

AFTERWORD

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AFTERWORD

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In his 1982 novel, *The Book of Laughter and Forgetting*, Milan Kundera starts by recounting a story. On the first official event since the coup d'état of February 1948, the leader of Communist Czechoslovakia, Klement Gottwald, gave a speech from a balcony, marking the beginning of a new regime order. Beside him stood his most faithful supporters, among them Clementis. It was cold, so Clementis gave the bare-headed Gottwald his fur hat. The photograph of this foundational event signaling a national rebirth was reproduced in the hundreds of thousands, as the beginning of Communist Bohemia. Most children would have seen this photograph in their school textbooks. A few years later, however, Clementis fell out of favour, and his image was erased from all subsequent reproductions of the photograph, replaced by a blank wall. All that remained of Clementis was his fur hat on Gottwald's head. Though disappeared by the state, he was potentially remembered by a whole generation, among them Kundera, who was nearly twenty years old at the time. By turning his memory of this day and his memory of the photograph of the solicitous Clementis into a story, Kundera constructed a *lieu de mémoire*.

State violence, deaths, and disappearances, and in turn memories, storytelling, cultural interventions, and lieux de mémoire are the themes running throughout the contributions to this special issue of *Les Ateliers de l'Éthique/The Ethics Forum* edited by Florence Larocque and Anne-Marie Reynaud, "Dealing with Difficult Pasts: Memory, History, and Ethics" ("Et après? Mémoire, histoire et éthique pour faire face au passé"). The unifying question they ask is how countries and citizens face their difficult national pasts. Implicitly and explicitly they see this "*faire face*" with the past as a moral prerogative and as a necessary step toward a more just future.

This progression toward this hoped-for future structures many of the articles here: the authors present a range of country experiences at different stages of confronting their pasts, whether by members of civil society, initiatives undertaken by the state, or with the collaboration of an international community. In so doing, the authors add more examples to the many other case studies of how countries have chosen to silence or recount their pasts (most often a mixture of the two), in the interdisciplinary fields of memory studies, human rights, and transitional justice.

Memory studies, human rights, and transitional justice are several decades old: the field of memory studies is often cited as beginning with Maurice Halbwachs, then taking root in response to the Holocaust, and booming in the 1990s just as truth commissions (as a key mechanism in the transitional-justice toolbox) were becoming more widespread. The field of human rights, from which transitional justice emerged, has a trajectory similar to that of memory studies, rooted in the aftermath of the Second World War and international declarations on human rights and genocide and the formation of an interconnected international system. Though the concept of “human rights” has a much longer history, civil society and victims of Cold War era dictatorships made crucial use of the term for their defence, and its use has expanded since the fall of the Berlin Wall. While Samuel Moyn (2010) has argued that human rights represent the most recent in a series of utopias, practitioners on the ground and academics doing fine-tuned analysis of specific regions have argued for the practical importance of human rights in combatting such abuse (Cmiel, 2012; Grandin, 2007; Robinson, 2014).

These three fields—memory studies, human rights, and transitional justice—are now fully established, with their own journals, conferences, associations, and preferred interdisciplinary methodologies. With the robustness of age comes reflection. What seems evident at this point is that truth telling about the past is an ongoing (ever-going) process: irruptions occur which continue to push forward demands for truth and accountability from one generation to a next as well as within generations; these demands about the past are met with countervailing attempts to silence the past by those sectors most threatened by truth telling. Closely aligned with these moral, political, and juridical demands for an accounting of the past has been the hope that in this quest societies would attain or more greatly secure “Never Again,” which to date, sadly, seems ever elusive.

In his 2015 essay “Memory Culture and Human Rights: A New Constellation,” cultural scholar Andreas Huyssen notes the parallel progression of the global rise in human rights and memory discourses since the 1990s, arguing that while they are implicitly mutually constitutive (for we cannot demand human rights without memories of past injustice, and, vice versa, the call for “never again” of memory discourse is that of the human rights imperative), they tend to run on separate tracks rather than be in dialogue with each other. This separation is a result of distinct disciplinary approaches and is because of different orientations. Huyssen sees this separation as unfortunate, for both fields risk becoming self-indulgent, too abstract, and subject to potential political abuse. However, when they are brought into dialogue, “the individual strength of each field can supplement the other, thus mitigating their respective deficiencies, since both are fundamentally concerned with the violation and protection of basic human rights and draw on history to do so” (Huyssen, 2015, p. 28). The absence of transitional justice as a third field in Huyssen’s proposed dialogue is perhaps because he subsumes transitional justice under the human rights field; transitional justice’s origins are as extralegal mechanisms, though the larger call to the “right to truth” is equally a moral and a legal imperative (Urban Walker, 2014). However, by adding transitional justice as a third field to Huyssen’s proposed “new constel-

