the use of documentary film footage as evidence of mass killings in the Nazi concentration camps revealed, in Lawrence Douglas's careful study, the bias of the prosecution toward a story of political terror and war excesses and against an understanding of genocide of Jews.⁴²

Who exactly are the intended, and actual, audiences for the current international tribunals? Judge Cassesse suggests that the United States and its mass media are major targets, as well as United Nations leadership. Cassesse speculates that, if only broadcasts could reach into the former Yugoslavia to portray the tribunal's work, then the propaganda machines contributing to

the mass violence could be countered and the values expressed by the rule of law could be spread. Yet even were such broadcasts technologically and economically feasible, the lens of interpretation would be shaped by the local leaders. The presence of only one independent newspaper in the region severely impairs the coverage of the tribunal's work. Great hopes for truth-telling to counter distortions and continuing demonization fomented in part by those continuing as leaders in Bosnia thus must be countered by realistic assessment of the remoteness of the region from alternative information and interpretations. Moreover, detailed exposés of what has and what has not been done by the tribunals for the former Yugoslavia and for Bosnia are not likely to inspire great confidence in their capacity to enforce a rule of law or to bring many offenders to account, for they have not yet done so. Contrasting problems arise for Rwanda, where a new government intent on prosecuting may feed a frenzy of revenge. Nothing puts the instruments of justice more at risk in a society struggling for political legitimacy than prosecuting widely known perpetrators of human rights violations and failing to secure convictions or securing them unfairly.

Nongovernmental organizations in this context become crucial in the transmission of information and in creating even the desire for it.⁴³ It falls to grassroots and international groups of advocates and writers, paradoxically, to create a demand and an appreciation for the ideal of legal responses to mass atrocity. And it is the ideal, not the actual practices, that must be conveyed if the movement for international justice is to build.

Plans to create a permanent international criminal court may transport this movement to a new phase of activity and accomplishment. Most of the world's nations have already participated in designing such a court, which would have jurisdiction over war crimes, genocide, and crimes against humanity, and would operate when national courts are either unavailable or ineffective. Such a court, and the opposition to it from places including the U.S. Senate and the Pentagon, are also likely to generate more of the same dynamics of idealism and cynicism that surround the specific international tribunals.⁴⁴

For actual gathering and broad dissemination of factual materials from large numbers of victims and perpetrators, reports by nongovernmental organizations, and the emerging institutional form of a truth commission, look more useful than trials.⁴⁵ When conducted by an official body rather than a nongovernmental group, this truth or investigatory process can also publicize truths that are already known and endow them with official acknowledgment. The Inquiry Commission in the German Bundestag for the Treatment of the Past and Consequences of the SED-Dictatorship in Germany commissioned expert reports, took testimony from hundreds of witnesses, and produced a massive document detailing the role of the secret police, the churches, the courts, and the opposition in East Germany under communism. Timothy Garton Ash suggests, "[f]or students of the East German dictatorship this may yet be what the records of the Nuremberg trials are for the students of the Third Reich."⁴⁶ The report's length—15,378 pages—ensures it won't be read by many, but its sheer existence produces a dramatic public acknowledgment of abused power, complicit actors, and the harms to individuals.

Leading participants in the South African Truth and Reconciliation Commission differ over the relationship between its work and prosecutions. Justice Minister Dullah Omar, who helped design the TRC, emphasizes that its work is not inconsistent with domestically conducted criminal prosecutions and instead can build the factual bases for them. Archbishop Desmond Tutu, who heads the commission, in contrast writes that "[t]he purpose of finding out the truth is not in order for people to be prosecuted. It is so that we can use the truth as part of the process of healing our nation."⁴⁷

A truth commission, severed from prosecutions, avoids vengeance and even retribution. It fails to create the potential closure afforded by criminal trials that end in punishment; it does not order victims to forgive perpetrators, although the South African process invites applications for amnesty in exchange for full testimony of perpetrators.⁴⁸ Public hearings gathering the testimony of perpetrators and victimized people become important

as communal experiences as well as sources of information. “[I]t is the *process* of compiling the commissions’ report, as much as the final product, which is important . . . it is the involvement of broad sectors of society in providing information and in being listened to that is crucial,” report two observers of investigatory commissions in Latin America.⁴⁹ Remarkably, South Africa’s commission tries to engage a broad public not only in its business, but also in reflecting on the value and limitations of its work in promoting reconciliation and a new common national identity.⁵⁰ Prosecutions, in this context, may be viewed as obstacles to reconciliation and to nation building; prosecutions may solidify the resistance of a particular sector in the society to those projects while feeding a sense of being wronged and misjudged.

