The magazine of the EUROM - European Observatory on Memories

December 2021

Observing Memories

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EUROM is led by **Fundació Solidaritat de la Universitat de Barcelona** with the support of the **European Union** – Europe for Citizens Programme.

EUROM | EUROPEAN OBSERVATORY ON MEMORIES

Observing *Memories*

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The European Observatory on Memories (EUROM) is a transnational network of institutions and civil society organizations committed to research and promotion of remembrance policies and memorial initiatives. Its main goal is to promote collective and citizenship memories through a plurality of approaches and diverse perspectives. EUROM is led by the University of Barcelona's Solidarity Foundation with the support of the program 'Europe for Citizens' of the European Commission.
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Legal deposit: B27726-2017
ISSN: 2565-2923
ISSN (online): 2565-2931

SUMMARY

Credits

Observing *Memories*

Magazine of the **European Observatory on Memories**
University of Barcelona's Solidarity Foundation

Fifth issue: December, 2021

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COVER PICTURE

"Aixafem el feixisme" ["Crush Fascism"]. Can Batlló, 2019. Mural painting and picture by Roc Blackblock. Based in the original picture by Pere Català Pic. The work is part of the project "Murs de Bitàcola" (Log walls): europeanmemories.net/projects/murs-de-bitacola-log-walls/

EDITORIAL

Our *Observing Memories* magazine has reached its fifth edition. It has been another complex and complicated year owing to changes in cultural relations, academia and the scheduling of public events and activities. Nevertheless, at the European Observatory on Memories (EUROM) we have managed to keep all our activities, some of which have changed to an online format while others have begun to take place face to face. In addition, we have continued to network with many of our partners and collaborators on issues concerning memorial heritage, public memory policies, and many of the most topical debates surrounding uses of the past. In this regard, and especially after the summer, we have been able to take part in seminars, study trips and include young students and researchers therein. We have also worked hard to maintain our annual publication which enjoys the collaboration of illustrious international specialists.

This magazine adheres to our approach every year, providing a crosscutting analysis of various subjects surrounding education, research, memorial museums or places of memory, transmission and new contributions by experts as well as some of our initiatives. However, the core issue we have sought to explore in detail revolves around negationism, revisionism and what we understand as memory-based relativism. Relativism in a global society that witnesses the development of various forms of denying the barbarity and violence of the 20th century, beginning with the Holocaust, but not only that. The idea is hardly a new one and some experts claim that the new media, political and even academic approaches adopted by those who deny the history of deportations, mass crimes, State crimes and the barbarities of the various dictatorships cling to contemporary digital technology and to today's more right-wing or ultra-right nationalist political trends.

We wished to share the concern over this debate with some of our other network partners and we would like to push for more seminars next year. It is not just a European phenomenon, but also a global one. Talking to our French friends at the Maison d'Izieu – Memorial to the Exterminated Jewish Children, we set out to continue the work they have been undertaking for years to pursue justice against those who perpetrated the crimes and some of those who deny them. We have also established a line of collaboration with our colleague Verónica Torres, from Memoria Abierta. Together with the Latin American and Caribbean Network of Sites of Memory (RESLAC), she shall initiate a permanent programme that also addresses relativism in the framework of other countries in the world and other memories,

such as Latin American dictatorships. At this delicate time of multiple crises (not just health-related), we therefore felt that our in-depth perspective had to focus on the ease with which the past is trivialised and how it is used to deny or relativise genocides or State crimes.

In 2016, the film *Denial*, about the trial of historian Deborah Lipstadt and denialist David Irving, was brought to the big screen. Historian Richard J. Evans, who participated as a specialist on the Third Reich, tells us about the ins and outs of the trial, which took place in 2000, and his impressions of the film directed by Mick Jackson. At issue here is no longer just the relationship between history, memory and justice, but how it was translated to the big screen. Furthermore, we move from traditional negationism to the revisionism and relativism of the new far right. We do so alongside historian Federico Finchelstein, who analyses how the latter is capable of subverting the law, paradoxically in the name of the law.

The year 2021 marks the 60th anniversary of another trial, in this case, the Eichmann trial. For historian Annette Wieviorka, this trial marked the advent of the witness. We discussed this subject with her, as well as the role of the witness today and other issues in the interview we are publishing this year.

Marie-Claire Lavabre tells us about the memories of communism in Europe and the complexity of their analysis, either because of the political uses resulting therefrom, their social dimension (the memory of shared experiences that remains among different groups) or the historical distinction between Eastern and Western Europe. This distinction shall also be addressed by Sébastien Ledoux. He analyses the phenomenon of "memory laws" based on their legal characteristics, the legal tradition from which they emerge and the specific context in which they developed.

The section with shorter articles features the personal insight of historian Ilko-Sascha Kowalczuk. He describes the social and cultural consequences experienced by the citizens of former East Germany as a result of unification or, rather, the manner in which it was carried out. Moreover, journalist and political scientist Emir Suljagić explains the need to inscribe the Srebrenica genocide in European history and memory, describing the role that the Srebrenica Memorial Centre has taken on. Archivist Gustavo Meoño tells us, as a result of the declassification of American documentation, how the US Government, since the 1940s, has intervened through various operations in Guatemala's policy that violated the human rights of its population. Finally, historians Nuraini Juliastuti and Carine Zaayman, through a visit

to the Dutch National Museum of World Cultures, analyse the contents of one of its exhibitions from a personal and decolonial perspective.

This year, the magazine also features reviews by historian Vanessa Garbero surrounding a recent publication on the Francoist executions in Madrid and the memorial conflicts that have arisen therefrom; and historian David González, on how the Spanish Civil War and the Franco dictatorship are dealt with in textbooks. In addition, the magazine presents an article by Alejandra Naftal, executive director of the ESMA (School of Navy Mechanics) Memory Site Museum in Buenos Aires. She puts the space forward as a UNESCO World Heritage Site candidate, a campaign that we advocate for and wholeheartedly support.

Finally yet importantly, in the section dedicated to our partners, Elma Hašimbegović, director of the History Museum of History of Bosnia and Herzegovina, delineates the objectives, contents and characteristics of this space, its evolution and the different transformations it has undergone over time.

Concisely, we hope that your reading of the various articles contained herein will prove enlightening and foster reflection, analysis and learning, which is our overarching goal. As always, we would like to extend our heartfelt thanks to the authors for their collaboration, having shared projects and friendships with some of them. Our warmest gratitude also to the EUROM team that has made this edition possible and to the other members of the Fundació Solidaritat, without whom this volume would not have proven possible. Health and happy reading to you all.

Jordi Guixé
Director of the European Observatory on Memories

DEEP VIEW

Denial: Thoughts on a Movie, Memories of a Trial

Richard J. Evans
Regius Professor Emeritus of History
University of Cambridge

There are plenty of movies about the Holocaust, but it's rare to have one about Holocaust denial. One such film, however, was *Denial*, released in 2016 and directed by Mick Jackson, best known for *Volcano* and *Bodyguard*, both made in the 1990s. It starred the well-known British actors Rachel Weisz, Timothy Spall and Tom Wilkinson, and it focused on the civil action for libel brought before the High Court in London in the year 2000 by the writer David Irving against the American academic Deborah Lipstadt over the allegation she made against him in her book *Denying the Holocaust: The Growing Assault on Truth and Memory*, published in the UK in 1994. Lipstadt had called Irving a Holocaust denier and a falsifier of historical evidence. Irving issued a writ for defamation, claiming this damaged his reputation and thus affected his livelihood as a freelance historian.

Over three months, from 11 January to 11 April 2000, the case was fought out between Irving, who represented himself, and the senior barrister Richard Rampton QC, instructed by the solicitor Anthony Julius, who had previously won fame as Princess Diana's lawyer in her divorce from the Prince of Wales. The parties had agreed that the trial should be held before a judge alone, since the issues were too complex for a jury to grasp. Lipstadt's defence relied on what is called 'justification', that is, her book was indeed defamatory but everything it said about Irving was true, an absolute defence against a libel suit in English law.

The defence relied mainly on expert witnesses, of whom I was one. My task was to go through Irving's work with a view to seeing whether Lipstadt's allegations were justified. As well as obtaining copies of his numerous books in English and German, the defence also obtained a court order obliging Irving to 'discover', or in other words make available, audio and video recordings of his numerous speeches, his correspondence with publishers, his research notes and much more besides. To cope with this enormous mass of material,

1. Based on the acclaimed book Denial: Holocaust History on Trial, Denial (2016) recounts Deborah E. Lipstadt's (Academy Award® winner Rachel Weisz) legal battle for historical truth against David Irving (BAFTA nominee Timothy Spall), who accused her of libel when she declared him a Holocaust denier

I used the services of two of my research students, who were paid at an hourly rate by the defence, as indeed I was myself. Preparation for the trial began in 1997, and with the aid of a sabbatical as I moved from my professorship in London to a new post in Cambridge, and with the help of my researchers, I completed an independent 740-page report in July 1999. In it, I found Lipstadt's charges against Irving fully justified; I was cross-examined for 28 hours by Irving in court, and successfully defended my report throughout.

The judge ruled against Irving and Lipstadt was vindicated. Irving had bent the evidence to fit his prejudices, manipulating and falsifying historical material to support his Holocaust denial, that is, his belief that only a small number of Jews were killed in World War II, not six million, the commonly accepted figure; that there was no plan or programme to kill them, they were just casualties of war; that Hitler did not know about the Holocaust, or alternatively, if he did know, he tried to stop it; that gas chambers were not used to murder Jews; and that the evidence for the Holocaust was invented by Jews after the war. Costs were awarded against Irving, though he then declared himself bankrupt so did not have to pay them. Irving asked for leave to appeal, but in a separate hearing before three judges his request was denied.

Media interest in the case was intense, though mostly it focused on the verdict. While the trial was in progress, most newspapers found the proceedings too tedious and too complicated to follow, not least because they involved extensive documentation in German, and editors were anxious not to say too much in case Irving won. With the verdict in their hand – a detailed 350-page ruling on the case by the judge – they could go to town and call Irving a liar and a cheat. The massive press and media coverage provided an extensive lesson for the public in the history of the Holocaust and the dishonesty of those who denied it. Although the trial was about what Irving had written in his study and said on his speaking tours and not what happened at Auschwitz and elsewhere during the war, the implications were unavoidable. It was a crushing defeat for Holocaust denial.

Small wonder, then, that television directors and filmmakers began to think about how to put it onto the screen. The first attempt, *Holocaust on Trial*, was made for PBS in America while the trial was in progress, using dramatizations of the daily trial transcripts, archive footage, and 'talking heads', i.e. historians of the Holocaust, such as Richard Overy and David Cesarani. It was very much instant history, made without a great deal of reflection. A second television film, *History on Trial*, made for BBC-2, was more successful, though it followed very much the same formula. Some care was taken to ensure the actors roughly resembled the real-life people they played. I was phoned up by the production team in advance, for example, and asked about my height and weight, my age and the colour of my hair). I was played by the British actor Michael Kitchen, whom I encountered by chance in a London café a few months later ('I hope I played you to your satisfaction', he said: 'You played me far better than I played myself', I replied: 'You could rehearse the lines, while I only had one go at delivering them when I was in the witness box').

The documentary style, however, would not do for a commercial movie to be shown in cinemas. This had to be a full-scale dramatization, and this is where the trouble began. It is notoriously difficult to make a courtroom drama work, particularly after the success of 1954's *Twelve Angry Men* – and the Irving-Lipstadt trial hadn't even had a jury to enliven the proceedings. An attempt was made by Sir Ridley Scott, a leading Hollywood director, with huge successes such as the *Alien* franchise to his name. Scott engaged Sir Ronald Harwood, an experienced playwright and screenwriter to produce a screenplay. Harwood had won an Oscar in 2003 for *The Pianist*, a Holocaust drama, and seemed the right man for the job. But the screenplay he produced was still too much of a courtroom drama for Scott, who passed it over to Nicholas Meyer, a Hollywood 'script doctor', novelist and film director, to see if it could be improved. It seems that it could not, at least not to Scott's satisfaction, so it joined the long list of unrealized projects gathering dust on the shelves of Hollywood's movie producers.

The problem was that a movie needs a character or characters for the audience to identify with, and there just wasn't one. It was only when Deborah Lipstadt published her own, very personal account of the trial in 2005 that one became available: the defendant herself. The case was picked up by Sir David Hare, an experienced playwright, film and theatre director and twice-Oscar-nominated screenwriter. Hare had long been interested in the Nazi period and the Holocaust, and he began adapting Lipstadt's memoir *History on Trial: My Day in Court with David Irving*, for the screen. As part of the preparation, he interviewed most of the major players, including myself. In a two-hour interview in my Cambridge office, accompanied by a note-taker, he went over the case with me, always looking for an interesting angle and colourful details. As he left my office, he turned to me and remarked: 'Everyone I've talked to sees the case differently'. This led me to believe he was considering an approach to Kurosawa's classic film *Rashomon*, where each character has a radically different memory of a crime they have witnessed or participated in.

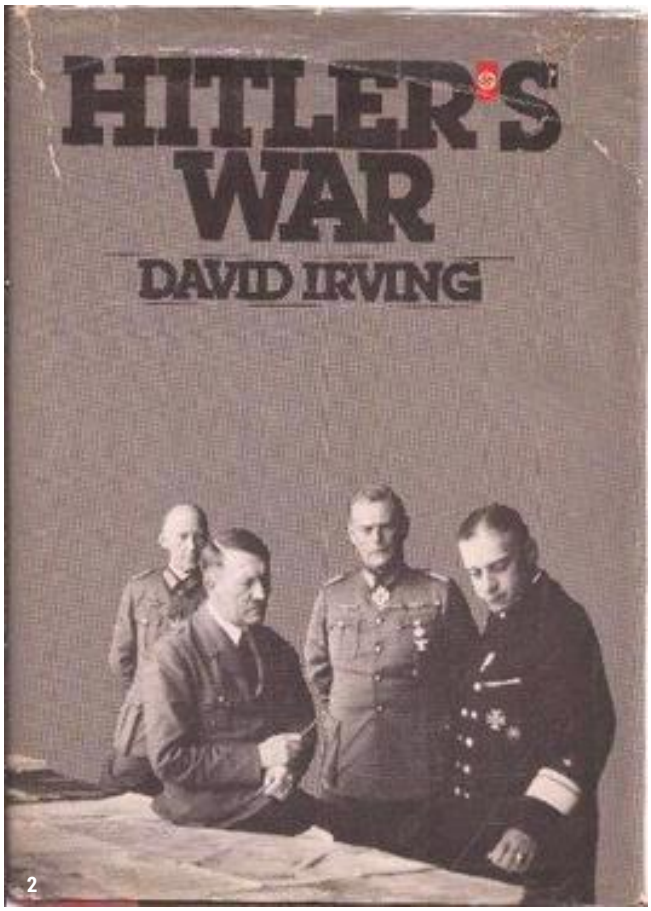
Given his many other commitments, it is not surprising that it took Hare several years to complete the project, generate the funds needed to carry it through, get a movie company to take it on, and

find a distributor. More time was inevitably taken up by the casting process, location identification, set construction and all the other business generated by a major commercial movie. Filming began in 2015, and in 2016 *Denial* was completed and presented to the public. As it turned out, it wasn't a reworking of *Rashomon* at all, but a relatively straightforward chronological account. The movie received respectful reviews; box office receipts narrowly failed to cover the costs of making it. For someone who was involved in the action almost from the start, and who attended the great majority of the 35 days that the case was heard before the High Court in London, the interesting question was how accurate the movie was in its portrayal of the character, the action and the issues at stake.

Filmmakers inevitably have to make compromises with the truth when turning an historical event into a drama: that is why the phrase 'based on a true story' occurs so often in the credits of movies that follow historical reality. Actual history is messy, complicated, full of confusing twists and turns, and often not very interesting: a movie has to smooth it all out, reduce the plethora of characters to a manageable number, and make sure the audience understands them from the outset issues and grasps the nature of the issues at stake. Equally, however, it is important, particularly when dealing with such a sensitive subject as Holocaust denial, that the filmmakers do not depart too radically from what actually happened in the effort to inject an element of drama into the proceedings and keep the audience interested.

The first of these compromises happens in the movie when Irving turns up at a lecture delivered by Lipstadt in her home university in Atlanta, Georgia, and stands up in the audience to deny the Holocaust and offer a large sum of money to anyone who can prove to his satisfaction that it actually happened. Irving actually did make this offer, but not to Lipstadt, not in Atlanta and not in the 1990s but some time before. Still, the offer, which was of course merely rhetorical because there was no way he was ever going to admit its conditions had been met, plays a useful, perhaps essential role in the movie by introducing Irving as a character and showing the audience what he was like and what he believed.

Irving is played by Timothy Spall, who is about as physically unlike Irving as you can get: he is short, whereas Irving is tall; he played Irving as weaselly and insinuating, whereas the real Irving is loud, bulky and overbearing. The casting directors indeed did not make much of an attempt to have the actors resemble the real-life people they were playing, though they did give Rachel Weisz a red wig to match the colour of Deborah Lipstadt's hair, and she also painstakingly learned to speak with Lipstadt's accent, which originated in the Queen's borough of New York. Spall made up for in thespian energy what he lacked in physical stature.



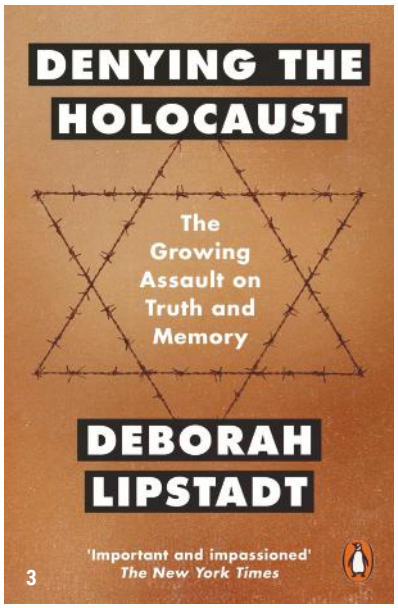
2. Cover of the first edition, 1977 | Wikimedia Commons

Similarly, Tom Wilkinson is taller and bulkier than Richard Rampton, the defence barrister, but went some way towards capturing his scholarly demeanour and his rhetorical clarity. The scene in the movie where Rampton goes to see Deborah Lipstadt in her London hotel room is entirely invented, but is part of the movie's (largely successful) effort to give the characters a more human dimension than would be possible if the film had been largely confined to the courtroom. Rampton was indeed genuinely moved in many different ways by the case, in particular by the contrast between the appalling sufferings of the Holocaust victims, and the callous appearance presented by Irving's denialism.

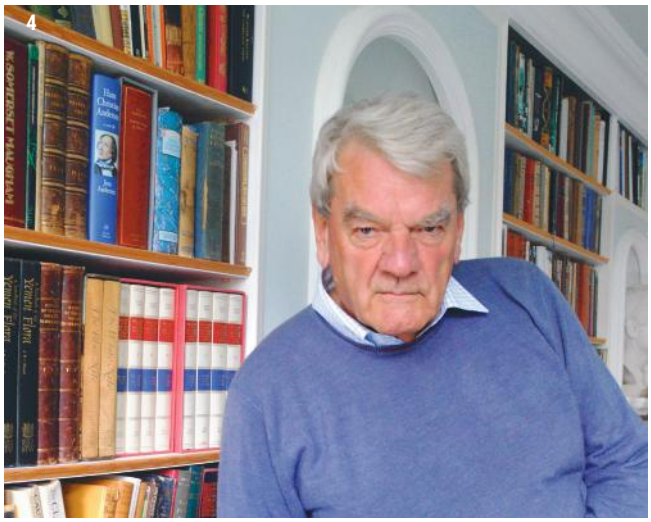
Movies can't afford to have too many characters or it becomes impossible in a two-hour or slightly over two-hour performance to give depth to any of them, so the other expert witnesses, testifying to the actual evidence for the Holocaust that Irving was alleged to have falsified, and to Irving's ties to extreme right-wing politics, were cut out of the picture. On the other hand, there were some new characters too, including a friend of Lipstadt's in whom she confides her feelings about the action, and a Holocaust survivor, Vera Reich, played by Harriet Walter, inventions that serve to dramatise the issues in a directly human way.