lation,” we may see more readily how human rights and memory discourses are already fruitfully engaged. Such an addition, however, does not undermine Huyssen’s critique of the fields of memory studies and human rights as in need of renewal; indeed, all three fields are subject to ongoing scholarly reflection and debate (in addition to Huyssen’s piece, see, for instance, Benghellab (2016) and Cole (2020)) .

The articles in this special issue of the *Les Ateliers de l'éthique/The Ethics Forum* seem to counter or complicate Huyssen’s concern that human rights and memory studies run on parallel but separate tracks. All the authors draw upon one or more of the fields of memory studies, human rights, and transitional justice as though reaching into a single, though large, basket. While these fields are interwoven, it may be worthwhile, as Huyssen suggests, to separate them so as to reflect on their specific contributions and assumptions, and then bring them together in a more considered way.

For instance, in the field of memory studies, several of the contributing authors here draw upon a shared canon of scholars: they make requisite mention of Maurice Halbwachs and implicitly Pierre Nora, and, moving beyond a European lens, may include Elizabeth Jelin and Steve Stern, among others. The inclusion of these pivotal authors in the field of memory studies is appropriate, for almost all the authors in this issue focus on cases of collective memory and several, on sites of memory: some look to how the nation struggles to present a coherent national narrative of the past, thus privileging the state as the arbiter of memory, while other authors turn to the memories of groups (such as in Chilean civil society or Indigenous peoples in Canada). Both the constant shifting of the stakeholders in collective memory (for example, generational cohorts or bearers of diasporic memories as they negotiate for inclusion in what Steve Stern has described as “an open-air tent”) and the different levels of collective memory (for example, national, subnational, or regional levels of collective memory) point to the very porousness of collective memory and its illusory nature. This movement of whose memories become hegemonic also points to the potential risk of marginalizing other groups’ memories in their process of gaining hold: “What is most painful is that the painful is not painful for others,” declared Derrida (1994, p. 56).

Despite the distinct cultural settings and historical events, the authors employ shared concepts—for instance, Halbwachs’s collective memory, Nora’s *lieux de mémoire*, Stern’s emblematic memories, and Jelin’s memory entrepreneurs. In so doing, the authors reinforce an internationalization of memory studies just as activists and scholars widely circulate human rights discourses and support the mechanism of truth commissions (Rouso, 2016). Yet this comes at a possible cost: by doing so, the authors here and others in the field (myself included) risk shaping the very histories and memories that are told, by importing concepts from abroad. We need to be careful not to conflate national and local histories in the process. As Stern and Strauss have argued (2017), we need to recognize both the global and the local.

By offering readers descriptive analyses of specific case studies, the authors in this issue implicitly remind readers of the importance of the local: the national contexts of Spanish memory discourses, a South Korean Vietnam memorial, or Canadian databases; or the various specific forms and locations of enunciation, such as through testimonies and artwork or in the streets, museums, archives, or art galleries. All these authors' points of study are deeply rooted in the local. Yet we must also track the multidirectionality of these memories, human rights discourses, and transitional-justice mechanisms, and their impact on the local (Rothberg, 2009). That the Holocaust has served as a metaphor and as a framework for such a wide range of both historically and culturally different "limit events" risks subsuming local experiences and history and making it more difficult to construct locally nuanced mechanisms to address and understand these specific pasts. The universality of human rights can get a foothold only if it resonates within local contexts. The same blurring of local and global may take place in the construction of memory museums around the world that are modeled to various degrees on Israel's Yad Vashem, Berlin's Jewish Museum, or the United Kingdom's Beth Shalom Holocaust Centre, with the same committee members and architects (Sodaro, 2018). That many countries use the symbolic weight of the pieta to represent the dead and disappeared in conflict is another example of the flattening of local histories.