Yet ambitious claims that a truth commission can help a nation reconcile and heal after widespread practices of torture, murder, and terror are likely to invite disappointment. A recent cartoon in a leading South African newspaper depicts Archbishop Tutu standing on land labeled as “truth” at the edge of a chasm before other land labeled as “reconciliation;” Tutu scans a map, and the chasm, and says, “oops.”⁵¹ The commission’s work itself is more a theatrical display of what therapy aims to accomplish much more slowly through intense, personal connections and occasions for not only the telling but the repetition of individual stories of trauma and devastation.⁵² To avoid exacerbating trauma, a commission must ensure that participants feel safe, and yet this usually means abandoning the cross-examination and truth-testing techniques normally associated with official fact-finding. Therapist Andrea Barnes suggests that individual victims who testify before a commission should be given a copy of the transcript at least of their own testimony as “further validation that what they experienced was real, was taken seriously, and is part of the historical record.”⁵³ Then, provision of free and accessible therapeutic services, including a forum for further telling of their stories, is crucial if those who testify are actually to receive help in their own healing process.

Because truth commissions so often reject the use of cross-examination and instead seek to validate those who testify about

horrors they witnessed or experienced, the “truth” that emerges may be understood as psychological but not historical truth. Dori Laub writes about this contrast in reviewing testimony gathered from Holocaust survivors. One woman’s narration told of a powerful visual memory of four chimneys in flames, with people running and stampeding as part of a revolt and escape attempt at Auschwitz in October 1944. When the video testimony was then presented to a group of historians, the historians critiqued the testimony as faulty because in fact, only one chimney, not four, had been blown up during that episode and the revolt itself was a failure. In Laub’s analysis, the importance of the testimony, and even its truthfulness, concerned not the number of chimneys nor perceptions about the revolt’s success, but instead as a report of the reality of an unimaginable occurrence: a revolt at Auschwitz.⁵⁴ Listeners, in this view, are not to abandon judgment about facts that can challenge testimony, but should develop an attentiveness to each person’s own grasp of the past. This advice is somewhat disconcerting for truth commissions, whose alleged virtue is the priority given to truth-seeking rather than to prosecution and conviction.

Disappointments with truth commissions are likely to erupt over the reliability and completeness of the reported facts, over interpretations, and over the apparent trade of truth for punishment. A report that recounts the process and makes the underlying testimony available for others to interpret can assist a spirit of open inquiry.⁵⁵ Yet the report itself should not jeopardize the moral clarity of firm judgments. Where political and economic constraints set limits on the boundaries of a commission’s inquiry, disillusionment only increases. Thus, the international commission to inquire into thirty-six years of terror and disappearances in Guatemala has been castigated as too weak, with a scope too confined to incidents surrounding armed conflict and powers too frail to authorize subpoenas or to name in its final report those individuals responsible for the wrongdoing.⁵⁶ South Africa’s commission was charged to investigate gross violations of human rights, yet hearings also gathered mountains of evidence of the humiliations of the pass system and the oppressive

living and working conditions of black and colored persons under apartheid.

Perhaps reactions to the following story can capture evaluations of truth commissions more generally. The South African Truth and Reconciliation Commission's amnesty committee took testimony from Jeffrey Benzien in conjunction with his application for amnesty for actions committed while he served as a security police officer in the 1980s. Initially, he gave only vague descriptions of his offenses. The commission affords victims the chance to examine amnesty applicants and in that small way reverse their previous roles.⁵⁷ Under Ashley Forbes's close questioning, Benzien calmly testified before the committee about how he had developed a particular method for torturing individuals taken into custody, and he demonstrated it through a simulation on a volunteer during the hearing.⁵⁸ Called the "wet-bag" technique, the torture method involved forcing the suspect face down on the floor with hands handcuffed behind his or her back; then Benzien would sit on the suspect's back, place a wet cloth bag over the head of the prisoner, and twist it around the neck so the individual would start to suffocate. If the body became slack, Benzien would release the bag, and thus stop short of killing the suspect in time to continue the interrogation.⁵⁹

Benzien, at the time of the hearing, was still working as a policeman. If granted amnesty, he would keep that job and receive no punishment for his acts of torture.⁶⁰ During the hearing, Mr. Benzien addressed one of his former victims, Tony Yengeni, who appeared in the audience, as "Sir." Yengeni, who now serves as a member of Parliament for the African National Congress, asked, "What kind of man uses a method like his one of the wet bag, on other human beings, repeatedly listening to those moans and cries and groans, and taking each of those people very near to their deaths?"⁶¹ Benzien replied, "With hindsight, sir, I realise that it was wrong," but that at the time he thought he was working to rescue South Africa from a communist movement and to fight for his and his family's right to live as they had in their country.⁶² After apologizing for his wrongdoing, Benzien concluded that the new regime made him

"extremely amazed and very happy to still be in South Africa today—and I am still a patriot of the country."⁶³

What should one make of this? The contrition and apology may be as welcome as the factual details confirmed for the victimized, but the setting—a hearing to request amnesty—casts doubts on Benzien's sincerity or depth of motivation. Moreover, that such a person would still serve as a police officer in the new regime seems an abomination, but also a reminder of how widespread are the networks of agents for the apartheid regime, perhaps too widespread to eliminate in a peaceful transition process. Yet, reporters in South Africa repeatedly announce that many of the victimized do not seem vengeful, but want to rebuild a shared nation much the same as does Benzien himself. That shared nation depends upon a new, fledgling culture of human rights, itself not likely to advance through vengeance against the thugs of the old regime.