There were in fact quite a few Holocaust survivors in the courtroom's public gallery, who had turned up their shirtsleeves to reveal the Auschwitz tattoo numbers on their forearms; the character of Vera Reich is a way of pointing up the fact that the defence decided early on not to call any survivors into the witness box even though some, represented by Vera, did indeed demand to be heard. Subjecting elderly people to a man, Irving, who claimed not to believe their experiences were real, and who would pounce, as he had done on other occasions, on the slightest lapse of memory to try and discredit them, would not have been ethical; but more importantly, the trial, unlike the Eichmann trial in Jerusalem decades before, which had relied heavily on survivor testimony, was not, as already noted, about whether the Holocaust had happened, but about whether Irving was a right-wing extremist who falsified the historical record of the Holocaust, and hearing survivor testimony would have taken attention away from this central focus on the claimant, undermining the defence case in the process.

Denial is very good at explaining clearly and convincingly both the peculiarities of English libel law, where in effect the defendant has to prove innocence rather than the claimant having to prove the defendant's guilt, which would seem on the face of it to be more just, and the thrust of the defence's strategy, which demanded that Lipstadt herself remain silent throughout the trial, despite the fact that she was desperate to speak in her own defence. As her solicitor Anthony Julius explains, putting her in the witness box would have taken the heat



3. In her famous book, Deborah Lipstadt shows how this irrational idea not only has continued to gain adherents but has become an international movement | Penguin Books



4. David Irving taken in London, 2012 | Allan warren, CC BY-SA 3.0, Wikimedia Commons

5. KKK members displaying the Nazi salute and Holocaust denial signs | ViralNova, CC BY-SA 3.0. Wikimedia Commons

off Irving; turning the tables so that the claimant becomes in effect the defendant and the original defamatory statements are amplified, repeated and backed up by overwhelming amounts of evidence, was the central objective of the defence. Moreover, the judge had ruled inadmissible Irving's argument, to which he clearly attached considerable weight, that Lipstadt was part of a global Jewish conspiracy to discredit him, and allowing him to cross-examine her would also have allowed him to bring that argument back into play.

By relying on expert testimony, the defence hoped to overwhelm Irving with evidence that proved he was a Holocaust denier and a falsifier of historical evidence, and the film sticks fairly close to the actual events in court when it shows Robert Jan Van Pelt stumbling in the fact of Irving's assault on the evidence he has assembled, when it appeared that the holes in the Auschwitz crematorium roof through which canisters of Zyklon-B were dropped into the room below, where the body heat generated by the crowded Jewish victims would turn it into a deadly gas, killing them all, could not be seen in the photographs taken from above. The film shows Lipstadt in despair at this turn of events, and indeed everyone in the defence was taken aback and wondering what to do. In the film it is only with difficulty that Lipstadt is persuaded that the experts will win out in the end.

And so the next day's proceedings in the movie open as I step into the witness box and proceed to rescue the situation with a detailed demonstration of how Irving falsified and deliberately misinterpreted a crucial document, which is cleverly projected in large lettering onto the wall behind me (it was not in the actual trial, of course), to show how it was written in the old German script, known as *Sütterlin*, indecipherable to anyone who does not know, as Irving and I do, how to read it. This makes dramatic sense, and of course is very flattering to me, but it is grossly unfair to Van Pelt, who in further days of testimony redeemed himself and showed with absolute clarity and conviction that the holes in the crematorium roof were there even after the SS had blown the building up.

Where Van Pelt, an expert on the architecture, construction and operation of Auschwitz, presented testimony on these aspects of the Holocaust, and on Irving's distortion and manipulation of the evidence for them, my role, as I have indicated, was to go through Irving's writings and speeches to see whether they were falsifying the evidence in order to deny the Holocaust. Lipstadt's memoir *History on Trial* accurately presents me at the outset, along with my researchers, as undecided: none of us had in fact read Irving's work, which was popular history of a very empirical, or perhaps one should say supposedly empirical narrative kind – he was uninterested in the arguments and theories which are the stuff of undergraduate teaching, and so we had not even considered using them. But the movie presents us as 'out to get' Irving from the very beginning, which we were not. We simply did not know what we would find.

We decided to take the evidence for 19 events or groups of events which according to Irving presented the only reliable and proven instances of Hitler's attitude to, and role in, the Holocaust; every one of them, he claimed, showed Hitler was 'probably the best friend the Jews had in the Third Reich'. We parceled them out amongst ourselves and set to work. Every couple of weeks we would have a meeting to discuss our findings. These were truly exciting occasions, as Nik or Tom would come in waving some papers and saying 'you'll never believe what he's done here!' As we went steadily through the evidence, we uncovered case after case of sometimes quite subtle manipulation of the evidence, all adding up to an overwhelming indictment of his methods. The movie chooses not to convey this sense of excitement and to a degree misrepresents our attitude, worryingly conveying the misleading impression that we were already biased against Irving even before we started work on the case. We were not.

My own task also included assessments of whether Irving had a good reputation as an historian, a point which formed a significant part of his case, though in the end, for reasons I found hard to fathom, the judge ruled this irrelevant to

the matter in hand; and, more importantly, whether or not he was a Holocaust denier. At one point Irving claimed that he was not a Holocaust denier because the Holocaust had never happened, and how could you deny something that didn't exist, but the circular nature of this argument was obvious to everybody, and so it was disregarded. Much more important was the fact that he agreed with our definition of Holocaust denial, a definition extracted from the Holocaust denial literature that formed the basis of Lipstadt's book *Denying the Holocaust*. This made it relatively easy for me: all I had to do was to comb through the material and find statements that conformed to the definition. I could also show that Irving's Holocaust denial had hardened and become more extreme over the years, for example by comparing the first edition of *Hitler's War* (1977) with the second (1992), where references to Auschwitz as an extermination centre had been replaced by its designation as a 'labour camp'.

We also decided to go through Irving's successive accounts of the Allied bombing of the Baroque city of Dresden in February 1945 as a kind of 'control', to see if he falsified evidence when he was dealing with subjects other than Hitler's role in the Holocaust. This turned up a real gem. Irving clearly intended to present the bombing raids as morally and historically a crime equal to that of the Holocaust, so we found successive instances in his work of inflation of the statistics of deaths in the bombing, including, almost unbelievably, his use of a document he had a few years before dismissed as a falsification – a police report on the bombing giving the number of dead as 25,000 to which Joseph Goebbels's Propaganda Ministry had added a '0', making it 250,000, in order to impress neutral opinion and perhaps persuade some country such as Sweden to intervene to try and bring the war to an end before Germany was totally defeated. There were many other falsifications in his account, including the claim that Allied fighter planes had strafed people fleeing from the scene, along with a wholly unsubstantiated claim that there were hundreds of thousands of refugees in the city at the time of the bombing.

The movie, obviously, had to leave out the great majority of the subjects we dealt with. It needed to be economical with the details, or audiences would soon get bored. It also needed to find imaginative ways of conveying the issues at stake. The courtroom proceedings consisted mostly of hours of tedium, interrupted only by brief moments of high drama. To bring out the issues with greater clarity, the film uses another character, Laura Tyler, a young paralegal assistant to Anthony Julius, played by Carmen Pistorius. Tyler was, and is, a real person, but while she mostly worked behind the scenes the film foregrounds her by showing her in conversation with her boyfriend Simon discussing the trial at various points, bringing a bit of youth and glamour into a movie peopled mostly by the middle-aged. The defence team also travelled to Auschwitz itself, for a guided tour by Van Pelt, another excursion beyond the courtroom walls which served the dual purpose of showing the actual location of the crimes Irving denied, and providing Rampton with the evidence with which to attack one of Irving's key claims.

Towards the end of the trial, the judge, Sir Charles Grey, alarmed the defence team by asking Rampton whether he thought Irving was sincere in his Holocaust denial. There was, to be sure, an element of the naughty schoolboy in Irving's

6. Deborah Lipstadt portrait | United States Holocaust Museum

demeanour, cocking a snook at the Establishment and presenting himself as a kind of contrarian almost for its own sake. But, as Rampton reaffirmed, and the judge accepted, there was no doubt that Irving was a genuine racist, anti-Semite and Holocaust denier: so sincere was he, indeed, that he thought he was entitled to manipulate the evidence to conform to his own inner beliefs. Grey's question was genuinely puzzling, and creates a moment of some drama in the movie.

Another incident towards the end of the court proceedings, was not included in the film, and that was when Irving inadvertently addressed the judge as *'Mein Führer'*. As the courtroom dissolved into laughter, and even the judge could not stop a wintry smile passing fleetingly across his face, I could scarcely believe what I had heard. Had he really said that? A few days later, back at my office in Cambridge after the trial had ended, I received a phone call from a psychiatrist who told me he was working on Freudian slips. Had Irving really said *Mein Führer?* he asked. Well I thought so, I said, though I found it rather unbelievable. Yes, the psychiatrist said, he had asked the judge (who was unusually forthcoming on such matters) and Grey had told him that Irving had actually mumbled an apology amidst the general laughter. How did he explain the slip? I asked.

His theory was that Irving, born in 1938, had been traumatized by his father's departure for the war to fight against Hitler, as his mother must have told him, and was so angry that he adopted Hitler as a father-figure. At the age of four, his brother recalled him rendering a Nazi salute to German bombers as they passed over their Essex home on their way to bomb the London docks. For Irving, Hitler was a kind of benign authority-figure, and so too was Mr Justice Grey, who had indeed been exceptionally kind to him during the trial, suggesting questions to ask the witnesses and complimenting him on his knowledge of the law (so as to head off any possible appeal by Irving on the grounds that as a litigant in person without the benefit of legal representation or assistance he was at a disadvantage when confronting an experienced QC such as Richard Rampton). In the excitement of delivering his closing statement Irving had confused the two men and addressed the judge as Hitler.

7. Auschwitz Memorial Museum | EUROM

However plausible this might have seemed, it was clear that the filmmakers considered the incident too undignified and, on the screen at least, too inexplicable to show, and so it was omitted, along with many other dramatic moments in the proceedings. The film in general stuck commendably to both the spirit and the letter of the case. The issues at stake were serious ones, and by showing them from Lipstadt's personal perspective, David Hare and the director Mick Jackson helped audiences identify with the fight against Holocaust denial that Lipstadt was waging. It conveyed complex legal and historical issues with admirable clarity, and it made clear that the court's decisive ruling against Irving had underlined in detail the fact that Holocaust denial necessarily depended on the falsification of history and the manipulation of the documentary evidence.

It was also – and this does not come through strongly enough in the movie – a victory for freedom of speech. Some commentators thought that Lipstadt, along with Anthony Julius and his legal team, was trying to silence Irving. The reverse was true. Holocaust denial was, and is, not illegal in the UK. It was Irving, as a Holocaust denier, who was trying to silence Lipstadt. Had he won, she would have been forced to withdraw her book and the publisher would have been obliged to pulp all the copies in its possession. Bookshops would have been open to litigation had they stocked it on their shelves – and indeed the original Statement of Case by Irving had included four bookshops along with Lipstadt and her publishers, among the defendants, though mention of them was withdrawn before the trial began. No publisher would have dared to bring out any book or article criticizing Irving, saying he was a Holocaust denier, or claiming Holocaust deniers told lies. It would have been a disaster for freedom of speech.

8. Permanent exhibitions at the Auschwitz Memorial Museum | EUROM

As it was, a publisher who produced a British edition of a book in which an American historian, John Lukács, writing some time before the trial, accused Irving of denying the Holocaust and distorting the evidence, bowdlerized the text by softening the criticisms of Irving before bringing it out in the UK, and my own book on the case, already published in the USA, was rejected by six British publishers on the grounds that it risked incurring a libel suit from Irving, who was writing to publishers warning them that he would sue if they published it. Eventually it was brought out by a small left-wing publishing house, Verso, who, when asked if they were worried about being sued, replied that they would welcome a libel writ from Irving because it would give them publicity they badly needed.

The trial, the books that came out of it (including the 350-page court judgment), and the movie *Denial*, struck an important blow against Holocaust denial. Irving had been taken seriously as an historian before the trial, but this was no longer the case afterwards. But while it discredited Holocaust denial amidst an international blaze of publicity, its effects did not last long. The rise of the Internet and especially social media has given Holocaust denial a new lease of life. The struggle against it continues.

DEEP VIEW

The Fascist Destruction of Legality. *Then and Now.*

Federico Finchelstein
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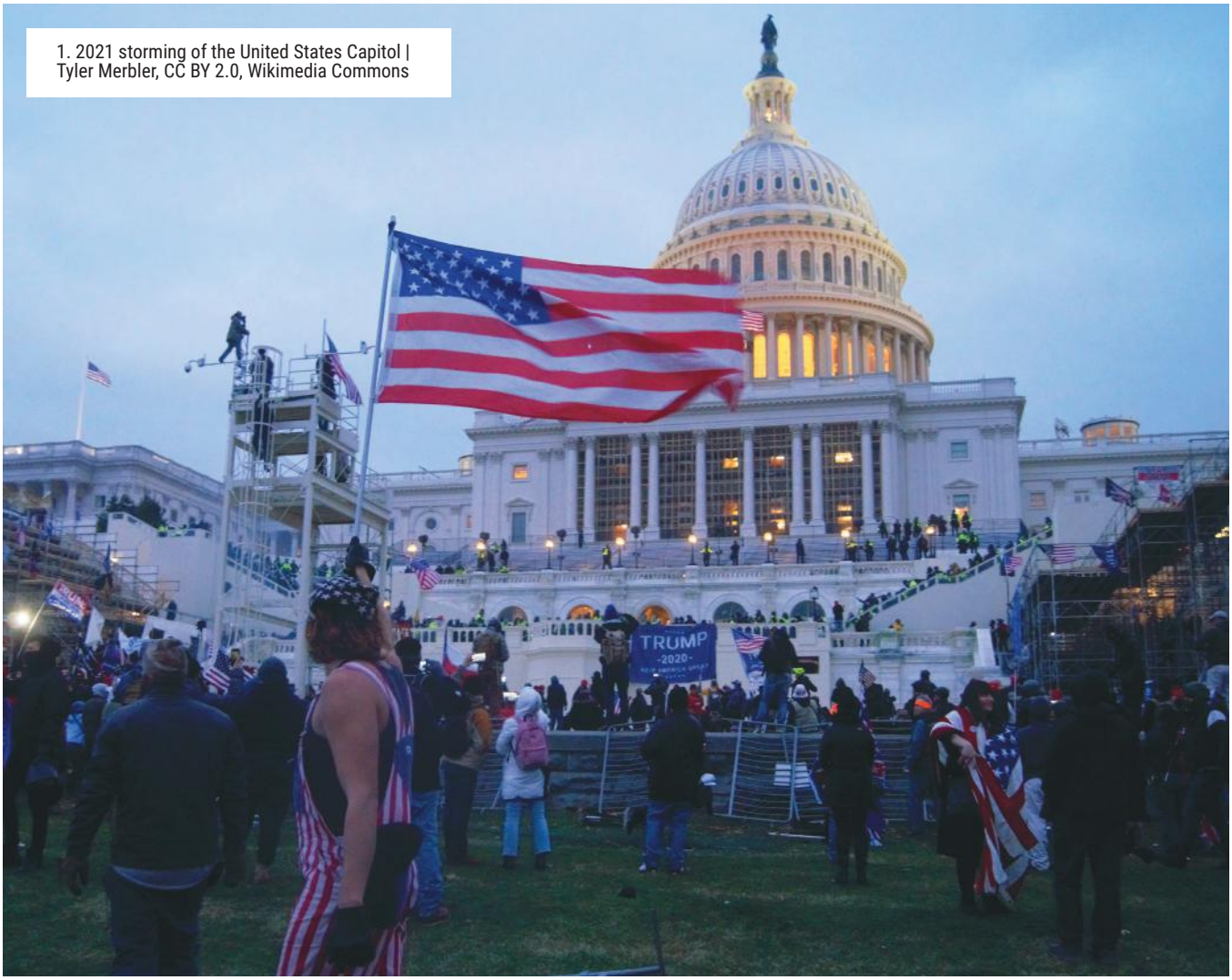
It would seem as if authoritarians and post-fascists have a long memory of previous destructions of democracy but they also want to differentiate themselves from the fascist past. And yet, they are actions present troublesome continuities.

They perform a new sort of revisionism. This reflection presents a historical perspective on the attempts of the current aspirants to fascism to subvert the legality in the name of the law. And they do so by denying the history of legality that eventually defeated and judged their predecessors. Why do populist leaders want to forgive or displace the actual history of Nazism? Because as these leaders draw from the well of fascist ideology, rhetoric and tactics, they have to neuter the history of fascism to normalize their politics. Revising the history of fascism then renders it mythical rather than historical, presenting the fascism of the past as not that bad — or not even fascism at all.[1]

Donald Trump's past and ongoing attempts to use the law to subvert the law should not be taken lightly. The same goes for his escape from any legal repercussions for his actions during a failed coup in January 6th of 2021 and the dubious claims that he should be shielded from legal investigation as recently claimed by Jeffrey Toobin and before him by James Comey and many others. This failed leader escapisms from the law are harbingers of democracy's demise if they go unchallenged. These attempts to escape the law threaten to stand as harbingers of democracy's demise and must not go unchallenged. And they are already having global repercussions.

Across the globe, wannabe fascist leaders understand that democracy fails if the law does not apply to them. This applies to electoral results as well as the treatment of enemies.

1 See Federico Finchelstein, *A Brief History of Fascist Lies* (Oakland: University of California Press, , 2020).



1. 2021 storming of the United States Capitol | Tyler Merbler, CC BY 2.0, Wikimedia Commons

Many years ago, General Juan Peron, the populist leader of Argentina said, "to our friends we give everything but to our enemies not even justice should be given." Peron meant that enemies should be considered outside the legal system. Peron was probably being playful with an apocryphal sentence attributed to Mexican General Benito Juarez who is supposed to have said, "to my friends justice and grace apply, but to enemies we give the Law."

Strikingly, in our times these ideas are applied by leaders who put themselves above the law and want to use the law and the democratic system to destroy from within. In the United States, Republicans that voted twice against Trump's impeachment in Congress for treasonous acts as well as for a coup attempt, want to use the impeachment procedures against President Biden for his arguably messy retreat from Afghanistan. And to the south... in Brazil, the tension between President Jair Bolsonaro and Brazil's top court have reached new highs after the Brazilian, nicknamed the "Trump of the tropics," asked the senate to impeach a supreme court justice who's targeting him and his allies for alleged attacks against democracy, namely preemptively denouncing fraud and delegitimizing the future of elections.

2

In this context, recent news of Trump's past attempts to use the Justice Department to steal the election adds one new layer to the ongoing story of a defeated leader who would do anything to stay in power. Totalitarian lies, coups and full disregard for the constitution are part of the history of fascism but also of recent histories of authoritarianism. In terms of subverting the legal system Trumpism and its allies in the GOP reengaged with this politics of the fascist past.