What these authors also remind us is that timing matters. Many decades have passed since the Southern Cone transitioned away from authoritarian regimes. The memory discourses, human-rights claims, and transitional-justice mechanisms of those days, though still enduring today, have shifted and transformed. While it was unthinkable in the 1990s that Chile or Argentina would be able to use the courts to enforce accountability, we have seen military men incarcerated since Latin America's turn to the left in the mid 2000s. Even in countries where the Left did not return, the courts have proven surprisingly resilient (though still thwarted at times), such as in Guatemala, where Efraín Ríos Montt was convicted of genocide and crimes against humanity (this ruling was overturned), and where individual military perpetrators were sentenced for the enslavement of Maya women during the country's civil war. In these delayed judicial cases, memory of past injustice (both collective and individual), human rights activism, and transitional mechanisms made this accountability possible.

Yet even more recently, the pendulum seems to have swung the other way in some countries. Worrisomely, we see in Brazil attempts to negate the memory of past injustices, over twenty-five years since its return to democratic rule. Today a retired military officer, now president, has chosen to flout the traumas of the twenty-one years of military dictatorship by naming a known torturer as a national hero, by turning the day of the military coup d'état into a national holiday, by placing former military men in important government positions, and by regularly employing pro-dictatorship rhetoric. This trend is found elsewhere in Latin America and in other parts of the world: state-armed actors—found by truth commissions in their final reports to be perpetrators of violence against their citizens—have managed to refashion themselves and shift public percep-

tion and discourse of their role in past conflicts. Their success, over the decades, points to the fragility of memory, human rights, and truth commissions. Terms such as *memory*, *truth*, and *human rights* cut many ways, and when used by agents of violence, they may take on different and changing meanings, moving us beyond the conventional arguments of forgetting and denial, remembering and reconciliation (Milton 2018).

Taking the perspective of the “longue durée,” the case of Spain, as studied here by Arnaud Martin, seems less unique than it might appear or less of an outlier in what might be considered a “typical” transitional-justice trajectory; rather Spain seems more in line with Chile, Argentina, and Brazil, which have made many “memory turns” (Atencio, 2014). Similarly, it is the emergence of memory irruptions (Wilde, 1999) and the perseverance of different actors in civil society (here Doran’s “mobilisations populaires” of Chile and Colombia or South Korea’s activists drawing attention to their army’s crimes) that push forward, in fits and starts, a reckoning with the past. In *Memory’s Turn*, cultural scholar Rebecca Atencio studies the interplay between transitional-justice mechanisms, such as trials and truth commissions, and cultural forms of recounting in post-dictatorship Brazil. While other scholars have argued that truth commissions provide an opening for cultural works, Atencio points not to causality but to timing and imaginary connections between transitional-justice mechanisms and cultural artefacts. These connections may lead to yet more interventions and perhaps even to what she identifies as “a cycle of cultural memory.” We see such patterns (or “turns” in the cycle) as well in many of the countries studied here—whereby the mechanisms of the transition to democracy (not just truth commissions, but also amnesties and silencing) gave rise to a myriad of new artistic and cultural texts, and whereby such creative and imaginative works may have helped to promote further reckoning and reparations, as well as to inspire other cultural endeavours.

Art and cultural interventions have an important role to play in advancing human-rights discourse. Drawing on individual and collective memories and upon testimony, and at times sustained by the work of official truth-seeking and -telling endeavours (such as truth commissions), art can help viewers to imagine the unimaginable, if only in part. Art and cultural interventions may also bolster our efforts to build legal, political, and moral mechanisms to prevent such violations in the future (Milton 2014). Robertson’s piece here on landscape art and Canada 150 cultural memory products—in particular, the resistance by some artists to portray a happy national celebration—is a clear illustration of how art can move memory discourses beyond being self-referential or self-fulfilling. Pointing to the century and a half of violations of cultural and human rights, Indigenous artworks marking Canada’s 150th year of Confederation “played a key role in working to shift this narrative and in providing Canadians with other perspectives from which to ‘see’ the nation” (Robertson, last para.). Art decentres our use of more “official” forms of knowledge, such as truth commissions and trials, and more “traditional” methodologies, such as textual analysis, oral history, and testimonies, and provides new ways of seeing and facing the past.

Ultimately, as Larocque and Reynaud argue in their Introduction, this is a moral imperative: to remember the past in a fair, just, and inclusive way. Doing so will not necessarily prevent silencing and attempts to counter, shift, or displace a shared understanding of whose memories are to be publicly remembered and which injustices and harms are to be recognized. Nor, as we have seen, does remembering alone secure an elusive “Never Again.” Should we throw up our hands and ask in despair, “Have human rights failed?” (Cole, 2019). That would be both too easy and too harmful. Rather, our hope for a better future lies in the very turns of memory and justice, in the fits and starts, with setbacks, failures, gains and openings; this circuitous and disjointed process is the only path we have toward securing accountability, truthful memories, and the defence of human rights.