Instead, to build that culture, the fact gathering about hundreds and thousands of encounters between individuals like Benzien and Yengeni turns the finger back at a silent white minority, and demands a different commitment by all South Africans for the future. The truth sought by a truth commission includes not just who did what but also asks, for the nation, What was done in our name, our nationhood?⁶⁴ The asking and the telling unwind something more than complicity; a complicated process of identification and implication in the past must be confronted as part of building a new relationship between all the citizens and the state. This tall order could easily founder in the face of short-term disillusionment and frustration with practical difficulties—such as less adequate and more expensive legal assistance for testifying victims than for testifying perpetrators.⁶⁵

In contrast, concrete reparations—whether in the form of monetary compensation, restitution of misappropriated property or even apologies—may seem more appealing. The danger here is that reparations elevate things over persons, commodities over lives, money over dignity. "The salvation and redemption of the graters, kettles, and chairs, even if it were to happen, has bearing on the course of human events only if we humans have also been

turned into objects."⁶⁶ Symbolic reparations such as the creation of peace parks for children or schools named for individuals murdered during the atrocity challenge this equation of persons and things and potentially speak to the individuality and dignity of those who were victimized. Even with such efforts to avoid trivializing and reducing mass atrocities to material harms, the palpable insufficiency of reparations could stoke fires of revenge or further victimize the victimized as trivializing their harms or suggesting a payoff for silence.⁶⁷ Dullah Omar argues that it is best to leave the acceptability of reparations in the hands of the victimized. Albie Sachs, now a constitutional court judge in South Africa, whose missing arm is a daily reminder of the bomb sent by the old regime to destroy him, declares that "[t]he real reparation we want lies with the constitution, the vote, with dignity, land, jobs and education."⁶⁸ Yet he also urges people not to underestimate the "role of apology, shame and humanising the relationship between perpetrator and victim."⁶⁹

Eric Yamamoto, law professor and advocate for Japanese-Americans after the World War II internment, and for Native Hawaiians, offers this useful guide to the appropriate use of reparations following atrocity: 1) don't assume we know their effect in each situation; 2) consider whether reparations will promote reconciliation or instead perpetuate or deepen social divisions; 3) ask whether the reparations would really improve material conditions of survivors; and 4) ask if reparations and the process for securing them would in fact alter attitudes toward people at the margins.⁷⁰ The truth-telling surrounding the struggles for reparations can alter attitudes more than the reparations themselves, yet the palpable symbolism of actual reparations will redeem those struggles in ways that all the narration and fact-gathering never could.

Similar contextual concerns should inform the pursuit of prosecutions and truth commissions. Hans-Jörg Geiger, who directed the federal office opening access to the files of the East German secret police, put the case for contextual considerations.⁷¹ "Every system, every time has its own special situation—even as

far as the reasons for human rights violations are concerned. . . . it's more important to look for the correct way to reckon with each past separately rather than to develop a theoretical system."⁷² By context, I mean to identify six kinds of inquiries into particular historical and political circumstances.

1. Does the project of nation building or reconstituting a new national community have real promise? Then efforts to reconcile—and most likely truth commissions rather than prosecutions—should be pursued. Some may even argue that putting aside the past and avoiding even fact-finding inquiries would serve nation building.⁷³ Yet "the return of the repressed," or the potentially virulent resurfacing of unacknowledged horrors, counsel against that tactic.
2. What is the distribution of minority and majority groups; how many survivors of the victimized groups remain compared with perpetrators and bystanders; how many of the different groups remain as conationalists or instead are dispersed across political borders? Some of South Africa's unique approach embodied in the TRC is traceable to the fact of a black majority, now launched to control the democracy. The victimized now can rule, but in partnership with others who still control resources, international bond ratings, and other crucial elements of the new nation. The destruction of European Jewry during World War II produced a diametrically contrasting circumstance of nations with none or very few of the victimized group left. The creation of Israel could be viewed as a kind of international reparation effort; the prosecutions of Nuremberg, and later, the Eichmann trial in Israel itself, became both memorials to the dead and justifications for the reparation of new nationhood. Then, as Timothy Garton Ash puts it, "[w]hereas Poles and Hungarians are, so to speak, alone with their own pasts, East and West Germans have to work it out together."⁷⁴ And in Latin America, clearly identifiable victims were tortured, murdered, or made to disappear by another group of also identifiable people, while in

Eastern Europe, totalitarian regimes depended on much larger numbers of people who used less violence and more surveillance, with no sharp line between “us” and “them.”⁷⁵

3. How involved, or potentially involved, are international institutions and nongovernmental organizations? Such involvement can be a resource to support prosecutions and truth commissions but also can conflict with or dilute efforts at nation building; in contrast, participation by people from different groups within the affected society can promote the perceived and real legitimacy of the response.