To be sure, abusing the law is not exclusive of fascist regimes. Indeed, norms and politics do not always go hand in hand. But every time the law is absolutely subjected to the discretion of political leaders, democracy suffers or is destroyed.

This distortion of legality for the sake of the legitimacy of politics is not a new phenomenon.

For example, the first coup in the history of modern Argentina shows how easy it was to justify the most absolute illegality in legal terms. When General José Félix Uriburu made his fascist inspired coup on September 6, 1930, he only had to resort to his de facto power to varnish his dictatorship with a legal framework.

Can we think this would have been the most recent case in the United States with the Trumpian self-coup attempt on January 6 of

2. President of the United States Donald Trump speaking with supporters at a "Make America Great Again" campaign rally at Phoenix Goodyear Airport in Goodyear, Arizona | Gage Skidmore, CC BY-SA 2.0, Wikimedia Commons

3. Bolsonaro with US President Donald Trump in White House, Washington, 19 March 2019 | Isac Nóbrega, CC BY 2.0, Wikimedia Commons

this year if it became successful? Probably not, a difference with the Latin American past is that in the United States the armed forces and other powers did not support the coup. Neither did the majority of the American population. In this sense, a Trump dictatorship would have been a de facto regime devoid of legal cover.

In contrast, in Argentina in 1930 this theft of democracy was "legalized".

The Argentine Supreme Court, days after Uriburu took office, officially recognized the de facto situation and legitimized the coup for extra-constitutional reasons: the stability and survival of the republic. Argentine judges prioritized social order and political security over democratic legitimacy, setting a legal precedent for future Argentine dictators and also for some cases of democratically presidents (think of Nayib Bukele in El Salvador or Narendra Modi in India) who regard the law is merely ornamental when it goes against their violence and repression. This is not what the Brazilian justices seem to think and this is why Bolsonaro attacks them.

When the courts are not enablers and facilitators democracy can be better defended. We saw this in the US with the failure of Trump's dubious legal strategies regarding the certification of elections but still Trump has not faced justice for the insurrection.

We see a similar danger in Brazil where the higher courts oppose the threat of a fascist-style Bolsonarist coup next year, but the armed forces and other state institutions seem to maintain an alarming ambiguity about the fascist dangers of bolsonarismo.

In the Argentine case the justice system forgot its role and accompanied the de facto power from the beginning. It was also in the 1930s that Carl Schmitt, the infamous legal theorist of the Nazis presented his dangerous idea that legitimacy stands above legality.

In Nazi Germany, Adolf Hitler represented himself as "the supreme judge of the nation." Schmitt, stated in 1934 that the Führer was the embodiment of the "most authentic jurisdiction". Schmitt had careerist and ideological intentions. Schmitt ended up becoming a full-fledged Nazi by legitimizing the Führer with his legal personality and ultimately giving legal cover to the fascist idea that the leader is always right.

For him, if a government is popular it is therefore "legitimate" and this why legitimacy is more important than the preexisting legal framework. This theory led Schmitt to argue that the leader's word is the source of law and that defending order has extra-constitutional legitimacy.

In fascism, the discretionary power of the dictator prevails over the rule of law.

4. Carl Schmitt in 1904. Source: Paul Noack, Carl Schmitt - Eine Biogra | Public Domain, Wikimedia Commons

5. Juan Perón (left) with the dictator José Uriburu (waving in the right car). Coup d'état of 1930 | Public Domain, Wikimedia Commons

Like Schmitt, the ambitious conservative who tried to ingratiate himself to Germany's new masters and their reactionary form of modernism, most jurists, prosecutors, judges, and public officials under Nazism accepted Hitler's transformation of the legal system. Uriburu had the same intentions as Pinochet or the generals of the Argentine Military Junta had in the 1970s and early 1980s. The same can be said of governments that destroy democracy such as those of Nicaragua, Venezuela or El Salvador or aspiring fascist politicians in countries like Italy, Argentina, Peru, Spain. Like Trump, the latter glorify violence, blatantly lie and believe their own lies and deny science (from vaccines to climate change), make hatred and demonization the axis of politics, and pretend that their personal or even family interests are more important than the constitutional framework.

As with past examples of fascist leaders, these enemies of freedom, democracy and the law are the first to present themselves as its defenders.

All these examples, and especially Trumpism, illuminate the worrying actualization of an anti-democratic tendency (anti-constitutional and anti-liberal) of those who think that power and the legitimacy of power authorize them to exist above the law. In the name of "Law and Order" legality is destroyed. Democracy could be next.

INTERVIEW

Annette Wieviorka

"The writing of history is only a matter of democracy"

1. Annette Wieviorka, 2012 | © Claude Truong-Ngoc / Wikimedia Commons

Annette Wieviorka is Research Director Emeritus in the **Center National de la Recherche Scientifique (CNRS)**. A world-class expert in the Shoah and Jewish history, her work has been translated into several languages. Her research on the deportation and genocide of the Jewish people in France, and the role and evolution of the figure of the witness in history, are unquestionable references in memory studies. In the following pages, we talk to her about denialism and revisionism, the role of the witness today, justice, the teaching of history, and the last resolutions passed in the European Parliament, among other topics.

1. This year, Observing Memories wished to address negationism and its evolution in the Europe of today. Despite the historical research that refutes the phenomenon, negationism persists and takes on different forms and in different countries. What keeps it alive? How can it be tackled to bring about its eradication?

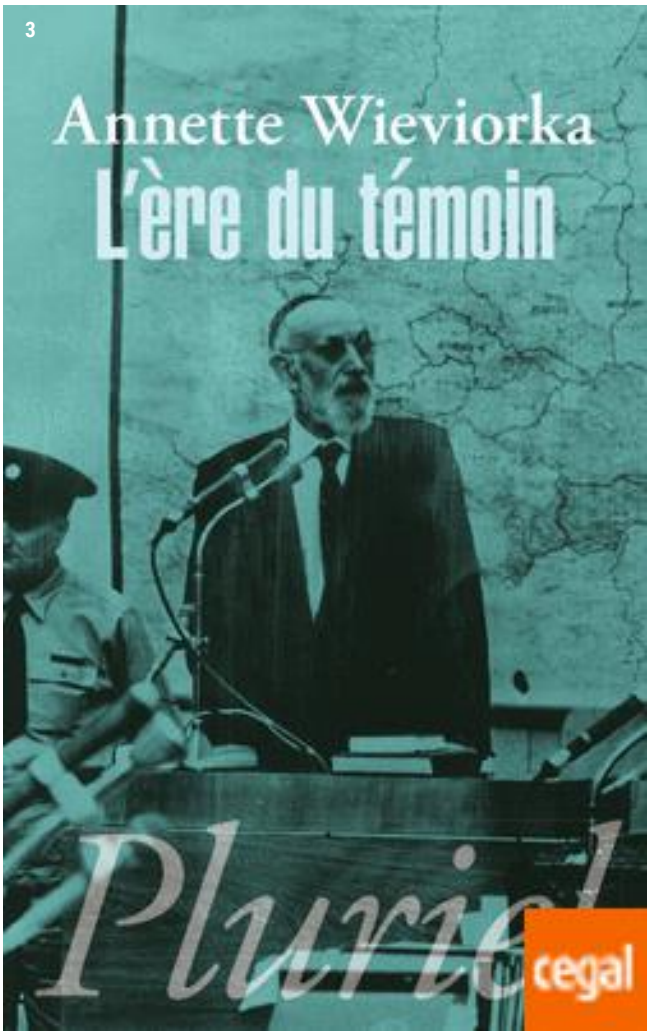
I think that negationism in the narrow sense of the term – denying the existence of the gas chambers and thus the genocide of the Jews – has practically vanished from the public arena, with the disappearance of those who were its exponents, the foremost one being Robert Faurisson. Nevertheless, relativism has spread. This is palpable in the health crisis the world is undergoing. All over Europe, anti-vaxxers and anti-health pass advocates have sported yellow stars or hijacked the slogan *Arbeit Macht Frei* ["Work sets you free"], which would appear at the entrance of certain concentration camps, such as Auschwitz I. So everyone wishes to be a victim like the Jews during the genocide. All this is very worrying, because, in the end, it is infinitely more widespread, more diffuse and more difficult to counter than negationism.

2. The year 2021 is the 60th anniversary of the Eichmann trial, a watershed event that, as you explained, marked "the advent of the witness", their legitimacy, their recognition and their visibility in the public space. At the beginning of this issue, historian Richard J. Evans tells us about his personal experience in the Irving v Lipstadt trial, during which he wanted to dispense with the voice of the Auschwitz witnesses to protect them and prevent the trial from turning against him, as it did in the Ernst Zündel trial in Canada. What were the consequences of negationism in the era of the witness?

One of the consequences of negationism was the outrage of survivors who had never previously wished to testify. I am thinking in particular of Anne-Lise Stern, who went on to become a

2. Defendant Adolf Eichmann (inside glass booth) is sentenced to death by the court at the conclusion of the Eichmann Trial. At the left table seated with two persons, the person on the right (with white hair and headphones) is defense counsel Robert Servatius | Israeli GPO photographer. Public domain, Wikimedia Commons

psychoanalyst following her deportation and who introduced trauma issues into the analytical sphere after Auschwitz. Her writings have been collected in *Le Savoir déporté. Camps, histoire, psychanalyse* [Deported Knowledge. Camps, History, Psychoanalysis] (Seuil, 2013). The choice not to provide evidence through testimony in the Irving v Lipstadt trial is a smart choice. Those who survived generally do not have the necessary knowledge – or direct experience, needless to say, since they survived – to prove the existence of the gas chambers, and denial even sometimes dares to rely on this survival. What's more, as with any witness, especially so long after the events occurred, certain aspects of their testimony may be subject to criticism. On the other hand, in France, the Barbie (1987), Touvier (1994) and Papon (1998) trials for crimes against humanity made extensive use of witnesses, not to "substantiate" the claims but to make the suffering be felt. It also marks the entry of civil parties in trials that must somehow provide "reparations" for the victims. This is now not specific to Holocaust-related trials. The trial surrounding the November 2015 Paris attacks, currently taking place in Paris, is the best example of this.



3. A historical analysis of the relationship between testimony and history | Fayard/Pluriel

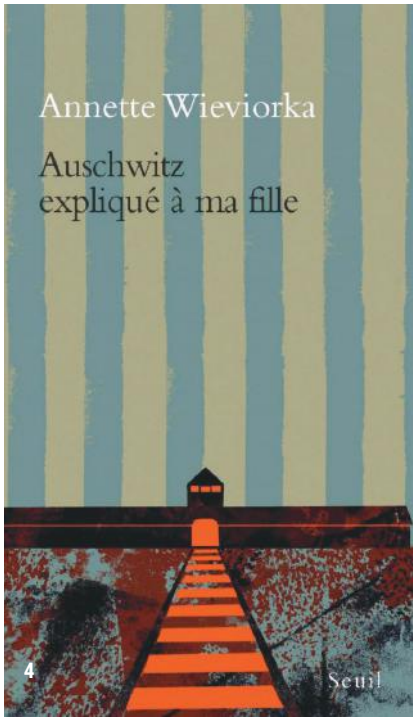
3. In *L'ère du témoin* [The Era of the Witness] (Hachette, 1998), you have performed a preliminary analysis of the approach, technological evolution and expectations brought about by the collection of testimonies of the Shoah, such as those undertaken at Yale University and the Spielberg Foundation. More than twenty years on, how do you rate these major projects?

Technological aspects are indeed crucial in this realm. There is an abyss between cameras that are cumbersome and costly, just as film and its processing was, and smartphones. There is also a huge difference between the images seen every week to the news footage that preceded films and television, and what each of us has in terms of footage.

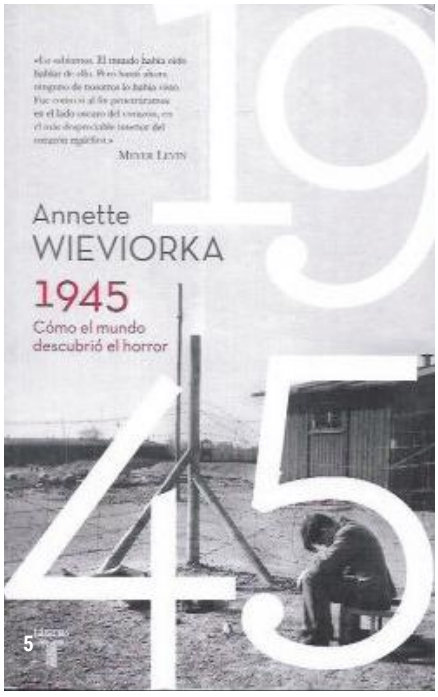
The major collections – the Yale and Spielberg collections in particular – made it possible to archive tens of thousands of survivor testimonies (in the broad sense of any Jew who lived under Nazi rule). Today, these women and men are no longer with us, and their testimonies are highly valuable for historians, educators and documentarians. This type of project is used for other events, such as the genocide of the Tutsis in Rwanda.

4. In one of your books, *Auschwitz Explained to My Child* (1999), you explain how the questions your daughter put to you were the same ones you asked yourself, but in other terms, questions that endeavour to explain how the Jewish genocide was possible. The world of education does the vital job of passing on the history and memory of the Shoah to new generations. In your opinion, what are the biggest difficulties these new generations face and what tools can they rely on to overcome them?

In this short book published in 1999, which is still used and has been translated into some twenty languages, I gave a history lesson intended for third-year students in conversational format. My daughter Mathilde gave her input; her rereading made it possible to elucidate what teenagers found difficult to understand. I also grouped together my students' questions (I taught for twenty years in schools and secondary schools before joining the CNRS [French National Centre for Scientific Research]). Teachers today face the same challenges – teaching history – in very different situations. The first element is obviously the passage of time. Students will no longer touch the number tattooed on the forearm of an Auschwitz survivor. Young people today have grandparents born after the Second World War, and what it was is no longer passed on in families. Taking the case of France, in particular the Paris region, many students come from non-European geographical areas that were not affected by the Second World War, or barely so. Lastly, the virtuous years, those that go from the fall of communism to the attack on the Twin Towers are behind us. In those years, the idea of a worldwide victory of democracy and human rights was widespread and the teaching of the history of the Shoah was an instrument. Since then, other subjects have come into the field of history and memory, notably slavery and colonisation, with a new lexicon (the emergence of words such as "racialised", "decolonial", "cancel culture" and, just recently, "woke").



4. Can we "explain" to a child what remains, in part, enigmatic? How do you get a young girl to understand today that the Nazis spent so much energy going to the four corners of Europe and exterminating millions of men, women and children, simply because they were Jews? | Seuil, 1999



5. "We knew. The world had heard about it. But so far none of us had seen it. It's like we've finally stepped inside the very folds of this evil heart." |

5. Public memory policies often create tools and spaces to help shape and strengthen civic values based on past struggles. But have these spaces fulfilled their purpose in such a digital, changing and diverse world? Should memorials be spaces for preventing democratic crises and possible rises of the extreme right?

A number of European countries are exemplary in this area. I am thinking of Germany and France in particular. Yes, memory policies have created a large number of instruments (especially commemorations) and memorials. However, in these very countries, we have witnessed the rebirth of an extreme right that sometimes aligns itself with Nazism. And above all, social networks divide society and disseminate hate speech and "fake" histories at great speed. It might be worse without public policies!

6. Based on your experience, do you believe a genuine interaction between memory and citizenship, academia and political institutions is possible?

At least that is what is attempted in democracies. But the "goodies" aren't on one side – that is, academics, the teaching world, political institutions –, and "baddies" – racists, anti-Semites and haters – on the other. There is a certain porosity between these stakeholders. And we have seen, with Poland and Hungary, how judicial or political institutions could topple. In Poland, our fellow historians – I am thinking of Barbara Engelking and Jan Grabowski in particular –, who have carried out considerable historical work on the past of their countries, have just been taken to court for one of their books. Luckily, they won their appeal. While we believed that Poland had faced its past, that it had eradicated anti-Semitism, we have seen that this was not the case. But the work undertaken cannot be completely erased.

7. In September 2019, the European Parliament adopted the resolution on "The importance of European historical memory for the future of Europe" (2019/2819 (RSP), a text which sparked great controversy, in particular between Western European memorial associations and academia because of the assimilation it makes between Nazism and Communism. What is your opinion on this subject?

Political resolutions, even European ones, do not intend to write history. When I vote for a member of parliament, whether French or European, or for the French President, I do not expect them to deal with history! Absolutely not! We have come up against this problem in France with memory laws. Putting Nazism and Communism on the same footing in the declaration disregards history. It is asserted that the German-Soviet Pact of 23 August 1939 was the root cause of the war. This is nonsense. Any secondary school student who has studied the march to war knows that this was one of Hitler's goals and that it stemmed from the Nazi plan for the conquest of "living space" and world dominion. Generally speaking, the writing of history is only a matter of democracy because it requires freedom and access to archives, which is generally a matter of law. Yes, it is important that organisations dedicated to history and memory, such as the Memorial in Russia, are able to work. That's not the case today. I also notice that in certain countries with former popular democracies – I am thinking of Poland and Hungary – the denunciation of communist crimes is accompanied by anti-Semitism.

8. What is your assessment of the European Commission's memory policies and what are the main challenges it faces?

It is difficult, if not impossible, to answer this question. I think the main challenges facing the European Commission are the maintenance of democracy in Europe, such as the independence of judicial systems, the fight against racism, anti-Semitism and homophobia and for the respect of human rights. And that memory policies are not separate from these issues.

6. Barbara Engelking and Jan Grabowski | © Jacek Dominski

Memories of Communism in Europe

Marie-Claire Lavabre
Emeritus Research Director at the **French National Centre for Scientific Research**

Addressing the memories of communism in Europe rather than the European memory of communism reveals a presupposition from the outset. Because, while today "memory", still missing from the vocabulary of European institutions in the early 1990s, represents a category of action intended to foster "European memory", memories of communism still seem to be manifold, whether ideologically informed, or whether referring to the relative heterogeneity of communist experiences in Europe. In fact, it is indeed the memories of communism in Europe that, for the past three decades, have spawned a wealth, if not a glut, of scientific, media and political literature. This is not surprising given the link that can be established between the enormous social changes that have brought the issue of memory in Western Europe to the fore since the late 1970s and the major upheavals that have affected Central and Eastern Europe, soon after to become known as "post-communist" Europe, since 1989. But this first solid observation must be unravelled because it instantly raises many questions. The first question undoubtedly invites us to agree on should be understood when it comes to considering social memory. Should the emphasis be placed on memories of a shared experience or on political uses of the past? The second question concerns the scales of analysis of this social memory: should we envision sub-national (generational or social belonging) groups, national groups (of historic experiences) or supranational or transnational affiliations or even a "global memory" or one in the process of becoming so? Lastly, should we highlight the role of memory in forging identity and cohesion or, on the contrary, in causing conflict? In turn, these questions open up gulfs of complexity as far as "Memories of Communism in Europe" are concerned. In this respect, unless the object is reduced to one memory of communism split according to an East-West divide inherited from communism and "post-communism" (a category which, by the way, is questionable, just like the caesura imposed with the

1. Brandenburg Gate on December 1, 1989. The structure is already freely accessible from the East, however, the crossing to the Western side will not be officially open until December 22nd | SSGT F. Lee Corkran, Public Domain, Wikimedia Commons.

fall of the Berlin Wall in 1989), the enormous amount of literature on the topic most often refers to localised studies, at national level, essentially focusing on policies of the past, here and there, whose effectiveness is widely taken for granted. Nevertheless, they reveal major differences from one country to another.