REFERENCES

Atencio, Rebecca J. *Memory's Turn: Reckoning with Dictatorship in Brazil*. Madison, University of Wisconsin Press, 2014.

Benghellab, Nour, "Des mythes aux réalités de la justice transitionnelle," *Champ pénal/Penal Field* [En ligne], Vol. XIII, 2016. <https://journals.openedition.org/champpenal/9235>.

Cmiel, Kenneth, "The Recent History of Human Rights" in Akira Iriye, Petra Goedde and William I. Hitchcock (eds.). *The Human Rights Revolution: An International History*, Oxford, Oxford University Press, 2012, p. 27-52.

Cole, David, "Have Human Rights Failed," *New York Review of Books*, April 18, 2019, p. 49–50.

Derrida, Jacques, *Spectres of Marx: The State of the Debt, the Work of Mourning, and the New International*, Trans, Peggy Kamuf, London, Routledge, 1994.

Grandin, Greg, "Human Rights and Empire's Embrace: A Latin American Counterpoint" in Jeffrey Wasserstrom, Greg Grandin, Lynn Hunt and Marilyn Young, (eds.), *Human Rights and Revolutions*, Washington, Rowman & Littlefield, 2007, p. 191-212.

Halbwachs, Maurice, *On Collective Memory*, Translated by Lewis A. Coser, University of Chicago Press, 1992.

Harvey, Giles, "Don't Look Back: Why a Champion of Reparative Justice Turned on the Cause," *The New Yorker*, January 13, 2020, p. 63–67.

Huyssen, Andreas, "Memory Culture and Human Rights: A New Constellation," in Klaus Neumann and Janna Thompson (eds.), *Historical Justice and Memory*, Madison, University of Wisconsin Press, 2015, p. 27-44.

Jelin, Elizabeth, *State Repression and the Labors of Memory*, Minnesota, University of Minnesota Press, 2003.

Kundera, Milan, *The Book of Laughter and Forgetting*, London, Faber and Faber, 1982.

Milton, Cynthia E, *Conflicted Memory: Military Cultural Interventions and the Human Rights Era in Peru*, Madison, University of Wisconsin Press, 2018.

_____, *Art from a Fractured Past: Memory and Truth-Telling in Post-Shining Path Peru*, Durham, Duke University Press, 2014.

Moyn, Samuel, *The Last Utopia: Human Rights in History*, Cambridge, MA, Harvard University Press, 2010.

Nora, Pierre, "Between Memory and History: Les Lieux de Mémoire," *Representations*, 26, 1989, p. 7–24.

_____, "Entre mémoire et histoire. La problématique des lieux," in *Les lieux de mémoire : La République*, Paris, Gallimard, 1984, XVII-XLII.

Payne, Leigh and Ksenija Bilbija, (eds.), *Accounting for Violence: The Memory Market in Latin America*, Durham, Duke University Press, 2011.

Robinson, Geoffrey, “Human Rights History from the Ground Up” in Steve J. Stern and Scott Straus (eds.), *The Human Rights Paradox: Universality and Its Discontents*, Madison, University of Wisconsin Press, 2014, p. 31–60.

Rothberg, Michael, *Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization*, Stanford, Stanford University Press, 2009.

Roussou, Henry, *Face au passé : Essais sur la mémoire contemporaine*, Paris, Belin, 2016.

Sodaro, Amy, *Exhibiting Atrocity: Memorial Museums and the Politics of Past Violence*, Rutgers University Press, 2018.

Stern, Steve, *Remembering Pinochet's Chile. On the Eve of London, 1998*, Duke University Press, 2004.

Stern, Steve J. and Scott Straus, (eds.), *The Human Rights Paradox: Universality and Its Discontents*, Madison, University of Wisconsin Press, 2014.

Urban Walker, Margaret, “Truth Commissions and Human Rights,” in Thomas Kushman (ed.), *Handbook of Human Rights*, London, New York, Routledge, 2014, p. 500–507.

Wilde, Alex, “Irruptions of Memory: Expressive Politics in Chile’s Transition to Democracy”, *Journal of Latin American Studies*, vol. 31, no. 2) 1999, p. 476–494.