4. How much time has passed since the atrocity? How many, if any, generations have intervened? Some truths cannot be recaptured when much time has passed, but other truths cannot be heard when little time has elapsed. There are foreseeable openings for renewed attention to fact-finding, reparations, and sometimes prosecutions, when a second or third generation comes of age and wants to know and not forget.

5. Were the atrocities part of war, with human rights violations committed by all sides? Then some process of even-handed response would be crucial to the movement for international respect for human rights. Did peace or a new regime emerge from political compromise instead of total victory? Then certain restrictions, such as promises of amnesty, will constrain responses to atrocity. Yet such constraints can be well justified if the compromise produces a genuine democracy. “Victory sometimes substitutes for final justice, as in countries where winners of democratic elections have chosen not to punish their former oppressors.”⁷⁶

6. Is the response to genocide or collective violence addressed by a successor regime or by members of the very regime that presided over the wrongs? How many members of the military and police force are still the same as when the atrocities occurred? How many of the judges? The answers to these questions are not only relevant to assessments of the practicality of any proposed strategy, but are also germane to remedial capacities of prosecutions compared with truth commissions, and of each compared with reparations. Playwright Ariel

Dorfman asks in his afterword to *Death and the Maiden*: “How to heal a country that has been traumatized by repression if the fear to speak out is still omnipresent everywhere? And how do you reach the truth if lying has become a habit?”⁷⁷ If these indeed are the conditions, strategies both more drastic and more subtle than prosecutions, truth commissions, or reparations are required.

It is the responsibility of private groups, national stages, and international bodies to devise responses in light of such contextual inquiries. Although individual survivors may lack the power to design the response they most want, it is their prerogative, as individuals, to accept, or to reject, specific offers of reparations or apologies directed to them.

Survivors differ remarkably in their desires for revenge, for granting forgiveness, for remembering, and for moving on. Family members of murdered individuals in this country clash over the death penalty. Anne Coleman, a mother whose daughter was murdered, joined Murder Victims Families, a group opposed to capital punishment, and then reflected, “A lot of people used to say to me, ‘You’re not a normal victim’s family member’ because I didn’t want revenge. Now, I know I am not alone.”⁷⁸ Another family member of a murder victim explains how “[t]he emotions that family members experience in losing loved ones to violent crime ran the gamut in my family. I had aunts and uncles who wanted to personally wreak havoc and vengeance on the perpetrators. But my grandmother’s response to the anger and outrage of other family members was that no human being had a right to determine who should live or die.”⁷⁹ Restoring dignity to victims after atrocity should at minimum involve respecting their own responses; at the same time, the repertoire of any person’s responses will be powerfully shaped by the rhetorics and institutions available in the larger society. Expanding avenues between vengeance and forgiveness can assist survivors. Vengeance should be tamed by state control over the apparatus of punishment; survivors’ attitudes about prosecutions are relevant but not determinative here because the society as a whole has been

wronged as well. Yet it must remain the choice of survivors whether to grant forgiveness, or to accept apologies or reparations. The role to accept or reject such avenues is uniquely theirs.

Other Possibilities

Where a government countenanced or committed atrocities, one alternative remedy is to remove from government offices and pensions those individuals who were directly involved in the offenses. The continued presence and exercise of power by people who participated in the regime of atrocity ironically provides both constant reminders and routinized forgetting of what happened. Sometimes called a purge, and sometimes "lustration," the removal of categories of people from public office or benefits can have a purification effect, but can also sweep in too many people, unfairly.⁸⁰

The case of Jeffrey Benzien, the security police officer in South Africa who invented a particularly cruel and painful technique of torture, seems especially troubling because he still works as a police officer, and will retain that post if he secures amnesty. Some process of removing from power and privilege the very perpetrators who wielded it to torture others would permit a new beginning for the government and the citizenry.

Eastern European countries that have turned to this kind of response encounter the difficulty of identifying accurately who should be removed or barred from government posts, and what should count as unacceptable levels of commission, omission, or complicity. Tina Rosenberg recounts the painful story of Rudolf Zúkal, a noted dissenter under the Czechoslovak Socialist Republic, who was fired from his academic post and forced to work as a bulldozer driver cleaning mud from lakes for twenty years, after he refused to sign a statement endorsing the 1968 Soviet invasion of Prague.⁸¹ One triumph of the "Velvet Revolution" was Zúkal's resurrection as a national hero and parliamentary leader—under the application of the resolution to screen out of public office all collaborators with the old regime. Zúkal had voted for that resolution. Yet his own name then surfaced on the unacceptable list. His name, and the assertion that he was an

informer, appeared in secret police files because of conversations he had had, while on a nine-month fellowship during his academic years, with a Czech undercover security agent who posed as his friend while they both participated in the international community in Vienna.⁸² Forced to step down from Parliament, Zúkal's case illustrates difficulties with a purge practice in a regime of secret spies and subtle collaborators.