These dissimilarities refer the West and the East back to the Second World War – and to the position of the countries concerned, allies or enemies of the Third Reich. But they also relate to the specificities of the history of the Soviet bloc countries during the communist era. Needless to say, the repression of revolts and movements – even attempts at revolution – spring to mind here, such as that of 1953 in the GDR, that of 1956 in Hungary, that of 1968 in Czechoslovakia or those of 1956 and the 1970-80s in Poland. But the types of "transition" of these very countries also need to be considered, between relative continuities negotiated and assumed as such, as in Poland or Bulgaria, and brutal if not violent breaks (and publicised as such like in Romania). The literature given over to the political-normative reflection on the desirable contents of a memory common to reunified Europe and its "painful pasts", between Nazism and Stalinism or between the Shoah and the crimes of communism, has not however gone away. Very recently, the protests and outrage sparked, mainly in Western Europe and particularly in France, by the European Parliament's adoption in September 2019 of a resolution on "the importance of European memory for the future of Europe". To sum up a long line of initiatives since 2005, following the European Union's first enlargement to include former communist countries, the latter asserted the role of the German-Soviet Pact in the outbreak of the Second World War and associated the communist and Nazi regimes in the same sentence, which "carried out mass murders, genocide and deportations, and caused an unprecedented loss of life and freedom". Therefore, the questioning of the memories of communism in Europe arises from an ideal-typical case on the uses and meanings of memory understood as policies of memory, even as the political instrumentalisation of the past born out of the desire to build a shared memory heritage – at various national and European levels. But this does

2. A falling Lenin monument in Khmelnytsky Statue of Lenin toppled near Stanytsia Luhanska | Volodymyr D-k, CC BY-SA 3.0, Wikimedia Commons

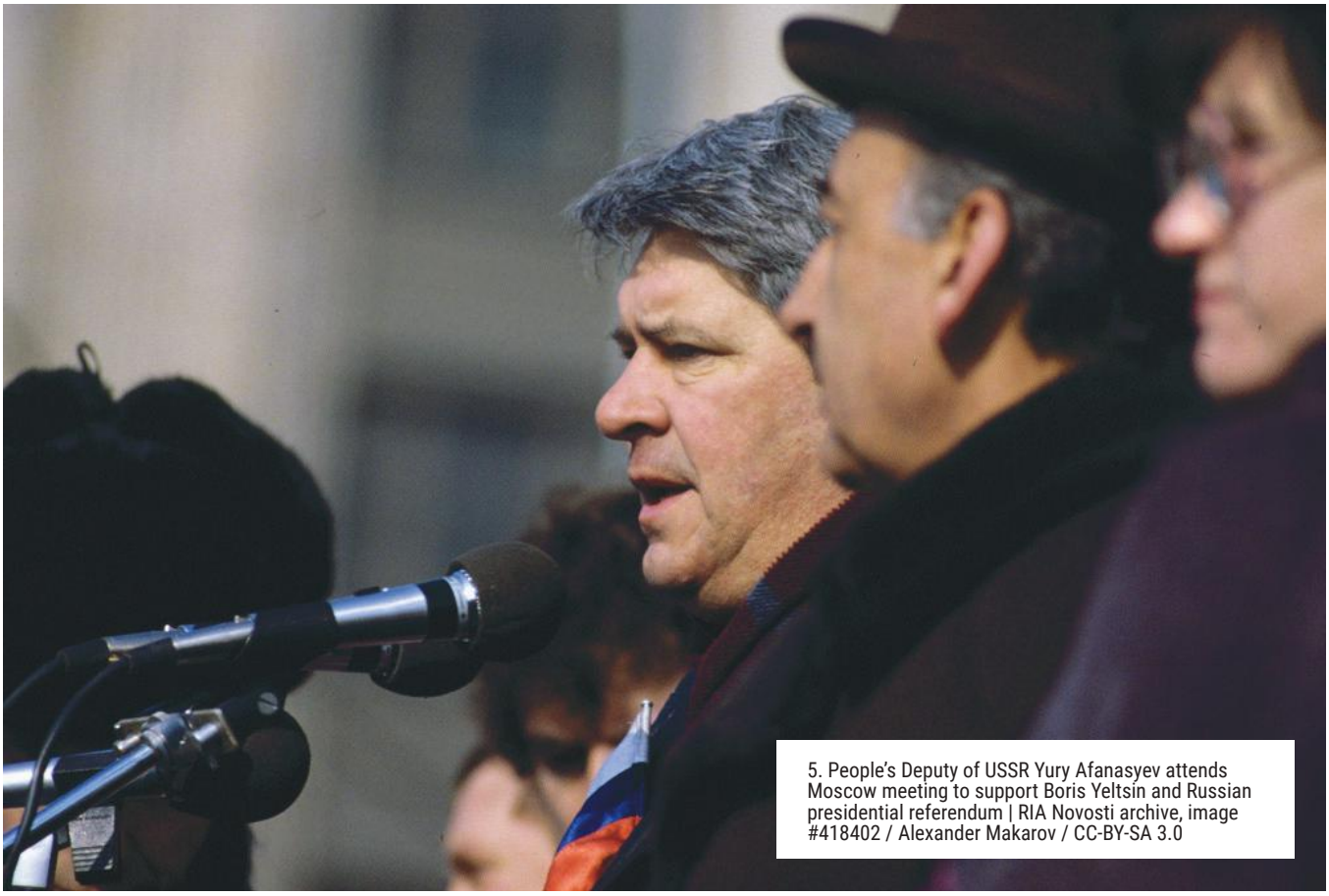
not mean it cannot consider the social memories of the lived experience or the political divisions rooted in the long history of the 20th century that, in both East and West, cut across societies.

In 1989, under the dual guidance of Yuri Afanasiev and Marc Ferro, the book entitled *50 idées qui ébranlèrent le monde. Dictionnaire de la glasnost* [50 Ideas That Shook The World. Glasnost Dictionary] was published in France. Original in its approach, it organised dialogues and confrontations between French and Soviet authors on a series of topical issues. A double "Memory-History" leaflet was written by Yuri Afanasiev on the one hand, and Pierre Nora on the other, then engaged in writing the major volume *Les Lieux de Mémoire* [Realms of Memory]. Yuri Afanasiev began his reflection on memory by emphasising the importance of memory for societies as well as for individuals. Sometimes, he wrote, memory seems to die out "then it gushes again and sets the whole social reality alight", in the most contemporary Soviet context as in Khrushchev's time with de-Stalinisation and the release of thousands of prisoners. At that time, however, he underlined, it was literature and the publicisation of memories, and not history, which initiated the reconstruction of memory destroyed by years of Stalinism "by the powerful means of propaganda, by official history [...] by physical violence and finally by the ramifications of the network of camps". He concluded: "Reconciling history and memory in the conditions of Soviet society is no easy task. Our history is just as falsified by the past". And, therefore, "history belongs to everyone and to no one". Pierre Nora, following him, noted that "in both East and West, the invocation of memory and its saving virtues has recently taken on burgeoning topicality" and immediately warns: "in the West, memory is not sacred today only because, most often, it is poor and misleading. It is memory, and not history, that conveys ready-made truths".

The focus of all kinds of manipulation, instrumentalised by the government, parties and the media, "it is memory that alienates and history that liberates".

This controversy over the words and the realities they denote, here too briefly recreated, is significant. In fact, the authors both argue for history as knowledge of the past and acknowledge continuities between history and memory. However, when Yuri Afanasiev underlines what Paul Ricœur would later call the "memory's truth-seeking goal", Pierre Nora holds onto this for the role of history as a critique of memory, bearer of illusions, myths, errors and falsifications. This debate reveals that the binary opposition between history and memory does little to enlighten us. Memory can be both instrumentalisation of the past and resistance to such instrumentalisation; it can be both a political resource (among others or failing others) and a shared memory of a lived experience. As for the

3 | 4. House of Terror at Andrássy út 60 in Budapest, Hungary. It contains exhibits related to the fascist and communist regimes in 20th-century Hungary and is also a memorial to the victims of these regimes, including those detained, interrogated, tortured or killed in the building | EUROM



5. People's Deputy of USSR Yury Afanasyev attends Moscow meeting to support Boris Yeltsin and Russian presidential referendum | RIA Novosti archive, image #418402 / Alexander Makarov / CC-BY-SA 3.0

latter, witness to the past, it can be both a golden legend or a black legend, nostalgia or lasting resentment.

We can therefore postulate that the memories of communism that exist today in the European arena pertain to different levels of analysis that involve the consideration of the history of communism as it is written, memory policies (or more broadly, public narratives of the past) and vestiges of the lived experience in the same movement. Echoing Yuri Afanasiev's contextualised point of view is this remark heard in Bulgaria in the context of the first elections of 1990: "Here, *I remember* is a powerful political argument".

Symbolised by the fall of the Berlin Wall, the collapse of communist regimes in Europe in 1989 – followed by German reunification in 1990, and the dissolution of the Soviet Union in 1991 – immediately brought to light a "retrieved memory" in the East to quote a joint publication released in France in 1990, in which the latter – witness both to the communist experience and to pre-communist history – had long been obscured by official history, confined to sites or private or niched social settings – as was also the case in the USSR – in literary or cinematographic productions, confidential or not. While obviously not homogeneous, this emerging public memory nonetheless revealed an overwhelming rejection of communist regimes in the East while it contributed in the West to further undermining already weakened Communist parties or, more broadly and in the same movement, the cornerstones of a memory of the workers' movement or of anti-fascist struggles, shared beyond communist parties alone. In France in particular, the publication of François Furet's book *Le passé d'une illusion. Essai sur l'idée communiste au XXe siècle* [The Passing of an Illusion. The Idea of Communism in the Twentieth Century] in 1995 is a significant milestone in this regard.

But it was in 1997, with the joint publication *The Black Book of Communism, subtitled Crimes, Terror, Repression*, edited by Stéphane Courtois, that the debate on the East-West divide as to the meanings of memory would take on new salience. Stéphane Courtois, in an extensive introduction that would

spark a debate within the group of authors and a spate of academic, political and media positions, highlights the affirmation of the intrinsically and essentially criminal nature of communism and condemns a hemiplegic European history, between the memory of the genocide of the Jews of Europe, given as unique, and the concealment of the crimes of communism. The approach sets itself a two-fold "memory" obligation as a moral horizon, in tribute to the victims of communism, and of history, to bridge the gaps in the European history of totalitarianism and to counter the fables of communist memory. Whereas the plan to work history and to address the violence, repression and terror brought about by Stalinism has practically gone uncontested, putting Nazism and Communism on a par and even more so "class genocide" and "racial genocide" has ignited an ideological debate that never stops smouldering. Widely translated and disseminated in Eastern Europe, *The Black Book of Communism* has provided a historical rationale and an analytical framework for the unequivocal rejection of communist regimes.

This rejection, which has become a constitutive part of democracies in the making in a number of Central and Eastern European countries, has resulted in decommunisation and "lustration" laws like in Czechoslovakia, and the purging of certain institutions, as was the case of universities in the former GDR. Widely shared practices include the opening of archives authorising the denunciation or stigmatisation of communists or former communists, the removal of symbols of communism in public spaces such as street names or statues, the establishment of dedicated institutions such as the Museum of Communist Terror in Hungary or the Institute of National Remembrance in Poland. The staging of the rupture must not however conceal real continuities. Under them, the memory of communism seems to have inscribed itself in many respects within the frameworks of communist memory itself and of the practices of an official and sometimes strictly national history, as in Poland or Hungary today. Furthermore, stigmatised communists have not always been disqualified and many of them, especially among the political, intellectual or economic elite, have managed to harness the heritage and expertise acquired to adapt through their adherence to the new democratic and liberal norm. Conversely, however, here and there, formerly anti-Communist intellectuals declare themselves to be "anti-anti-Communists" while others underline the ambivalence of communism between "dark side and bright side", to use a phrase by Annie Kriegel, historian of communism, herself a former communist and reputed to be anti-communist. However, while manifestations of disappointment or nostalgia – specifically known as "Ostalgia" in reunified Germany – are not lacking, it cannot be disputed that Europeans have not experienced the same history since the end of the Second World War, no more I might add than the citizens of Central and Eastern Europe since the fall of the Wall. Memories of communism are, nevertheless, an effect of the present at least as much as they are an effect of the past. In this respect, they are indeed still a topical political issue, both in East and West.

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Memory Laws in Europe: What Common Horizon Are We Journeying Towards?

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Notwithstanding the fact that European states had already approved laws pertaining to their past, by introducing days of commemoration for instance, the phenomenon known as "memory laws" that first surfaced in the 1990s in several European countries marks both transnational movement within the continent, an unprecedented Europeanisation of practices and interpretations related to the past, but also – in a seemingly contradictory manner – a strengthening of national identities, and even of nationalist tendencies in certain countries reacting to transnational processes.

A comparative analysis of Europe's states reveals a broad range of memory laws which, beyond this categorisation, actually corresponds to parliamentary acts of a very distinct nature. Let us first point out that the concept of "memory law" emerged in France in December 2005 amidst controversy surrounding several historians' condemnation of the French Parliament's role in legislating on history. Said historians called for the abolition of four laws via the press. Firstly, the Gayssot Law that imposes criminal sanctions on those who contest the existence of crimes against humanity as defined by the International Military Tribunal in Nuremberg (1990). Secondly, the law recognising the Armenian genocide (2001). Thirdly, the law relating to the recognition of slave trade and slavery as crimes against humanity (2001), and, fourthly, the law on the nation's gratitude and the national contribution toward repatriated French citizens from North Africa (2005). Since 2005, the term "memory law" has been employed in international speech to refer much

1. Jean-Claude Gayssot, member of the French Communist Party (PCF) and was Minister of Transportation in the government of Lionel Jospin (1997 -2002). He gave his name to the 1990 Gayssot Act repressing Holocaust denial and speech in favor of racial discrimination | Picture: La Depeche

more broadly to laws or resolutions adopted by national or supranational institutions, which govern the interpretation of historical events.

At European level, legislative acts concern very different subjects. They may relate to the interpretation of a historical event, the application of criminal sanctions against public statements on historical events, the establishment or modification of the status of war veterans (rights, reserved occupations and pensions), the reappraisal of the retirement pensions of those working in certain public services before the fall of communism, the establishment of material or symbolic reparations for victims of violence and sometimes for their descendants, the rehabilitation of political prisoners, the organisation of administrative purges, the setting up of commemorations, the naming of public places, the creation of memorials, the erection of monuments, the management of archives, the prompting of scientific research on a particular event, the introduction of historical events in school education, and so forth.

Besides this very wide variety, European memory laws can be classified into three groups from the legal standpoint. The first group brings together the laws and resolutions that are merely declaratory, which constitute the most numerous type of parliamentary acts in European countries. In this respect, Poland, for instance, has approximately 2,000 declaratory provisions on the past passed by Parliament since 1989 (20% of all resolutions passed by Polish members

2. Armenian genocide memorial in Yerevan. Each April 24, thousands of people walk to the genocide monument and lay flowers around the eternal flame, located in the centre of the monument | EUROM

of Parliament), which first and foremost deal with commemorations. The second group comprises laws that prescribe relatively binding measures for States or their citizens such as compensation for victims and their families, the rehabilitation of political prisoners, the establishment of commemorations, the introduction of historical events in school education, etc. The third group corresponds to the laws that prohibit and impose criminal sanctions on certain statements in the public space vis-à-vis historical events: the denial of the Jewish and Armenian genocides, the denial of communist crimes or, conversely, as with the Russian law of 2014, the rendering of Soviet crimes committed during the Second World War. It is chiefly the expansion of these memory laws of a punitive nature that lends European laws their distinctiveness: most European countries (28 out of 47) have adopted provisions that impose sanctions on statements about the past, mainly the denial of the Jewish and Armenian genocides. In the case of the Jewish genocide, the 22 countries that have criminalised negationism are mostly European.

The last two groups of these laws have a normative character because they entail various rights and obligations for States and citizens. Declaratory laws, on the other hand, do not change citizens' legal status. However, from the point of view of representations of the past, these declaratory laws can be considered to generate norms.

To appreciate the uniqueness of these memory laws adopted in Europe, the legal traditions from which they originate as well as the contexts in which they were developed should be understood.

Over the long term, the proliferation of memory laws adopted in Europe in the late 20th century marks a difference in legal traditions specific to States, historically divided between civil law and common law. The common law tradition, which characterises the United Kingdom and the countries of its former colonies on different continents such as the United States, favours judicial decisions to establish the norm and regulate social relations. These countries are not familiar with the phenomenon of memory laws, or only on a very

3. Street sign in Seville showing the name change and clarifying that the old name has been eliminated in application of the Historical Memory Law | Kespito, CC BY-SA 3.0, Wikimedia Commons

4. International Holocaust Remembrance Day in Poland, January 2020 | Frankie Fouganthinmm, CC BY-SA 3.0, Wikimedia Commons

small scale. Memory laws passed by national parliaments in Europe are therefore part of a tradition of Roman civil law that is dominant in Europe, which favours legislative instruments to establish norms and thereby organise societies. Moreover, the tradition of free speech guaranteed by their constitution in English-speaking countries accounts for the absence of legislation condemning negationist discourse which, on the other hand, is present in most European countries that do not have this tradition.

Apart from these legacies, memory laws originate from three new contexts that arose at the same time in Europe in the late 20th century.

First, the anamnesis in Western Europe of the genocide of the Jews as a unique crime to which no statutory limitations apply. This crime became a focal point of the Western-European historical narrative of the 1990s, developed in the name of human rights and the defence of minorities. For the purposes of European identity, this prime focus of memory brought members of Parliament in several countries to legislate on the qualification of genocide by criminalising any denial. The Armenian genocide witnessed a similar course, having been recognised by law in many countries. Negationist discourse was subsequently criminalised in Greece, Croatia, Slovakia and Switzerland. However, in France, in 2012 and then in 2017, the Constitutional Court dismissed the motion each time for violating freedom of speech. This

recognition of genocide or the criminalisation of negationism by law constituted an instrument for European integration for countries wishing to join the EU. Poland, for example, then a candidate, was the first Central European country to pass a law in 1998 that criminalises Holocaust denial (Article 55). Conversely, the Turkish Parliament's passing of a decision in its bylaws in July 2017 that prohibits and imposes criminal sanctions on "insulting the history and the common past of the Turkish Nation" – which implicitly targets the Armenian genocide – reveals, among other facts, Turkey's desertion of the EU integration project since the 2010s.

The second context in the 1990s is the liberation of Eastern Europe countries from the former USSR that led to the law's criminalisation of their communist past in a process of transitional justice. In this period of democratisation and decommunisation, the adoption of memory laws by Eastern Europe's parliaments constituted an act of democratic sovereignty, breaking with the previous political regime. In some countries, this break was soon accompanied by the desire of members of parliament to go so far as to class this past as a criminal offence (see for example the Czech Republic's Law of April 1990 or Russia's Law of April 1991 classing Stalin's deportations of peoples as "acts of genocide").

Meanwhile, the postcolonial issue finally arose in the societies of the former European empires (France, Belgium and Germany) with legislative provisions made pertaining to the recognition of crimes and reparations for victims and their descendants. European institutions encouraged this reparations policy. Thus, the European Parliament Resolution of 26 March 2019 called on Member States to initiate reparations in the form of public apologies to people of African descent living in Europe and victims of injustice and crimes against humanity, to restitute artefacts stolen during the colonial period to their countries of origin, and to declassify their colonial archives.