Amnesty across the board for government actors, insurgents, and dissidents is another potential response to mass violence. Sometimes justified in the name of getting on with the future, amnesties can be constructive acknowledgments of the past. Yet amnesty is cowardice if it grows out of fear of the continuing power of the wrongdoers, or even fear of the costs of naming the wrongs. As one observer puts it, "[a]n amnesty is credible only as a humane means to remember, not as a legislation of forgetfulness."⁸³

For those societies recovering from governmentally sponsored totalitarianism, granting each citizen a right to inspect his or her own state espionage file can restore a sense of control, or at least help the individual understand the scope of invasion under the regime.⁸⁴ As painful as it may be to discover that a friend or family member was an informant, such knowledge enables victims to shatter the patterns of power enabled by secrecy. Opening secret internal security records for use in public criminal and civil investigations and the work of private historians affords a more general public exposure to particular hidden information, as well as to the scale and methods of secrecy and threat. The decision to open the Stasi (secret police) files in East Germany is a contribution to victims and to the possibility of reckoning with the past. Yet nothing in this process invites or requires informers to come forward to confess or repent. Initial signs indicate that "[t]he line of demarcation between perpetrators and victims seems to be stronger now than shortly after the fall of the Wall."⁸⁵

A very different sort of response, but one that still looks to the future, is to build new institutions. Domestically, building democratic institutions and a culture of human rights may be the crucial task. The adoption of the Fourteenth and Fifteenth Amend-

ments to the United States Constitution after the Civil War, for example, marked a project of commemoration, “an effort to fix the meaning and purpose of the war in an enduring form. The conquering nation sought through the means of law to construct some tangible proofs that the war had achieved a moral reformation justifying its cataclysmic violence.”⁸⁶ Beyond individual nations, however, individuals, nongovernmental organizations, and collections of nations try to create international institutions—from the United Nations to the permanent international criminal court—as living memorials to atrocities and vital vows for change.⁸⁷

More literal and concrete forms of commemoration and monuments use sculptures and paintings, museums, plays, and poems. Shared spaces and experiences enabled by public art do not produce singular or coherent memories, but they can enable ways to hold and reveal, in common, competing memories.⁸⁸ Memorials can name those who were killed; they can depict those who resisted and those who rescued. They can accord honor and confer heroic status; they can express shame, remorse, warning, shock. Devoting public spaces to memories of atrocities means devoting time and energy to decisions about what kinds of memories, images, and messages to embrace, critique, and resist.

Again, the period after the United States Civil War offers examples. Hundreds of towns and cities in both the North and the South engaged in vigorous debates and then plans for soldier monuments.⁸⁹ Some advocates of such public art argued “that people are forgetful and need their social memory bolstered by powerful mnemonic aids,” while others instead maintained “that memory is safe in the present but monuments are needed to transmit it across generations,” and still others advanced “a startling counterargument—that the memory of heroism is undying and will outlast the monuments, which are therefore built simply as proof of memory’s reality and strength.”⁹⁰ Whether anxious or celebratory, people arguing over those and similar monuments tend to assume that a common memory, secured by tangible presences in public spaces, is vital to people’s strength and independence. Indeed, more dangerous than disputes over memory

would be complacent divestment of the obligation of memory once memorials are mounted.⁹¹

Whose story and whose interests are served by the design of particular monuments? Historian Kirk Savage argues that the post-Civil War monuments afforded whites a chance to reconcile after the war while excluding or subordinating the freed slaves. Yet once proposed, and even once constructed, public art permits debates over memory, and potentially conflicting and multiple meanings and perspectives on the underlying events. The memorial erected in Boston to Robert Gould Shaw, for example, depicts the white leader of black soldiers as a hero, although he was one of hundreds of men killed in a hopelessly outmatched battle at Fort Wagner, South Carolina, 1863. In recent years, African-American activists have protested the lack of individuality in the faces of the black soldiers and the elevation of Gould as hero in the war over slavery without even naming the members of the 54th Regiment, the Union army’s first African-American regiment.⁹² Yet competing claims about what to memorialize—and what the war meant for race relations—started with the initial discussions concerning the 54th Regiment memorial after the war.