Besides these three synchronous contexts, it is noted that memory laws bear witness to a new model of conflict resolution and political violence. Despite the new legal categorisations (crimes against humanity and genocide) adopted in the aftermath of the Second World War, the policy of forgetting – and its legal corollary, amnesty – was the political model of resolution advocated by nation states until the 1980s. The emergence of memory laws pointed to a reversal of this model, at around the same time. The end of conflict or oppression was accompanied by a judicialisation and a memorialisation of the past classed as criminal, which the legal framework guarantees in the eyes of members of parliament and societies.

This new model was also enforced in countries that had handled their transition to democracy in a traditional manner. The case of Spain is a fine example of this turnaround. While the Law of 1977, promulgated following the end of the Franco dictatorship, was founded on a model of resolution that espoused forgetting and amnesty, twenty years later, it was condemned as a political act that denied the crimes and violated the victims of the Spanish Civil War and their descendants. The outcome of the social movement related to the "recovery of historical memory", the 2007 law related to the new method of pronouncing judicial decisions on violent pasts, affording attention to the recognition of and reparations for victims of political violence.

For the European countries which, in the late 20th century, were unacquainted with or had no experience of a transition to democracy or the end of war, legislative provisions were put in place according to the same memory paradigm: categorising certain pasts as criminal offences gave rise to recognition and reparations owed to victims of crimes.

The criminalisation of the past that would thus characterise European memory laws was accompanied by overturning the notion of disturbing public order. The order to forget the violence of the past traditionally led to a public absence, even a prohibition, of the memorialisation of crimes and victims, perceived as a threat to peace and public order and, by extension, to the continuation of the community. On the contrary, memory laws guarantee the public disclosure of crimes committed

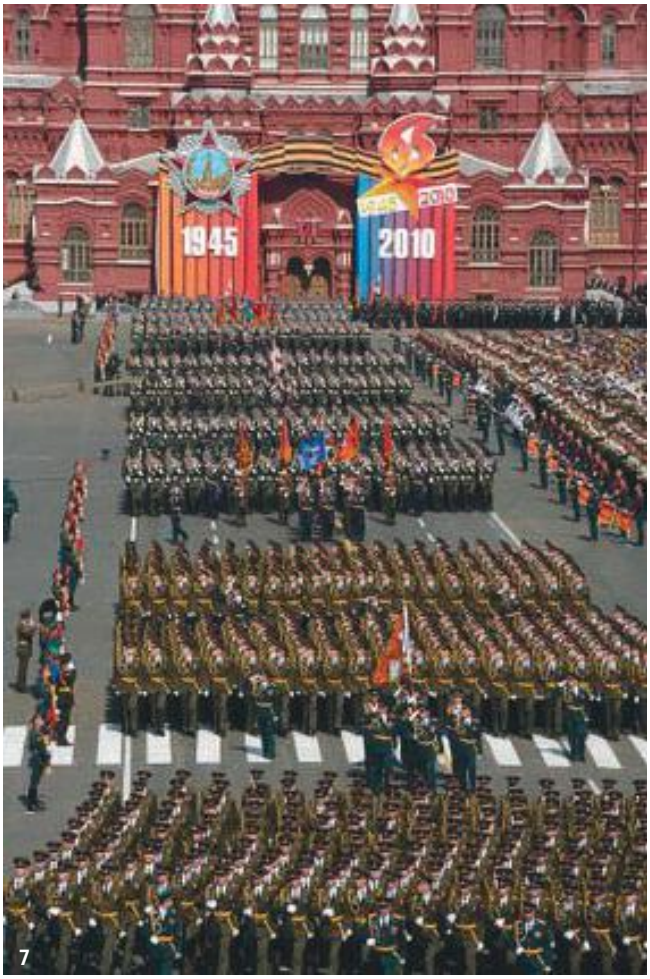
in tribute to victims by punishing their denial as public order offences. This change is linked to a turning point in the narrative in democratic societies that goes from a collective indebtedness to the victorious heroes and fighters who ensured the continuation of the nation-state, to indebtedness towards the civilian victims who, for their part, guaranteed a rule of law, both for human rights and those of national minorities. The law's memorialisation of crimes and victims is therefore seen as an essential tool for the pacification of societies, the assertion of nation-states' democratic identity, and the education in tolerance and human rights of their citizens.

Another key feature of these memory laws is their supranational European expansion in a context in which memory has become, like in national spaces, a category of political action in its own right to symbolically build a European identity. However, the laws or resolutions pertaining to the past have been seen by the actors of European institutions as effective instruments to efficiently share a common narrative in Europe. These laws thus participated in a process of Europeanising national memories against the backdrop of Eastern Europe countries' accession to the European Union, and the pursuit of a common European memory. The matrix function of Second World War crimes in the building of the post-Soviet European narrative identity has formalised in these supranational legislative provisions that have evolved over the past thirty years.

Initially, memory laws demonstrated a division of the continent between East and West. On the one hand, a memory of the West was structured around the recognition of the genocide of the Jews that was led by European institutions (the Council of Europe, the European Court of Human Rights and the European Parliament) as an identity marker (see the Resolution of 3 July 1995 voted by the European Parliament calling on Member States to establish a "European Holocaust Remembrance Day"). On the other hand, a memory of the East has focused on the recent communist past and the crimes committed by the USSR against civilian populations during the Second World War. When many Eastern European countries joined the EU in 2004 (Czech Republic, Hungary, Estonia, Latvia, Lithuania, Poland, Slovak Republic and Slovenia), these states had already approved, within the framework of a democratisation process, numerous memory laws that primarily concerned their communist past and the crimes perpetrated by the USSR against their populations. The European Parliament then asserted itself as a major player in the memory policies of East-West reconciliation, through

5.Memorial ceremony at the Raoul Wallenberg square with Holocaust survivors, 27 January 2013, | Frankie Fouganthin, Wikimedia Commons

6. August 23, 2009. Candles symbolically marked the 20 years of the Baltic Way | J. šeduikis, CC bY-Sa 3.0, Wikimedia Commons



7. Military parade in Moscow dedicated to the 65th anniversary of the victory in the "Great Patriotic War", i.e. the east European theatre during World War II | Presidential Press and Information Office, Wikimedia Commons

resolutions on the past adopted for the sake of "good neighbourliness" and mutual recognition between the two regions of Europe to transcend this memory divide. The action of Eastern European members of the European Parliament (in particular those from the Baltic States) thus led a few years later to a memorial point of convergence regarding a dual recognition: that of the Nazi crimes perpetrated against the European Jewish populations and that of Soviet crimes committed against East European civilian populations. This convergence based on the premise of an equivalence of these crimes is recognised by several resolutions. In 2008, the European Parliament recognised the famine of 1932-1933 in Ukraine artificially caused by the USSR as a "crime against humanity". Above all, the European resolution of 2009 establishes a European Day of Remembrance on 23 August recalling the German-Soviet Pact of 23 August 1939 that has become the inaugural and programmatic event of the double Nazi/Soviet crime committed against European civilians during the Second World War. This consensus reached based on an event presented as foundational to build a European collective memory is once again affirmed by the Resolution on the importance of European remembrance for the future of Europe, approved by a large majority of MEPs on 19 September 2019 (far right, right and centre-left). Some representatives of Western Europe (Spain and Italy in particular) then expressed their misgivings over equating Nazism and Stalinism, and historians and artists rallied together in Belgium to condemn this vision of history.

Alongside European policy on the past is making the contesting of various crimes punishable as criminal offences. By its Framework Decision 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, the Council of Europe called on EU member states to "take the necessary measures" to penalise "publicly condoning, denying or grossly trivialising crimes of genocide, crimes against humanity and war crimes" defined by the International Criminal Court, which also criminalises the denial of the Armenian genocide.

However, the entire body of European legislative provisions to establish a common memory are coming up against national/regional resistance. National parliaments refuse to integrate the 2008 Framework Decision into their penal code. The commemorations of 23 August symbolising the double Nazi/Soviet crime are still mostly observed in Eastern European states (primarily the Baltic states). Conversely, the memory of the Holocaust is still predominant in Western Europe with limited presence in the East (see for example the Museum of Genocide Victims in Riga in Lithuania that devotes only one room to the Jewish victims with the largest part of the museum presenting Soviet crimes). The peculiarities of Western and Eastern memorials have not been obliterated with the laws and resolutions approved by MEPs over the past fifteen years.

Lastly, Europe's memorialisation of the double "Nazi/Soviet" crime and the criminalisation of negationism by means of supranational legislative provisions have, in turn, borne effects on national parliaments. For several years now, some countries have witnessed a national reappropriation of the past that tends to dismiss these European supranational acts in the name of the defence of national sovereignty. Through the adoption of new laws, they defend a national narrative exalting patriotic pride and penalise any public reference to state or national crimes. This is illustrated by the law passed in 2014 by Russia defending the "Great Patriotic War" by criminalising the rendering of Stalinist crimes (2014) and that was approved in Poland in January 2018 to protect "the reputation of the Republic of Poland and the Polish Nation" by penalising those who deny "Ukrainian crimes" or those who publicly attribute the responsibility or co-responsibility for different crimes to the Polish Nation or the Polish State.

The national reaction during the 2010s thus heightened the polysemic nature of European memory laws that cannot be presented solely as vehicles of democratisation or of strengthening the rule of law around the protection of minorities. Some of them constitute acts of national sovereignty around the tribute to the motherland's heroes and martyrs, which are established precisely against the supranational memory regulations prescribed by European institutions. The penalisation by law of certain statements about the past deemed to be contrary to national interests thus becomes the modus operandi of certain States that still claim to be democratic on the international scene, but which seek to legally eradicate any conflict of historical interpretation in their public space.

Such an evolution provides additional arguments to those who were fast to criticise the adoption of memory laws in different countries considering that they established official regulations pertaining to the past, claiming that it was not within the purview of politics to recount history, and that these laws limited freedom of speech and democratic debate by penalising statements contesting the existence of crimes that should instead be fought with scientific arguments.

These laws can be subject to another criticism, driven in a number of cases by a necessity to identify with Europe or recognise victims rather than historical knowledge of the past. The European resolutions of 2009 and 2019 on 23 August 1939, interpreted as the triggering event behind the perpetration of the Nazi/Stalinist double crime of the Second World War, is a striking illustration thereof. Legislative acts on Europe's past adopted over the past thirty years can rightly be considered democratic progress as they take minorities and civilian victims in the context of wars, persecution or oppression into account. But attention must also be paid to the effects of victimisation, competition and the instrumentalisation of history that these legislative provisions can produce. These laws have shaped, through norms, a common horizon for reparations for historical trauma that has focused Europe's narrative identity on an endless criminalisation of its past. Either way, they challenge the identity that Europe wishes to lend itself, as well as Europeans' relationship with this identity.

East Germany:
Part of Germany Since 1990

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In 1989 and 1990, two historical events took place that have been much discussed, debated, and argued over. The 1989 Peaceful Revolution brought down the SED dictatorship in East Germany and the two Germanies were united in a new democratic state the following year. While these events brought an end to the post-war period in Germany and ushered in the New Europe, their overall importance in world history is a matter of conjecture. We do not yet know for certain whether future historians will treat any events as decisive caesuras of global, or perhaps just European importance, whether we are talking about the 1973 oil crisis, the 1989/91 anti-communist revolutions and the collapse and dissolution of the Soviet Union, the 2001 terrorist attacks against the twin towers, or the 2020/2021 Coronavirus pandemic. Caesuras help to map, order, clarify, and arrange history in order to be able to relate past events, freeze-framed as history, in a structured way. Large-scale caesuras, such as those above, provide a framework, which internal caesuras, depending on the issue under scrutiny and the methodological approach, help to justify. These "major" caesuras follow political-historical considerations, but they are "porous" because political-historical caesurae almost never have an immediate impact on economic, cultural, mental, and social structures, processes, and phenomena. Societies are often far more sluggish and often don't change in lockstep with these epoch-changing events. This happens only in exceptional cases and cannot even be shown conclusively to have happened in Germany in 1945, 1918, or 1933. In the case of 1989/90, research has so far not even problematized the caesura, but it seems obvious that the fall of the Berlin wall on November 9, 1989, and monetary union on July 1, 1990, when the West German Mark was introduced in the GDR, had such a profound impact on the lives of every single East German — monetary union even more so than the fall of the wall — that these two events do indeed represent a major caesura. Most East Germans were not directly involved in the

fall of the wall — it fell whether they liked it or not — but both the fall of the wall and the monetary union on July 1, 1990 were welcomed, even applauded, by an overwhelming majority of East Germans. According to the narrative, the March 18 elections to the Volkskammer (former East German parliament) triggered a headlong rush to eventual union, with about three-quarters of East Germans voting for monetary, economic and social union and the introduction of the West German constitutional system, including representative democracy. What this three quarter majority did not choose, did not even begin to demand, however, were the dramatic consequences of this decision. That is what this essay is about.

Reunification ensued in line with a classic pattern of "othering". The rules established in the dominant space, the Federal Republic, were endowed with universal validity and were transformed and applied to the "empty space" of East Germany, as if nothing had existed there, no one had lived there, and as if there were no structures or experience

1. Picture frame of the documentary Hin und Her (From Here and There), filmed between Munich and Berlin in 1989 and 1990 and co-directed by Margit Ruile and Stefanie Kremser. It portrays two moments in the lives of five anonymous people who had fled the GDR through interviews conducted shortly before and just after the demolition of the wall | Stefanie Kremser

there. The space was not empty, of course, but it was treated as such. This kind of approach can only work if what existed there before is reconstructed in two ways. The two spaces are stuck together as if everything in the new space — from North to South, from East to West — is the same; there are no differences. This has two major effects: On the one hand, there are those who resisted the old system until 1989, who are used to legitimize the new system, and on the other side of the divide, there are those who represented the old system and now continue to cling to it. They are viewed as living proof of the need to delegitimize all of what had occurred previously. Those caught in between the two groups are simply homogenized. This is exactly what happened in East Germany from 1990 onward. Those in power drew up one homogenized space, East Germany, and one homogenized population, the East Germans.

To appreciate this it is necessary to understand that unlike West Germans, East Germans are seen as East Germans practically everywhere in the world. West Germans are defined as such only in East Germany, nowhere else. No one in Hamburg would think of calling someone from Munich a West German. In linguistic terms, West Germans only call themselves West Germans, somewhat unthinkingly, when they are in the East; East Germans, on the other hand, are called East German everywhere.

Why is this the case? First, there is a simple, instrumental reason. If one wishes to transform a country's entire economic, monetary, and sociopolitical system overnight — albeit in line with the will of the people living there — then in principle one has to treat the area as if nothing had existed there before. History teaches us that this is not at all unusual; these processes have taken place in numerous places, usually with dramatic consequences. The unique situation in East Germany, however, was that three quarters of East Germans apparently sought this punishing transformation process, since they had voted for it. What they did not want, however, were the consequences.

Ongoing post-amputation phantom pains

The debate in both academic and public arenas is as follows: Many apologists for the way in which reunification transpired argue that everything that followed had been chosen by the East Germans. I would reject that argument: what the East Germans voted for on March 18 was the rapid transfer of the West German system to the GDR, which still existed at the time. Above all, they wanted the West German Mark. But to infer from this that they could also foresee, let alone wanted, all the consequences that resulted is absurd. Nobody would have wanted these consequences. Nevertheless, they have been justified again and again by the need to homogenize space and society. If one followed this reasoning to its logical conclusion one could implement and justify almost anything in terms of power and domination.

If one takes a closer look, one can see that over the past 30 years, the debate about German reunification has always focused on political and financial issues: What happened economically? What happened politically? How much money was paid out? But I would argue that in addition to the enormous financial resources invested, there were also dramatic social costs to reunification. Millions of people lost their jobs, millions had to retrain, and many people in the East have been dependent on state support ever since. Whole age cohorts have been declared superfluous to requirements.

Almost every family in the former GDR has been affected. An entire society underwent a massive upheaval within a very short time. While West German society took almost 25 years to develop from an industrial society into a service society, one could say that East Germany just had one night to undergo the same process.

2. The President of the GDR Council of Ministers, Hans Modrow, the Federal Minister for Inter-German Relations, Dorothee Wilms, the Federal Chancellor, Helmut Kohl, and the Mayor of the Government, Walter Momper (West Berlin), during the inauguration of the Gate of Brandenburg on December 22, 1989 | SSGT F. Lee Corkran, Public Domain, Wikimedia Commons

Loss of cultural positions

This brings me to an actually much more interesting point, one which continues to be important and which is usually ignored in more positive assessments of unification. People lost not only social positions, or gave up political positions at any rate; above all, they lost cultural positions. They have been unable to regain their cultural positions, and this loss still causes pain today, much like that suffered after an amputation.

To understand this, one must realize the following: The GDR was a society based around work, as was the Western world until the late 1960s and early 1970s. But society was quite different in the GDR. Work was not only an integral part of everyday life in the GDR; a person's entire social and individual private life was organized around work and the institution one worked in. That meant everything making up a society — healthcare, vacations, childcare, sports, cultural, and art clubs etc. — everything was grouped around the workplace. So you not only worked together, you went on vacation together, fell sick together, and got well together, and your children went to summer camp together. People did sports together, went to reading groups together, and did amateur dramatics together. And of course, they fell in love in these contexts also.

It must be stressed that the system had largely collapsed and the shock of the transformation began even before monetary union in 1990.

3. Berlin Wall Foundation Memorial, 2019 | EUROM

This happened because all companies, combines, and state institutions were quick to dock non-productive areas from their structures in order to become more flexible and to reduce costs. The much lower labor productivity in the GDR was partly due to the enormous size of the non-productive areas, but this was because they included not only bureaucracy, but also the cultural, sports and leisure areas.

The collapse of the institutions completely changed social existence in the East. This, however, was met with total incomprehension by those who had taken over overnight — the elites from the West — because they had no experience of this in their own "lifeworld." So what is the situation now?

It is clear to see that there was a major clash between two entirely different ways of life. One might argue that East Frisians in Northern Germany also have very different lifestyles from Swabians in the South, but that doesn't constitute a problem. But they are not living in an area in which something is being built from scratch, which those living there have no experience of. One might also wonder whether this radical reconstruction was absolutely necessary. Unlike the three quarters of East Germans who chose this path, I didn't vote for it at the time because it was clear to me that there would be a clash and because I wanted union to be slower, more cautious, with both sides on a more equal footing, and the East more assertive and less submissive. If I was assertive personally, don't I have a right to expect society to be assertive too? But the majority didn't agree with me, and in one respect, there really was no alternative at the time. At least that's how

it was presented, and I still believe that there was ultimately no alternative. And I can be fairly relaxed about it, because, unlike many others, I only gained and really lost nothing, absolutely nothing, through the downfall of the communist dictatorship. Only I was not deceived about the West, so I could not be disappointed subsequently.

But the people wanted the Deutschmark, and of course the Deutschmark didn't come free; it could only be granted if people were willing to accept all the institutions and legal systems that guarantee the Deutschmark's stability. Nothing else would have worked. The legal and economic institutions and the welfare state could only be built up reasonably smoothly and function reasonably well from one day to the next if people who were familiar with the institutions took charge of them. This meant the movement of elites from West to East.