Shaw’s own family vetoed the proposal for a sculpture of Shaw alone on a horse set on a pedestal of soldiers.⁹³ The resulting design places Shaw at the center of a relief but not as leader of the troops, who themselves can be seen by viewers as either brave or confused, in solidarity or subordinated.⁹⁴ Racial power relations persisted; only the words of whites who spoke at the dedication ceremony were carved in the memorial, even though several African-Americans also spoke there.⁹⁵ The names of the African-American soldiers killed in the 1863 battle were not added to the memorial until sufficient protests mounted in 1982. Yet, precisely at that time, the monument itself helped to unite members of the Boston community after bitter conflicts over school desegregation.⁹⁶ On the hundredth anniversary of the monument, the city held a public symposium and series of events to revisit the history and meanings it commemorates. The entire cover of the current informational brochure about the

memorial is a closely cropped photograph of the face of one of the African-American soldiers, inset with a small photo depicting Shaw.

Public disputes over proposed and existing memorials may occasion the productive if painful kind of struggle for memory as do fights over reparations. Again, the U.S. Civil War provides examples. Some 120 years after Southern communities mounted tributes to Confederate leaders, African-Americans and some white critics called for tearing them down, much as French and Russian Revolutionaries dismantled royal monuments—and the post-Soviet Russians toppled massive sculptures of communism's demigods. Vividly capturing and recasting memory, fights over monuments in the streets and in debates usefully disturb congealed memories and mark important junctions between the past and a newly invented present. Historian Eric Foner has urged such struggles to make room for new, or countermemorials, rather than destruction of the old; and the juxtaposition of old and new would itself render new meanings to memories. Thus, he argues, “[r]ather than tear down the statues of Confederate generals or Monument Avenue in Richmond, Va., why not add a marble likeness of Gabriel, who in 1800 plotted to liberate Virginia’s slaves” or one of African-Americans who fought in the Union army, or the seventeen African-Americans elected to Congress during Reconstruction.⁹⁷

Maya Lin’s Vietnam Memorial also evoked vigorous and even angry debate, while inspiring the addition of more memorials and art responding to the U.S. involvement in Vietnam. Designed initially in response to a class project, Lin’s plan called for a simple, polished wall engraved with the names of the 58,196 Americans who died in the Vietnam War. Lin also intended the memorial to work with the land, and to be placed in a space that would draw visitors down a sloping path alongside the wall that itself gradually rises in height. The experience of walking alongside the wall, then, would catch visitors by surprise as they noticed how the gradual descent leads downward to an encounter with mounting lists of names, rising in the air.

The image of a gash in the land offended many who sought

a more heroic and conventional tribute to those who served in that socially divisive war. Veterans groups organized to finance a representational sculpture of men in combat. Then a group of women veterans organized to fund a similarly realistic sculpture. Now the three sit in close proximity on the Mall in Washington, D.C., and provide the most frequently visited site in that city of frequently visited sites. The wall has become a familiar image in film, television shows, and popular culture. Perhaps to the surprise of some, the literal and figurative reflections offered by its gleaming wall of names afford a dignified and moving tribute to those who died and to the nation that struggled over its involvement in the war. The competing memorials include not only the additional sculptures but also offerings of distinctive personal objects, at times gathered in their own exhibitions as further art commemorating the war and the war dead.⁹⁸ The failure to acknowledge the Vietnamese citizens who died occasions further debates over the memorials, and calls for additions or alternative commemorations.⁹⁹

Pained and extended discussions have transpired in Europe, in Japan, and in the United States over potential and actual memorials and monuments commemorating World War II, the Holocaust, and the atomic bomb.¹⁰⁰ Should such memorials be literal or abstract? Should they honor the dead or disturb the very possibility of honor in atrocity? Should they be monumental, or instead disavow the monumental image, itself so associated with Nazism? Preserve memories or challenge as pretense the notion that memories ever exist outside the process of constructing them? James Young, historian and critic of Holocaust memorials, writes of a large cube of black stones placed “like a black coffin” in Münster, Germany, and dedicated to “the missing Jews of Münster.”¹⁰¹ Some opposed it on aesthetic grounds, others because it hampered limousine drop-offs. It was demolished in March, 1988. Young comments: “An absent people would not be commemorated by an absent monument.” More debate and dissent followed. The artist built a new version of the monument for a new home in another German city.¹⁰²

Although that example did not involve preplanned elimination

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of the monument, other recent tributes do, as artists and communities struggle for forms of commemoration that in and of themselves shock complacency and settled categories for remembering. Can the art itself express inexpressibility, and disrupt the consignment of memory to a settled physical space, outside the responsibility of those currently alive to struggle for memory? Jochen and Esther Gerz designed what they designated as a countermonument in response to an invitation by the city of Harburg, Germany, to create a “Monument Against Fascism, War, and Violence—and for Peace and Human Rights.” A twelve-meter-high pillar positioned in a pedestrian shopping mall, the Harburg Monument Against Fascism called for citizens and visitors to add their names on the monument and thereby “commit ourselves to remain vigilant.”¹⁰³ The monument was designed then to descend gradually into the ground, and eventually completely disappear. Its inscription offered this prediction of the monument’s future: “One day it will have disappeared completely, and the site of the Harburg monument against fascism will be empty. In the end, it is only we ourselves who can rise up against injustice.”¹⁰⁴ Indeed, after a series of lowerings over five years, this never beautiful or restful monument entirely disappeared, returning the burden of memory to tourists. Provocation, not consolation, is the goal of such countermonuments.¹⁰⁵