Movement of Western elites to the East

The tens of thousands who came from the West and took control of the institutions set the rules. Since the vast majority of people who worked in the East had a completely different social- and cultural-political background, this clearly led to major conflicts, because the rule-givers naturally drew on their own experience, which they then applied to the population. In general terms, the West said, "you Easterners must become like us Westerners" (at least, the way we see ourselves). And the West Germans did not treat East Germans as equals; they did not come to the East as workers, but as owners, directors, and superiors. Westerners were the bosses, Easterners the subordinates. This is a structural problem that is still with us today.

That was the essence of the process. It is well-known from general business research what these power relationships imply. The culture of mergers tends to involve one side becoming like the other, or at least becoming what the other thinks it is. There may be political reasons for doing this, but culturally, the approach is a disaster.

This is also reflected in the completely naïve demand "to tell each other our own stories," a demand that has been repeated for over three decades. What lies behind the demand is not that everyone from some town in the West, Wanne-Eickel, for example, should tell me their story in East Berlin. Rather, it tends to mean that the "newcomers," that is, the East Germans, should tell their stories to the majority in the West. This should also be the case when someone from Paderborn in the West goes to Riesa in the East, but newcomers to the East were not expected to tell their story; those who had lived there all their lives had to tell their stories to the person from Paderborn so that the latter would accept it — the reverse was not true, it was a matter of complete indifference. The West, i.e. the majority, listened, took careful note, and then approved or disapproved: You are one of us or not.

In other words, it was necessary to tell one's story, so that the majority partner could decide who was accepted and who was not. It was not about mutual understanding and getting to know each other, it was a one-way street, and has been right from the outset. This sounds like a master plan, of course, but there was no such thing. These are social and cultural processes that simply belong to the discourses of those in power, and ultimately, in power relationships themselves. One side says what's what and the others have to follow suit. Those who have the money have the power. It's as simple as that; it's not necessary to go back to classics from the 19th century to understand the situation.

This led to numerous conflicts on every level. Tensions like these exist everywhere in societies in which different subgroups clash and one subgroup exercises power and domination, but why has the discourse on German union been as it has been over the last three decades? In other words, why has a broader critical discussion about the course of unification only occurred in recent years? I believe there are three main reasons why this has been the case.

Critical voices unwelcome

The first reason is perhaps the most important. What is probably difficult to recall today is that anyone who was critical of the unification process in the 1990s was more or less considered a supporter of the post-communist SED-PDS and thus an apologist for the defunct system. Before 1989, people in the West also often said to those who were critical of the system in any way, "Well, go to Moscow, then!" and many who have been critical of the reunification process since 1990 have been met with a similar response. They were suspected of belonging to the defunct system and of wanting to defend its virtues. I also took this attitude for a long time, simply because I was glad that the GDR regime had been brought down and I clearly and unequivocally rejected the SED-PDS in the 1990s.

A rejection of criticism has persisted until today amongst many older and more conservative contemporaries. This can be seen in the way some critics have viewed my book "Die Übernahme" (The Takeover) and the way they have criticized me personally. Some have declared that I am an apologist for the GDR, which is quite absurd. After all, this is not the first book I have written as a historian — hitherto my reputation has been quite the opposite. Moreover, this attitude has much to do with suspicion of anybody whose analysis of the unification process not only takes into account how many billions or trillions of euros flowed from West to East, but also considers the social and cultural cost. And it is often those who were actively involved in German unification who have a problem with this approach.

The role of the economic crisis

The second reason why there have been new critical perspectives on the post-1990 is due to the global financial crisis of 2007/2008, which severely challenged, questioned, and undermined the prevailing paradigm in the West that dictates that there is no alternative to the current form of capitalist structures. This led to a revival of neo-Marxist approaches and to a questioning of what had actually occurred — or what went wrong — with the transformation of Eastern Europe and especially the GDR. This led to the realization that after 1990 neoliberalism had been particularly rampant in the East and had particularly serious consequences. By comparison, however, East Germany and Germany came off better than many other Eastern bloc countries.

The Kohl government was not as strong a believer in neoliberalism as, say, Margaret Thatcher in England, but some of the neoliberal patterns that were soon to gain ground in large parts of the Federal Republic were "tried out" in the East at an early stage. This included undermining collective bargaining unions and trade unions, which were weak in the East anyway, due to existing historical conditions. In the East, there was an attempt to weaken the unions from the outset, and the unions, in turn, fought pointless battles that had already been lost in the West in the 1970s and 1980s. Numerous issues converged in 2007/08 and the crisis shook the neoliberal world to the core, prompting a new perspective on the East.

Summer 2015

The third reason was the ill-named "refugee crisis" in 2015. It was not a "refugee crisis," of course, but an identity crisis in Germany and Europe, which was not triggered by refugees, but by reactions in Europe and in Germany, making the term "refugee crisis" a misnomer. But the reaction of society, especially in East Germany, has of course prompted considerable reflection. There has been an eruption of widespread right-wing radical, neo-fascist, German nationalist (*völkisch*) attitudes and culture in the East, which are only partly reflected by the election results of the even racist AfD party.

The potential dangers of these movements in the East and in Eastern Europe are far greater than these election results reveal, but people prefer

to turn a blind eye. And there are widespread authoritarian patterns in the East, which also raises the following questions: What actually happened in the East? Why has democracy, representative democracy, not taken root in the East? Why are the state institutions in the East so weak? Why do people have so many reservations about the media and the press?

East Germany is not unique

These tendencies have converged in recent years and have led to an increasingly critical debate about reunification. It has become clear to more and more people that what is going on in the East is not taking place in some free-floating space far removed from reality, but very specifically in Germany and very specifically in Europe.

What we are seeing in East Germany, Poland, and Hungary are by no means isolated processes; they reflect developments that are taking place throughout the world. In Denmark, the Netherlands, England, Brazil, the United States, Spain, Italy and France, no matter where you look in the Western world, you see this going on. It now seems to be dawning on people that an early radicalization has begun in East Germany and in Eastern Europe in response to the "catch-up modernization", as Jürgen Habermas called it. A close look at the East now could perhaps help stop the East from "conquering" the West. It is not too late to Westernize the East, but this would only be productive if the West begins to be self-critical and puts its image as an imperial hegemon, racist, and rule-giver into the balance when considering the complex reality of the present-day, along with its ideals of freedom, the rule of law, and democracy. In order to strengthen the appeal of its ideals, it must adopt radical measures to deal with its failings — it could try this out in the East, just as it tested other approaches following reunification in 1990.

4. Immigrants at the Wegscheid border crossing, 2015 | Metropolico. Public Domain, Wikimedia Commons

Srebrenica: No One Believed Us

Emir Suljagić
Director of the **Srebrenica Memorial Centre**

Twenty-six years ago, when the first survivors of the Srebrenica genocide began emerging from the woods, no one believed their accounts of what they had experienced. No one believed them when they described surviving the numerous mass executions carried out across the vast area between the towns of Bratunac and Zvornik that were under Serb control, starting in the spring of 1992.

The Dutch Government, wittingly or unwittingly, helped cement this disbelief by initially backing the claims of the Dutch battalion (Dutchbat) based in the enclave in July 1995 – and of the Commander in Chief of the Dutch UN contingent in Bosnia and Herzegovina, Lt. General Hans Couzy – that the Serb operation in Srebrenica was "militarily correct". The Dutchbat commander went as far as to say that what was later rightfully defined as forcible transfer of the population was a simple population movement executed by Ratko Mladić's troops "in the right way".

It took months for the Dutch Government to distance itself from the claims that Dutchbat witnessed nothing improper in Potočari in July 1995. The damage, however, was already done. It was also permanent.

The cynicism of Dutchbat – or most members of the Dutchbat – lies not in their failure to prevent genocide. It lies in the fact that few of them are willing to even testify about it. In any case, mass graves spoke louder than these soldiers ever could to the genocidal nature of the Bosnian Serb operation in Srebrenica.

For reasons that I fail to understand, Dutchbat takes centre stage in the prevailing Dutch narrative of what happened in Srebrenica. It continues to undermine the possibility of restoring any meaningful relationship between Dutchbat and the community of survivors.

Our story is the story of thousands of men who were handed over to the Serbs to be summarily executed while the Dutch soldiers put in charge of protecting them merely

1. Commemoration of the genocide of Srebrenica, 2015 | EUROM

stood by. It is the story of the thousands of men who fled the compound on foot in an attempt to reach safety, only to be hunted down and slaughtered. It is the story of the tens of thousands of women and children who were forcibly deported. It is the story of three years of hunger, suffering and fear living under siege. It is the story of being betrayed by an international community who had promised to protect us, but who, as we were being killed, merely averted their eyes.

Within this story, the Dutch battalion is merely an unsavoury footnote. As long as they continue to place Dutchbat soldiers at the centre of their narrative of Srebrenica, Dutch society, and in particular the Dutch Government, are colluding with the revisionist forces attempting to obfuscate the human cost of the Srebrenica genocide and to confine our story to the peripheral margins of European history.

Twenty-six years ago, no one believed us. Yet today there's a sprawling memorial centre at the site of the former Dutchbat base, encompassing a cemetery of victims of the Srebrenica genocide operation. It was first established as a cemetery and a private foundation run by leading representatives of the international community in 2001. Two years later, it was redefined as a memorial centre, still run as a private foundation, including the former base built on the site of a pre-war battery factory. In 2007, the then High Representative, a former German politician called Christian Schwarz-Schilling, enacted a law establishing the Srebrenica-Potočari Memorial and Cemetery for the Victims of the 1995 Genocide.

Ever since, our job has been both to wean the Memorial from international management and to move away from the judicial focus of the Srebrenica narrative. The genocide operation that commenced in July and lasted well into the autumn of 1995 did not take place in a historical, cultural, social, political or military vacuum. It came on the heels of a three-year siege of the Bosniak population of Eastern Bosnia, a relentless hunting season for "Turks" that claimed thousands of lives.

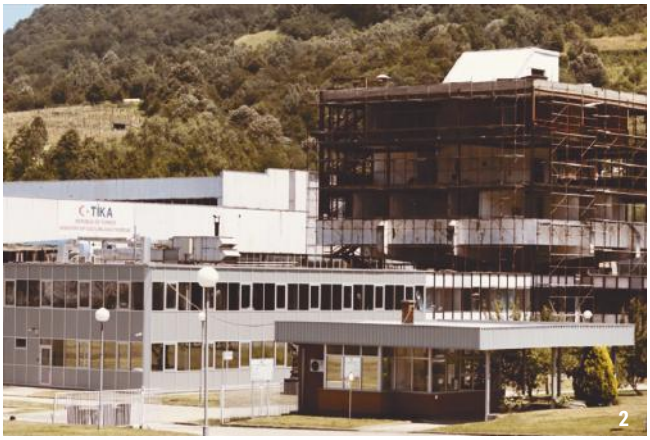
It took a quarter of a century for us to begin telling the story of the community that was destroyed. The past 25 years have been focused on the perpetrators, those responsible for the destruction. As the process of criminal prosecution has all but ground to a halt in Bosnia and Herzegovina, it is the job of the Srebrenica Memorial to find the voice of the victims and survivors and make it heard.

It is time to begin understanding the Srebrenica genocide within the context of a full-scale onslaught on an entire population, which spanned the length and breadth of our country. It is time to place Srebrenica in our history of the 1990s, but also in the narrative of the 20th-century Bosniak experience. It is time to tell our story.

Institutions like the Srebrenica Memorial Centre are monuments commemorating the dead, but they must also remain living institutions.

Srebrenica must not become a part of Bosnian memory alone, but a defining feature of European history, taught to all young people, particularly young Muslims. We were killed for one thing that we couldn't change about ourselves: for the names that our parents gave us, for who our parents were, for what was imposed on us the moment we were born.

For that reason, it is our mission to record and publish as many testimonials from the survivors



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2. Memorial Center Srebrenica | Emir Suljagić

and witnesses of the Srebrenica massacre as possible, to preserve every single story. Piecing this narrative together is critical to understanding why it happened, and why it must never happen again.

As the dark clouds of ethnic and religious tensions gather yet again across the world, the experiences of these Bosniaks, not only related to surviving genocide but also living through the post-war era and contending with all the disappointments surrounding the promises of transitional justice, are more relevant and meaningful than ever before.

The remaining survivors, scattered around the world as many did not want to return to the land where so much was taken from them, still have so much to teach us. Their experiences should inform the decisions we make in the future.

Despite what some in the West's policy and media circles try to argue, what happened in Bosnia a quarter-century ago was not a footnote, a mere anomaly, in European history. Just like the mass murder of European Jewry in the 1940s, the mass murder of Bosniaks in the 1990s was a direct consequence of the erroneous and highly dangerous way "Europeans" define their identity.

Muslims – together with Jews – have been playing the role of Europe's "other" for centuries. The myth that has been built around the perception of Muslims as the inferior, aggressive and at times dangerous "other" was undoubtedly one of the core reasons for Bosniaks' suffering.

Today, the same dangerous myth is being used by the far right across Europe and beyond to blame Muslims for the world's many deep-seated problems. Srebrenica survivors are perhaps the ones best placed to tell the world what this type of hate and dehumanisation can lead to.

Today, what happened in the 1990s in Bosnia serves as an inspiration to far-right terrorists across the world as well as to their "anti-imperialist" allies. Today, we can no longer claim that genocide is impossible.

To say that what happened in Srebrenica in July 1995 was the first such crime perpetrated on European soil after World War II is to completely disregard the horror of the concentration camps discovered in 1992 or the rape camps for which there is no precedent in European history. Genocide in Bosnia and Herzegovina was a long process of systematic extermination.

We also do not need anyone to tell our story for us. We choose how we tell it, when, and to whom. When you are a survivor, it is sometimes difficult to let go of your own experience. The moment you speak or write about it, it no longer belongs only to you; it becomes part of a wider body of general knowledge. To ensure that our survival experiences are remembered, however, it is necessary to do just that.

Guatemala: The Infamous Laboratory of the United States

Gustavo Meoño Brenner
Archivist
Former director of the **Historical Archive of the National Police of Guatemala**

Guatemala has been known across the world as "The Land of Eternal Spring"; and as "The Land of Eternal Tyranny". Given this, it is no surprise that the short period of progressive government, between 1944 and 1954, is recognised as the Guatemalan "Democratic Spring". And indeed it was. Following a century of successive dictatorships, of different lengths but similar levels of injustice and brutality, the democratic revolution of 1944 took place and the conditions were created for the constitutional governments of Juan José Arévalo and Jacobo Árbenz to achieve true historic progress.

In those 10 short years, Guatemala advanced as a nation more than it had done in the preceding four centuries, with milestones such as university and municipal autonomy, public education and health, social security, a labour code, votes for women, rights for indigenous peoples, the country's sovereignty and its unlimited international relations, and, above all, agricultural reform.

All this makes it possible to understand the historical implications of the US intervention of 1954, which cut off this process with one fell swoop and paved the way for the long and terrible process of successive overtly military governments until 1985, and the managed democracy that has lasted to the present day. We now know that the whole web of intrigue, destabilisation, sabotage, terrorism, treachery, military buyouts and the strangulation of the economy, concentrated in the covert operation PBSUCCESS, was part of a long-term global trial, and that the Guatemalan experiment was repeated in different latitudes to overthrow insubordinate governments.

However, information collected from various archives has revealed that this was not the only terrible test that the US carried out in Guatemala. At least three such brutal experiments carried out in this small Central American country have been identified: **1946-1948**: the inoculation of syphilis and gonorrhoea to thousands of Guatemalans to study the

1. Diego Rivera, Gloriosa Victoria, 1954, Pushkin Museum | Joaquiín Martínez, CC BY 2.0, Flickr
The painting addresses the 1954 Guatemalan coup d'état that the Central Intelligence Agency (CIA) backed to overthrow the democratically elected Guatemalan president Jacobo Árbenz

impact of penicillin; **1954**: the overthrow of the democratic government of Jacobo Árbenz; **1966**: the systematisation of the methods for the creation of death squads, mass kidnapping of political opponents, torture until the death of those abducted, throwing the bodies of the victims into the sea, and the perpetration of forced disappearances.

2. President Barack Obama and First Lady Michelle Obama pose for a photo during a reception at the Metropolitan Museum in New York with Alvaro Colom Caballeros, former President of the Republic of Guatemala | Official White House Photo by Lawrence Jackson, Wikimedia Commons

1946-1948: Human experimentation in the name of science and the free world

In September 2010, the discovery made by Dr Susan Reverby in the archives of Pittsburgh University, who found the personal file of Dr John C. Cutler containing records on medical experiments conducted in Guatemala in the second half of the 40s, came to light. A few days later, Guatemalan President Álvaro Colom received a call from the President of the United States, Barack Obama, in which he offered his apologies for the fact that vulnerable Guatemalans had been infected with syphilis, gonorrhoea and chancroid without their consent, within the framework of an agreement on medical assistance financed by the United States Government between 1946 and 1948.

Since 1932 in Tuskegee, Alabama, the Government of the United States had organised and financed secret trials on African-American prisoners, who they inoculated with sexually transmitted diseases in order to experiment with diverse types and doses of medications,

3. Inauguration of Jacobo Arbenz government. 1951 | Gobierno de Guatemala, Public Domain, Wikimedia Commons

or simply to observe and document the evolution of the disease without the administration of any medication. The Second World War contributed to an increase in interest in these experiments due to their potential usefulness in the prevention and treatment of venereal diseases among US troops.

The refinement of penicillin at the beginning of the 40s, with all its economic and military implications, catapulted the commercial interest of the pharmaceutical industry and increased the strategic importance of medical experiments on human beings. Nevertheless, at the end of the war, and given the imminence of the Nuremberg Trials, it became dangerous to proceed with experiments on African Americans. And it is here that Guatemala appears as an ideal place to continue the trials and carry out further tests, taking advantage of the existence of a largely indigenous, illiterate and under-informed population.

Aware of President Juan José Arévalo's ethical stances, the US agencies responsible for the experiments wove a web of complicity and corruption among second- and third-line officials in order to use state resources as they pleased and to ensure the necessary discretion and disinformation.

The experiments consisted in cultivating syphilis, gonorrhoea and chancroid in humans and animals, to later inoculate at least 2,082 men and women lacking the freedom and knowledge to oppose it: prisoners incarcerated in the Central Penitentiary, the mentally ill in the Neuropsychiatric Hospital (the then-called Lunatic Asylum), indigenous soldiers in the "Honour Guard" barracks, and women involved in prostitution controlled by the police and health authorities. These experiments were expanded to 515 orphaned children within the National Orphanage and 151 school children from the town of Puerto de San José on the south coast.

In some cases, those inoculated were treated with different doses of penicillin and treatments of varying duration; in others they simply recorded and studied the evolution of the illness without the administration of any medication. In all cases, deception was involved, as no one was informed in advance or asked for their consent. In no case were measures taken to prevent infected people from becoming vectors for the spread of the diseases. It is therefore safe to say that the number of victims multiplied with the return of soldiers and convicts to their homes in rural areas and the army, and the prostitution of infected women. Upon death, many of the victims of the experiments underwent autopsies to analyse the internal effects of the disease.

1954: Guatemala's watershed

The records belonging to the archives of the CIA, the State Department and Congress, declassified and made public in the United States, provide proof that the CIA planned, financed and led the execution of the covert operation named PBSUCCESS. Today, it is known that with a budget of three million dollars, numerous US agents conducted a simultaneous programme of economic, psychological, diplomatic and paramilitary actions designed to isolate the Government of Árbenz and cause dissension, confusion and terror within the ranks of his supporters. The radio programmes, recorded in Miami and broadcasted from Honduras, aimed to persuade Guatemalans that internal opposition to the Government was growing, and urged soldiers to revolt against the Government, which they branded as communist.