In addition to monuments, other artistic responses to mass atrocity explore the possibilities of provocation and disturbance. Historian Lawrence Langer emphasizes that art by survivors themselves can afflict “our desire to redesign hope from the shards of despair with the vision of an anguish that is recordable but not redeemable.”¹⁰⁶ Art of the unthinkable should disturb as well as commemorate.¹⁰⁷ Similarly, critic David Roskies explains how art of the Holocaust makes readers “partners in poetic resurrection with specific names”¹⁰⁸ and yet other works recall ancient archetypes, remote from specific events and persons.¹⁰⁹ Holocaust art so often avoids human figures and shocks with disharmony and disorientation. “Though in the past, enormous evil could be dealt with figuratively, these artists seem to be arguing

that the new order of atrocity—the transformation of humans into things, the utter anonymity of their death, the total denial of choice—precludes a recognizable human landscape.”¹¹⁰

Commemoration could work with time rather than space. Thus, some seek to build new rituals, such as days of remembrance. Copying the techniques of established religions, states and private groups create liturgies of remembrance, mourning, and collective reconstruction.¹¹¹ Australia created Sorry Day as a national day of apology for the misappropriation of native children.¹¹² Yom Hashoah has become a day of remembrance for the Holocaust, with public events held globally each year for a day in April.

The production of new historical narratives and accounts that build bridges between past and present and resist the temptations of victors’ justice while maintaining a moral stance is one more response to genocide and collective violence. “Catastrophe, in fact, has always been a part of the process of rethinking the past.”¹¹³ History is never one story, and the telling of history involves a certain settling of accounts.¹¹⁴ No telling can fully escape the preoccupations of the moment or the political concerns of the authors. For generations after an atrocity, the historical project poses the difficulty of wresting the past from fictions and legends.¹¹⁵ Moreover, narratives that imply closure and mastery almost certainly distort genocide and torture.¹¹⁶ Yet work by journalists and historians, rather than political figures and government officials, can collect and connect seemingly disparate accounts of the violence, its causes, and its consequences. Historians can, and should, combine distance and empathy with all involved, even the perpetrators, in order to pursue the aspiration of truthfulness.¹¹⁷

In addition, specific historical work addressing shifting responses to atrocity can help set in relief the choices made in different settings at different times. International law scholar Theodor Meron has worked to recover responses to atrocity long predating the contemporary scene by a fresh consideration of the military law of Europe in the Middle Ages and then in

the nineteenth-century law of war.¹¹⁸ Meron suggests that contemporary international human rights law, such as recognition of the crime against humanity, should be understood as an expansion of the parameters of chivalric rules, to apply not just within but between tribes, religions, and ethnicities.¹¹⁹ By focusing on the history of responses to atrocity rather than atrocity alone, scholars can underscore the continuing human project of dealing with—and preventing—mass inhumanity.

Deliberate programs of education, teaching materials, books, exhibits, and events, for adults and for children—all of these are vital responses to mass violence. Margot Strom founded the educational group, Facing History and Ourselves, to develop curricular materials and to build teachers' capacities to teach about the conditions that led to the Holocaust and about the human potential for responding to early signs of intergroup violence and abuse. Demonstrating the crucial role of dehumanization of particular groups of people before genocide or mass violence occurs can alert young people to the dangers of group exclusions and degradations in their own worlds.¹²⁰ Strom emphasizes that such educational efforts should avoid freezing the events in a museum of the past and also resist preoccupation with perpetrators. Instead, the education efforts should teach "that history is largely the result of human decisions, that prevention is possible, and that education must have a moral component if it is to make a difference."¹²¹ Rather than substituting one propaganda for another, education about genocide and mass violence should help young people think critically and independently, or, as one school administrator puts it, "to know the past as fact and to confront its implications in ways that make us all seek to change the future for better. If there are no simple answers to the hatred and violence from the past or in the present, there are the countering forces of intellectual honesty, integrity, justice, and empathy."¹²²

Carol Gilligan, who is herself involved with Facing History and Ourselves, warns that "education is too often teaching, not knowing; teaching cannot be just about facts, but must be about empathy, participation, finding common humanity, asking kids

where does the hate come from, relevance."¹²³ Effective education must connect the histories of mass atrocities with students' own lives and personal experiences. Such education programs are likely to clash at times with other messages the school, parents, and the community give about particular histories, the significance of remembering, and duties to respond to violence. Here Margot Stern Strom responds: "by denying our students access to this history, we fail to honor their potential to confront, to cope, and to make a difference today and in their futures."¹²⁴

One intriguing response to the Holocaust was the Thanks to Scandinavia scholarship fund, founded "in gratitude for the humanity and bravery of people throughout Scandinavia who protected persons of the Jewish faith during and after the Second World War."¹²⁵ The fund combines this tribute to rescuers with education by financing fellowships for American and Scandinavian students to join together to explore Scandinavian democracy, culture, resistance to Nazism, and contemporary human rights issues.