4. U.S. President Dwight D. Eisenhower (Left) with U.S. Secretary of State John Foster Dulles, the advocate of the coup d'état (1956) | Public domain, Wikimedia Commons

The United States Navy imposed a blockade on all maritime trade entering Guatemala, and US planes scattered propaganda and strafed key locations in the country's capital. The CIA directly drew up lists with names of Guatemalans who had to be got rid of through exile, prison or assassination after the triumph of the counter-revolution. The covert operation culminated in a coup d'état perpetrated by the military high command. From here on in, the Army became the principal executor of the policies established by the United States, their businesses and the Guatemalan oligarchy. 1954 marked the crossroads that led the country along the route of militarism, repression, corruption, civil war, State terrorism and genocide.

1966: Guatemala, the US terror laboratory

As various authors have documented, in Guatemala in 1966, the structures, methods and practice of death squads, mass political kidnapping, unlimited torture and the definitive disappearance of political prisoners, throwing them – dead or alive – into the sea or into the crater of an active volcano, were systematised.

Paramilitary groups have always existed across the world. However, the novel method initiated by the Guatemalan Army in 1966 was the creation of structures that were illegal and secret, but at the same time organic, disciplined and vertical, charged with carrying out the abduction and assassination of opponents, or those suspected of being so. Thus, repression no longer stopped at formalities, laws or institutions of any kind. For the purposes of propaganda, the method included a public discourse of condemnation in order to feign dissociation and official innocence.

Coupled with the fact of political abduction (in less than 48 hours 35 opponents were illegally captured), in 1966, the practice of torture also saw a brutal escalation. With the explicit determination that those abducted would never appear alive, the limit of torture came only with the death of the victim. In order to extract the information desired by the repressors, the persecutors could even kill other abductees in front of the prisoner in a bid to break their will. In many cases, blaming the death squads, tortured and mutilated bodies appeared in public locations, chosen to amplify the message of terror.

This method of forced disappearance was fully established through the burial of the bodies of those abducted in clandestine graves, or throwing them into the sea or the crater of an active volcano from aeroplanes and helicopters belonging to the Air Force.

This combination of methods was further refined in Guatemala between 1966 and 1970, with the direct participation of US advisors from the CIA and Pentagon. In this way, Guatemala functioned as a laboratory for the systematisation and refinement of procedures of repression and terror, which the US advisors later transmitted to other armies on the continent. The School of the Americas, Fort Gulick, Fort Benning and Fort Leavenworth were some of the training facilities used for this purpose by the United States Army. Since 1975, several hundred military personnel from various countries have undertaken the "Kaibil" training course in Guatemala, in the training facility officially known as "Hell".

In the light of these experiences, it is necessary to ask ourselves about the strategic objectives of the United States in expanding the use of these methodologies and increasing their intervention in Latin America. Much has been written about the US strategy and the relationship between the support for military dictatorships, the expansion of these methodologies of terror, and the plans to discipline the economy and politics of the countries of the subcontinent to follow the new order resulting from the Cold War. Today, the sequential relationship between the application of the National Security Doctrine, the expansion of neoliberalism, and the proclaimed globalisation achieved towards the end of the 20th century can be seen with greater clarity.

Yet what is most serious, is that at this point in the 21st century, Guatemalan soil continues to be a laboratory for new US experiments. Nowadays, these trials have to do with moving the southern border of

the United States to the frontier between Mexico and Guatemala, with the aims of keeping drug trafficking activities and routes under control, and stemming the flow of migration to the north. In July 2019, the Administration of President Trump conditioned the Guatemalan Government to sign a "Safe Third Country" Agreement, through which the small Central American nation committed to receive and detain migrants of any nationality seeking asylum in the United States.

In February 2021, the Biden Administration put that diplomatic monstrosity on hold, but no one knows what new trials are in the pipeline. Sadly, it would seem that what took place in the past is still happening now.

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5. Migrant Caravan in Guatemala | Jacinta Astles. The Migrant Caravans Explained

REVIEW

MUSEUM

Finding Friends in Glass Houses

By Nuraini Juliastuti and Carine Zaayman
AHIR - University of Amsterdam and Free University of Amsterdam

On 3 August 2021, we (Nuraini Juliastuti and Carine Zaayman) visited the Museum Volkenkunde, one of the museums that forms part of the Dutch National Museum of World Culture, to see the exhibition "First Americans: Honouring Indigenous Resilience and Creativity". Both of us come from places that were colonised by the Dutch – Nuraini from Indonesia, and Carine from South Africa – and from whence objects have been collected and put on display in this museum. Like many travellers before us, we were curious to see not an exhibition about a "somewhere else", but rather how this museum would represent the worlds that we ourselves come from.

Breaching Frames

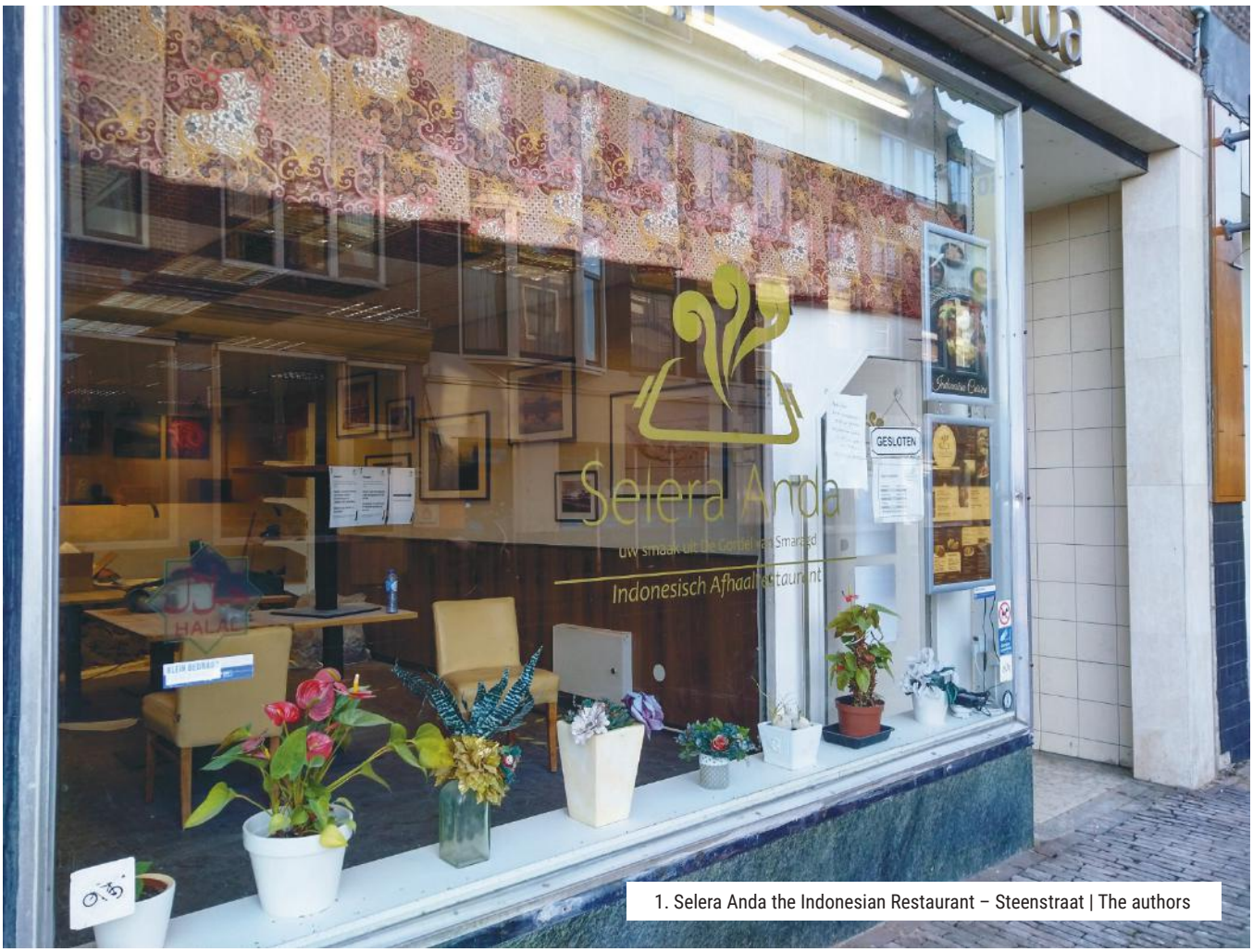
(Carine Zaayman)

Walking into the museum on our visit, I thought of how these doors function more as frames than as portals. We already know that museums – especially ethnographic museums – frame the objects they display, petrifying them in a museological gaze. Objects are isolated in vitrines, illuminated with soft spotlights. Information on the objects are conveyed via authoritative labels. Any encounter with objects within a museum is carefully staged. But what of the outside world, where the impermanence of everyday life renders the world changeable and transient, where unanticipated meetings, connections, conflicts and friendships emerge continuously?

Museums frame not only the objects inside its galleries, but the world outside. As everything in the museum works in concert to confer value on the objects on display, it simultaneously implies that the world lying beyond its walls, outside the frame constituted

by the building itself, is lacking in this value, and does not necessitate the same careful consciousness of encounter. What is more, the way in which the museum lays claim to authenticity through authoritative, didactic gestures, suggests that worlds past and far away find their truest representation within it, rather than on the street. Framing, as manifested in the museum, does not begin or end at its doors. Rather, these doors demarcate an "inside" and an "outside", thereby contributing to the making and unmaking of worlds within the world.

Yet we also need to remember that displays in any museum do not all necessarily conform to the same logics: As new personnel are appointed and discourses develop that in turn engender practices that imagine the functions and ethics of the museum anew, institutions do change. The Museum Volkenkunde for instance, carries within itself traces of such developments. The exhibition "First Americans: Honouring Indigenous Resilience and Creativity" surfaces various ways in which the world outside the museum is in flux, and hence adopts a more hybrid language of display, one that traces more consciously those connections between objects one might encounter elsewhere in the museum and their contemporary utilizations in the world. Artworks by Cara Romero, for example, references conventional museological



1. Selera Anda the Indonesian Restaurant – Steenstraat | The authors

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2 I 3. Southern African figures. Volkenkunde | The authors

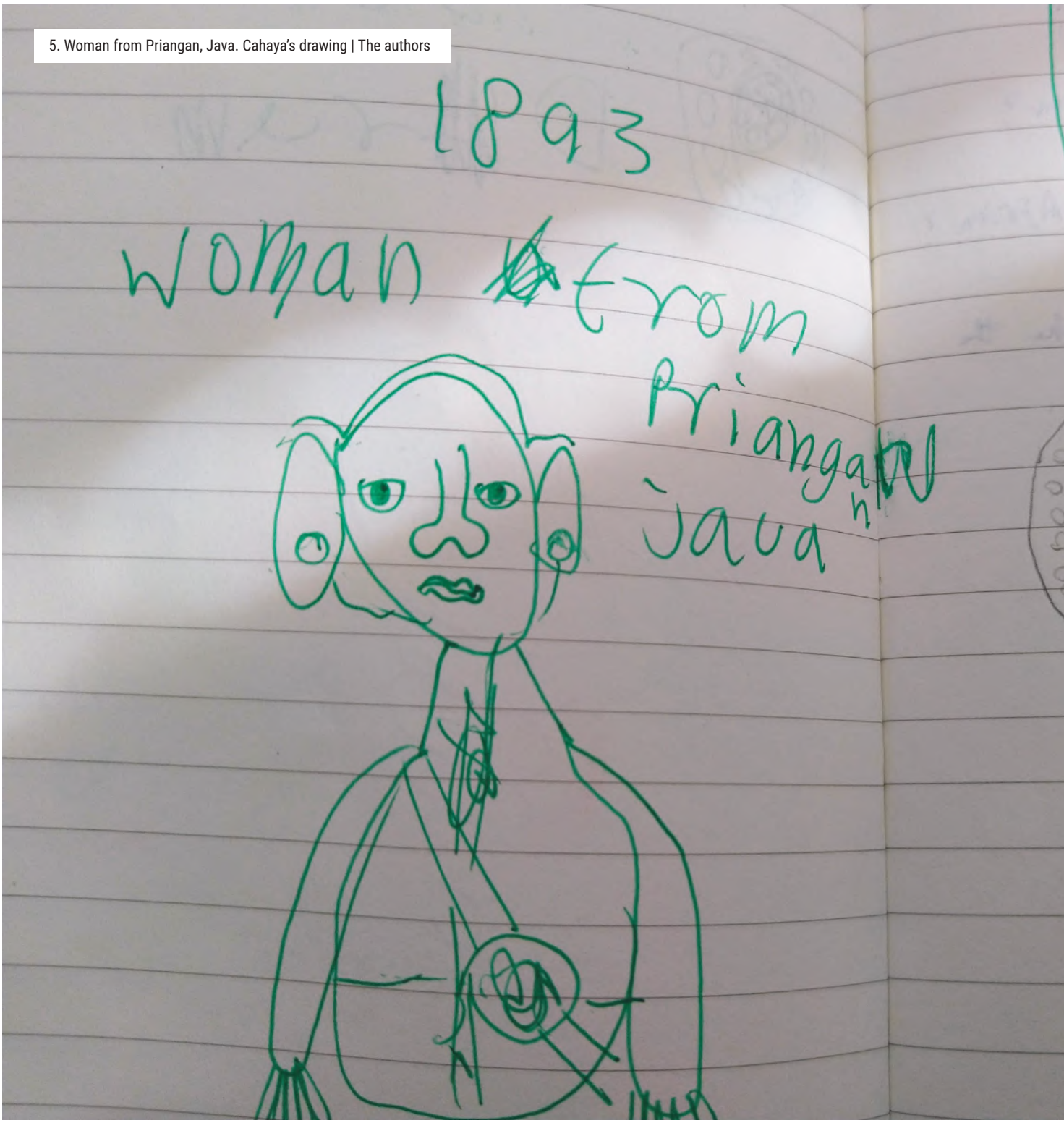
4. Virgil Ortiz - Corn pot in the Indigenous American Families | The authors

arrangements of objects by photographing them as though they existed in a recess. While the containment of the objects in a box-like structure recalls the way in which museum displays conventionally arrange objects explicitly for the purpose of visual consumption, Romero situates the "vitrine" as object as part of the display by focusing attention to the box itself, covering it with bold colouration and striking pattern. She further includes an image of herself, wearing an extensively beaded dress crafted by five female members of her family over the period of a year. By including her own body, facing front, she invokes the conventions of museum objects and photographs of people meant to serve as "types". However, as the author of the image, she claims ownership of her self-imaging, as well as the objects she wields.

I had Romero's work in mind when, after we had visited the "First Americans" installation, we made our way to the permanent display of objects from Southern Africa. Here I had a different relationship with the installation we encountered, because it instantiates a conception of the place where I come from. Scholarship, activism and artistic interventions have offered a host of critique against the authority that museums claim, troubling the power exercised by the museum over the way in which the world is conceived, but importantly, these critiques are often founded on the experiences of those who are bodily, intellectually and emotionally invested in the worlds that the museum represents. I deeply felt my own investments as I looked at the various diminutive figures dated from around 1820-1883, sometimes referred to as "dolls", pressed into service to represent various "ethnic" groups from the Southern African region. The label for the "Zulu or Xhosa man", for example, informs us that the "clothing, jewellery and attributes are depicted with great accuracy", and therefore "the doll-maker must have had a great deal of contact with the indigenous population." Unlike Romero's photographs, these figures are decidedly not ones of self-representation, nor is any acknowledgement made of how the identities of groups of people in Southern Africa have always been in flux and thus, there can be no "types". No attention is paid to the agency and creativity of the peoples (ineptly) represented by these figures. The petrifying gaze of the museum operates on these figures in many ways, not least by reducing them to the scale of toys, pairing male and female figures into couples, and rendering them inactive, docile.

These diminishing modes of presentation are not without implication for the world outside the walls of the museum. Rather than engendering an understanding of the places whose objects they display, museums often make it harder for European audiences to find connection with people from all over the world, exactly because of its tendency to typify rather than acknowledge flux, thus erecting a mirage of authority and knowledge that serve as foundation for European imaginaries of "elsewhere". In the Museum Volkenkunde, the display

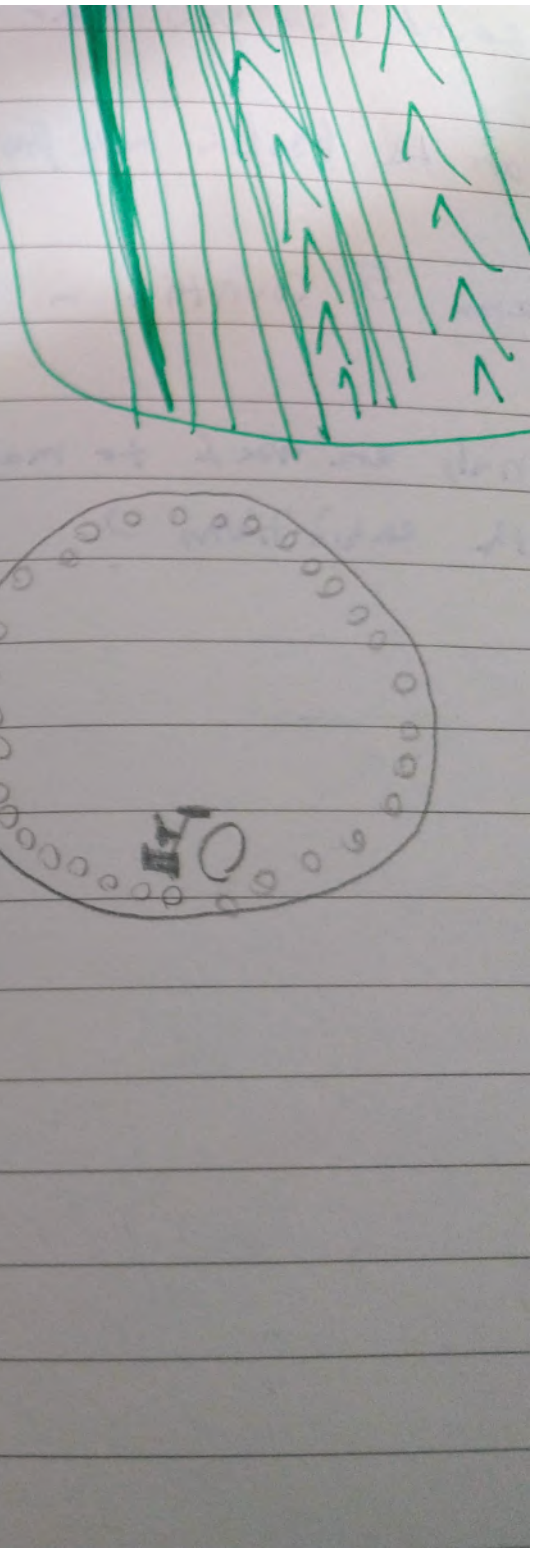
pertaining to Southern Africa is a reminder of both the extent and the ease with which the museum frames the world outside its boundaries in the minds of its visitors. "First Americans" offers a more promising approach, in that artists and activists jettison notions of authenticity founded in colonial epistemology in favour of contemporary voices. Moreover, it draws the museum and its conventions into the frame of the exhibition itself. It would serve the museum to utilise such strategies of re-framing across all its halls.