Reflections

Much of the talk and work responding to mass atrocities claims, or hopes, to deter future violations of human dignity and rights. Despite my own invocation of the future and education of new generations as a focus for responses to past instances of mass violence, deterrence has not been my motivation in this book. Deterrence may require very different kinds of actions. One author proposes practical restrictions on the mass media used to promote propaganda, such as jamming the semiprivate radio used to incite mass violence in Rwanda.¹²⁶ Yet such restrictions would violate the commitment to a free and open society that others believe would itself be the best guard against large-scale violence. No one, of course, knows how to deter genocide or mass violence. Oppression, hatred, slaughters, and torture unfortunately are constants in human history. Pumla Gobodo-Madikizela paused during a conference discussion of her work on the South African Truth and Reconciliation Commission to comment on

the stunning juxtaposition, occurring as they did at the same time, of the first free and democratic South African election and the Rwandan massacre.¹²⁷

No one really knows how to deter those individuals who become potential dictators or leaders of mass destruction, although much hard work has been spent on this question.¹²⁸ One hopes that current-day prosecutions would make a future Hitler, or Pol Pot, or Radovan Karadzic change course, but we have no evidence of this. Perhaps those who say evil will always be with us are right, and genocide and mass violence are their case in chief. Even if this view is right, and even if no deterrence can be secured, societies, and international communities, must respond to mass atrocities. For the victimized deserve the acknowledgment of their humanity and the reaffirmation of the utter wrongness of its violation. And bystanders must see a response, and face their own choices about action and inaction, for these, too, are significant. The response should do more than reiterate the boundaries between groups that helped give rise to the atrocities and instead enlarge a sense of community and membership. The response should resist the temptation to dehumanize perpetrators and instead seek to confirm the humanity of everyone—whether by holding all to account under basic norms of human rights, by including all in a process of truth-telling and healing, or by forging connections through rituals and monuments of commemoration, shared resources, or offers of apology and forgiveness. Affirming common humanity does not mean turning the other cheek or forgetting what happened.

Perhaps the challenge is to meet a basic need for balance and wholeness.¹²⁹ Apparently pervasive processes for making amends within communities of nonhuman primates should interest those who look to evolution to assess human capacities.¹³⁰ A leading scholar in this field notes, in contrast, the inadequate studies of reconciliation behavior among humans.¹³¹ Although chimpanzees apparently do keep negative acts of their peers in mind, a system of revenge has not yet been observed in any animal but humans.¹³² Nor have devastations like genocide.

Genocide, mass murders, torture, and rapes defy comprehen-

sion and escape human conventions for making sense and meaning of life. Visual artist Samuel Bak, a survivor of the destruction of the Vilna Ghetto and the Holocaust, explains that as a survivor he constantly experiences “[t]he absurdity of looking for any kind of moral logic in the horrific events taking place around me” and the greatest absurdity of all, is “the fact of my survival.”¹³³ Responses to collective violence lurch among rhetorics of history (truth), theology (forgiveness), justice (punishment, compensation, and deterrence), therapy (healing), art (commemoration and disturbance), and education (learning lessons). None is adequate. Yet, invoking any of these rhetorics, through collective steps such as prosecutions, truth commissions, memorials, and education, people wager that social responses can alter the emotional experiences of individuals and societies living after mass violence. Perhaps rather than seeking revenge, people can come to desire to rebuild. The wager is that social and political frameworks can make a difference to how individuals emerge from devastating atrocities.

The wager is based at least in part on the recognition that some past responses seem linked to subsequent horrors. Tina Rosenberg comments, “For too many governments, dealing with past injustice has been not a way to break free of it, but the first step in its recurrence.”¹³⁴ Repression of the facts of the violence may inspire its resurgence in a later generation; but so can immersion in a narrative of victimization. War crime prosecutions, truth commissions, reparations—each can reflect and invigorate cycles of high expectations and cynical disappointment.

Ultimately, perhaps, responses to collective violence bear witness: to it, and to the human beings destroyed by it.¹³⁵ The obligations of witnessing include enabling the practice of “re-memory,” which is Toni Morrison’s term for practices that concretely encourage people to affirm life in the face of death, “to hold onto feelings of both connection and disconnection, and to stay wide enough awake to attend to the requirements of just recollection and the work of transforming the future.”¹³⁶ Between vengeance and forgiveness lies the path of recollection and affirmation and the path of facing who we are, and what we could become.