5. Woman from Priangan, Java. Cahaya's drawing | The authors

Making our own stories in a museum

(Nuraini Juliastuti)



I have visited the Indonesian permanent collection in the Museum Volkenkunde many times. On each visit, I always have this feeling, a mixture of being in a place and surrounded by familiar stuff, the willingness to excavate something extra, something more special, and being blasé at the same time. Oftentimes this blasé feeling takes center stage and creates uncomfortableness. It makes me wonder about its source and why I feel like this. In everyday conversation, there is a popular saying of *dimuseumkan*, or 'to be museum-ized', an Indonesian expression, if critical, to say to put something in a particular place and let it be abandoned. My theory is that my blasé-ness is informed by this kind of expression.

Museums, along with census, and map, to follow Benedict Anderson in *Imagined Communities*, are three important tools for colonisation. Anderson writes, "they profoundly shaped the way in which the colonial state imagined its dominion -- the nature of the human beings it ruled, the geography of its domain, and the legitimacy of its ancestry." The politics of museumized in the colonial eras followed the logic of salvage. The colonial objects were excavated, unearthed, mapped, being cared for and protected in the name of scientific rationalisation. Anderson observed that the politics of museumizing in post-colonial states often followed the logic of the colonial's way of conservation. The post-colonial museums emerged as new sites for the construction of national identity through demonstrating the official display of what Anderson referred to as the 'evidence of inheritance.'

Various objects in the museums are arranged systematically in carefully curated manners. Their stories have been gleaned. They become contained objects labelled with tags giving brief information to describe the names, ages, and functions. Anderson refers to the museum as rumah kaca, a glass house, coined by Pramoedya Ananta Toer. A glass house, Pramoedya wrote in the latest book of his Buru Quartet tetralogy, *House of Glass*, represents a condition of total control. Anderson said that it is a 'total surveyability.' In a museum, which also functions like a glass house, the meaning and the stories are confined within the limitations of the frames, the vitrines, and the labels.

There is something in those limitations which prompted me to associate a museum visit with the act of memorising dates, names of people, objects, places, and moments, with history classes during the New Order (1966-98). I was born and grew up under the New Order regime and, whether I like it or not, it has informed my perspective on history. The history textbooks embodied the rigid official frameworks that dictated which narratives the public should learn (and memorise). The official histories tend to suppress other stories. Part of my

experience of being a teenager during the 1990s was to unlearn these history textbooks, hijack them, and find other sources of histories. Many others who experienced both the New Order and the reformasi movement, are compelled by the desire to look for alternative histories; other voices, which are able to reveal everything that has been concealed or repressed. What we usually see in museums and other state-based institutions in Indonesia rarely represents what we want to see. Perhaps my indifference when visiting the ethnology museums stemmed not from a lack of interest, but from such a desperation to get a sense of connectedness and relevance.

In June (2021), after lockdown restrictions were lifted, I visited the Volkenkunde again with my partner Andy and daughter Cahaya. We were in the Indonesian permanent collection room, and Cahaya started to get restless. Andy came up with an idea of a museum activity. He wrote five questions. The questions were the following: 1) Find five different objects from different islands of Indonesia; 2) What is the oldest object you can find?; 3) Tell us about your favorite object?; 4) Can you find some jewelry? Can you find any weapons? (Like a sword or dagger?) Can you find any musical instruments?; 5) Can you draw the batik patterns? Can you draw a figurine? He wanted to apply some kind of rudimentary game-like experience to being in the museum.

In order to answer the questions, Cahaya needed to walk around the room, looking at the objects displayed inside the vitrines. Her immediate response to the questions was "This is like a treasure hunt game, but our own style." The museum provides treasure hunt games packages for children visitors. The instructions, however, are only in Dutch. Cahaya's Dutch proficiency was not yet sufficient to understand them. So she could not play the game fully. But then I saw Cahaya was engaged in the questions that Andy posed, looked at the objects, wrote, and sometimes drew the answers in her red notebook.

Fred Moten, reflecting on his collaborative writing process with Stefano Harney in their book, *Undercommons: Fugitive Planning and Black Study*, referred to the process using the pretend game that his children always played all the time as a metaphor. The essence of the play, as Moten observed, is interaction. In the pretend game, his children created their own world. As they created this world, they invited the participation of other people. Their game emerged as a way for creating different kinds of relations. A collaboration requires a condition where everyone can see their relational position and think what they can do about it.

As I looked at Cahaya's drawings, which were based on the objects she saw in the Indonesian permanent collection room, I realised that this might be a way of breaking the structural limitations of a museum. And the way to do it can be realised through turning the museum into an arena for play. Cahaya's treasure hunt game opened up new possibilities to interact and communicate with the museums in a different manner. The museum can be a space where I can think about what is closest to my environment.

This is the thinking that I brought to mind when I walked into the "First Americans: Honouring Indigenous Resilience and Creativity." This exhibition is part of the contribution that Volkenkunde made to the Leiden 400 Years event. The year 2020 marked the 400 years since the Mayflower, the ship carrying refugees from religious persecution and adventurers from England arrived in America. The pilgrims had lived in Leiden before they continued their journey to North America. The museum objects contain the stories of traveling, under the frameworks of conquest and colonisation. In Museums as *Contact Zones* (1997), James Clifford encourages us to see the museum objects as travellers or crossers. But there is a different ambience emanating from the *First Americans* exhibition room. *First Americans* turned the traveling narratives around, and through narrating the indigenous resilience and creativity, it shows that the destination of the pilgrims is not terra nullius. The indigenous communities were and will always be there, and they are never ceded.

In *There is Hope, If We Rise* (2014) Sonny Assu created a series of posters containing images and

words like "resist, confront, lead, learn, idle no more, never idle, decolonise, rise." Next to the poster series, there was a banner with a woman carrying a water container. The woman was portrayed with a heart symbol in her chest. There was a baby in her womb. She screamed, that was how it seemed to me, "Water: Agua Es Vida." I continued walking through the small room displaying various posters, photographs, artefacts, drawings, and documentations of the indigenous movement. I stopped in front of a red square banner with the symbol, a red painted hand across the face, scattered in the centre of the banner. The symbol represents the ongoing campaign of the Missing and Murdered Indigeneous Women (MMIW). The initiative has been working to increase awareness of the high rates of violence towards indigenous women in Canada and the United States.

Virgil Ortiz shows a photograph of a black and white corn clay pot embellished with floral and geometrical patterns in *Corn Pot in the Indigenous American Families* (2005). The corn pot narrates the stories of resistance through food. The photograph reminds me of the people across various communities in Indonesia who carve their independence through 'foodways'. In their own ways, these people attempt to navigate the difficult paths to make a more direct and meaningful link between food consumption, a sense of dignity, and market forces in everyday life. The market provides almost everything, but this often leads to the consumption which only makes us move away from our lands. The corn pot symbolises the reconnection with food which also shows a strong life perspective.

I saw everything in this room as a display of allies, brothers and sisters who are standing together because they share their ongoing struggles. When a museum opens up itself as a space for struggles, the rooms become zones for solidarity. This is the concrete phase of becoming a caring space. The exhibition serves as an avenue through which I can make connections with that which is beyond the museum gate.

Pathways Home

As we said goodbye to one another, we each made our way to our new homes in the Netherlands. Nuning left the museum and walked down Steenstraat. On both sides of the street are the small eateries selling food from Syria, Turkey, Suriname, Indonesia, Vietnam -- old and new migrants. At the end of the street is the Mayflower Hotel, named after the ship that brought the pilgrims on their journey to America 400 years ago. She thought about the indigenous communities who welcomed the pilgrims to America and how their lands, cultures, and people disappeared systematically. She looked at the eateries on the Steenstraat and thought about how these migrant communities made their way to the Netherlands, and made attempts to revive the memories of their lands. Carine made her way to the station, thinking of how the trains connect various suburbs and streets across the Netherlands named for former (and some current) Dutch colonies: Transvaalbuurt, Makassarbuurt, Lombok, and so on. She wondered about the conceptual and material impact of how museums conduct their work on life in these places, as well as the places for which they were named. Nuraini and Carine might have come from elsewhere, but we forged a friendship because our paths have intersected in the museum. Each of us carries a number of worlds with us, worlds replete with complexity, struggle and joy. We are working to build connections between these worlds and many more besides. It is our hope that in our work, the museum can become an ally.

REVIEW

MEMORIAL

An Indelible Tribute: Inscribing the Names of the Victims of Franco's Regime in History

By Vanesa Garbero
Sociologist
National Council for **Scientific and Technical Research of Argentina**

The collective book *To Die in Madrid (1939-1944). The Mass Executions of Franco's Regime in the Capital City*, edited by Fernando Hernández Holgado and Tomás Montero Aparicio, fulfills the double role of being a book-memorial and a historiographic work that explains the repression suffered by Madrid after its occupation by the rebels, focusing on the mass executions that took place there. It is a book written during the first months of the pandemic produced by the SARS-CoV-2 virus, which acquires its full dimension in relation to the memorial dynamics that unfold in the Spanish capital, and which make it hostile territory to the public markings that raise visibility of, and grant recognition for, the victims of Franco's regime.

The image that presides over the book portrays the trampling of the monument projected in the Almudena Cemetery in memory of the people executed in the city of Madrid in the 1939-1944 period. Due to the decision taken by Mayor Martinez-Almeida of the People's Party (2019-2023), the three frames prepared to display the nearly three thousand names of the victims look empty, for the mayor considered that, with them, the monument was "sectarian" and contrary to "the spirit of the transition, of reconciliation". In front of the walls without names and without history (histories), stands the sculpture created by artist Fernando Sánchez Castillo: eight oak trees, metal replicas of the natural trees that were uprooted, stripped of their leaves, their branches cut off, their roots exposed to the air, lying on the ground.

As a counterpart to the action that sought to once again condemn the victims to oblivion, the authors dedicate a large part of the book pages for the inscription, one by one, of the names and some basic information about the 2,936 people executed in the capital city of Madrid in the postwar period. This is the revised version of the list drawn up by a team of historians led by Hernández Holgado and commissioned by the now defunct Office

1. "Morir en Madrid (1939-1944). Las ejecuciones masivas del franquismo en la capital" [Die in Madrid (1939-1944). The mass executions of the Franco regime in the capital] by Fernando Hernandez Holgado and Tomás Montero Aparicio. Antonio Machado Libros, 2020. 400 pages.

of Human Rights and Memory of the municipal corporation headed by Manuela Carmena ("Más Madrid" Party, 2015-2019), with the ultimate goal of building the aforementioned memorial monument. Unlike the pioneering work of Núñez Díaz-Balart and Rojas Friend in 1997, the team supervised by Hernández Holgado not only had access to the burial orders and burial books from 1939 to 1944, on file in the necropolis, but also to the burial records preserved between 1942 and 1944 that had not been consulted so far. In addition, the team had the list that since 2004 the group of relatives and friends of the victims of Franco's regime in Madrid "Memoria y Libertad" has been updating and completing. The result of this research added 270 names to the first list compiled by Mirta Núñez Díaz-Balart and Antonio Rojas (1997), corrected existing errors and collected more information on the victims.

The book is completed with seven historiographic studies that address the different aspects related to the problem and an essay by the artist in charge of the sculpture. Consequently, Hernández Holgado reconstructs the microhistory of the old East Cemetery during the early postwar years in its double use as a "place of memory" and tribute to the victors and martyrs in the narrative of the New Spanish State, and as a site for the summary, mass, mostly nocturnal, almost clandestine executions of the defeated. His writing sets the context of the event and outlines the methodology used in the compilation of the list of the executed people. Montero Aparicio describes the meticulous and handcrafted research undertaken by the "Memoria y Libertad" collective on the list of people executed in the post-war period in Madrid, while at the same time he highlights the work of reconstruction of the life stories that each name entails. Vega Sombría addresses the persecution of, and the exercise of violence on, the defeated and focuses on the deaths in the first moments of the occupation that were not filed in the official records. Oviedo Silva points to the diversity that the list of victims involves and deals with those executed for "non-political" reasons. Pérez-Olivares tackles the legal construction of guilt in the summary

emergency procedures that were needed for the executions and the civilian collaboration in the control which was functional for the regime. García-Funes analyzes the controversy surrounding the creation of the memorial monument in the cemetery, the reasons for its being brought to a standstill and the dismantling of the plaques with the names. Finally, Jiménez Herrera historicizes the origin and use of the words "checa" and "chequistas" in the Spanish Civil War and in the narrative of Franco's propaganda, which are now being used again by right wing groups and mainstream media outlets in Madrid as an argument for requesting that all names be removed from the monument.

Overall, the research work undertaken by the authors evokes the "burial gesture" developed by Michel de Certeau and taken up by Paul Ricœur (2010). Historiographic writing in the manner of a burial rite "exorcises death by introducing it into discourse" and "allows society to situate itself by giving itself a past in language" (de Certeau quoted by Ricœur, 2010: 474). The Town Hall of Madrid must do its part now: to condemn the dictatorship and implement policies of memory, recognition and reparation to the victims of Franco's regime. Thus, engraving their names on the memorial monument located in the old East Cemetery, a demand that relatives and memorialist groups have been expressing for almost twenty years, would be an inestimable first step.

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2. The Almudena Memorial to the victims of Francoism in Madrid | Tomas Montero

REVIEW

BOOK

The Failed Subject.
Democratic Historical Memory in School Textbooks

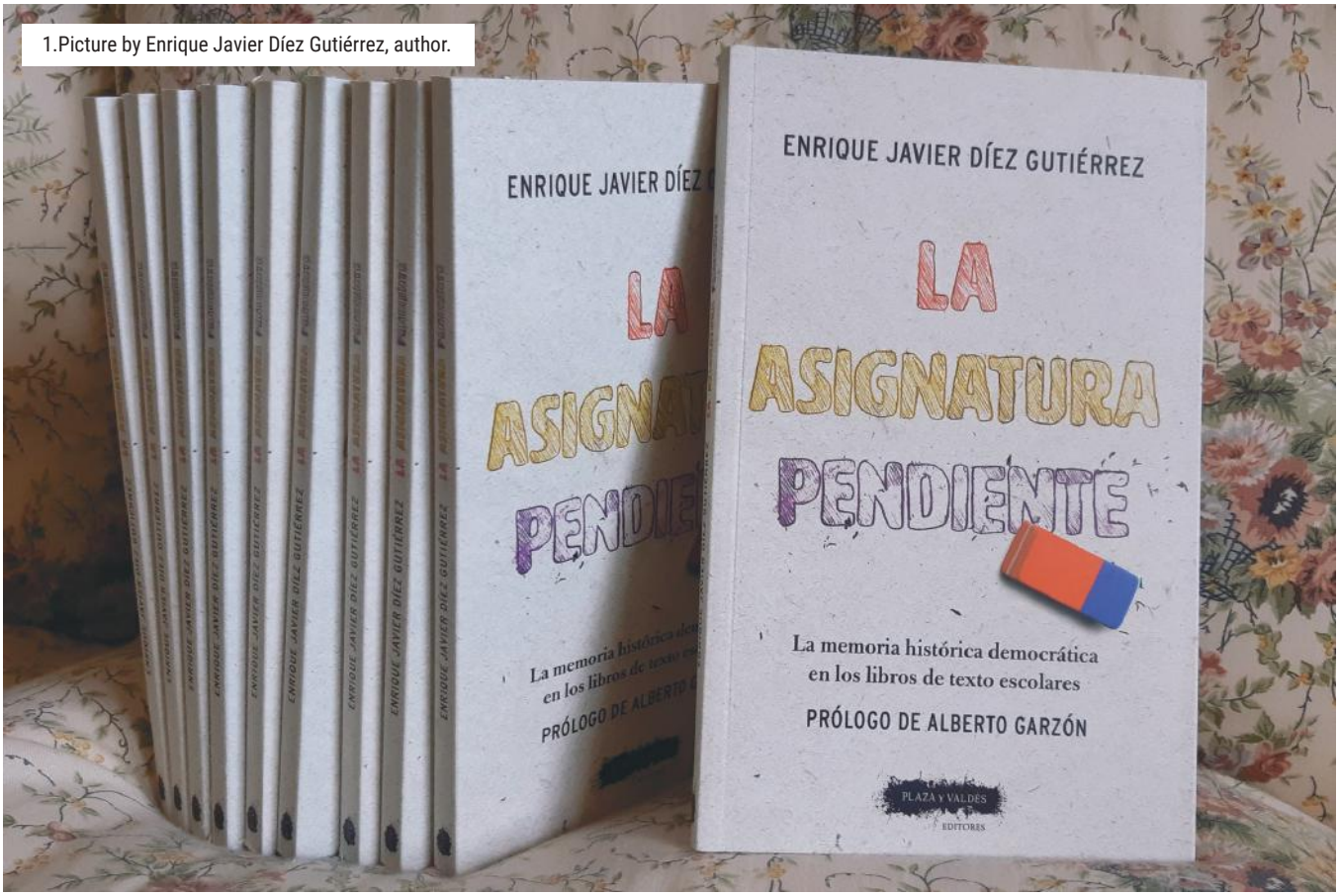
David González
Historian **EUROM**

"La asignatura pendiente. La memoria histórica democrática en los libros de texto escolares" is a book by Enrique Javier Díez Gutiérrez, Doctor of Educational Sciences and Professor in the Faculty of Education at the University of León.

Although the book in front of us saw the light of day in 2020, it is the outcome of many years of research in education and historical memory. Its author, also linked to the Forum for the Memory of León, previously published a number of studies, of a more academic nature, on which he has continued to work until the release of the current publication (Díez Gutiérrez, 2011, 2012, 2017), whose media coverage has been notable in fields related to historical memory in Spain.

Thus, despite being a publication of a commercial nature, its narrative content is the product of years of research carried out by the author and his academic colleagues. To be more specific, the study that inspired this publication was made possible thanks to the participation of 610 teachers, who have given their opinion on the different analytical issues raised. A study led by a three-member team, including the book's author, who devoted three years to gleaning the contents of textbooks used in Spanish secondary schools related to historical issues such as the Second Spanish Republic, the Spanish Civil War and the Franco regime.

Finding that curricular matters fell under the remit of autonomous communities, the study has taken into account the set of laws in each autonomous community across Spain as



1.Picture by Enrique Javier Díez Gutiérrez, author.

well as all the leading publishers, including Oxford, McGraw Hill, Santillana, Vicens Vives, ECIR, Anaya, Laberinto, Bruño, Edelvives, SM and Akal. In total, 21 textbooks have been examined, corresponding to 12 in the second year of the Spanish Baccalaureate and 9 in the fourth year of ESO (Educación Secundaria Obligatoria, compulsory secondary education), the two years which, within the compulsory subject of the History of Spain, cover the Second Spanish Republic, the Spanish Civil War and the Franco regime.

This book presents and analyses the findings obtained from the aforementioned study using a highly explicit metaphorical element as the title of the work. The "asignatura pendiente", that classic concept in the Spanish language that refers to a failed course that students must therefore resit, applies in this case to the numerous deficiencies identified in the textbooks used in Spain's secondary schools in terms of democratic memory.

The painstaking analysis of the sample's contents has allowed the group of researchers to draw several meaningful conclusions as to how the Second Spanish Republic, the Spanish Civil War and the Franco regime are covered in textbooks in compulsory and post-compulsory secondary education in Spain. Broadly speaking, glaring gaps are noted in terms of specific content. By way of example, repression during the Franco dictatorship and resistance movements within the Franco regime, a widely neglected topic, which was not included in any publisher's books until more recent times. The specific role of repression levied against women, as well as the leading role of the Catholic Church therein, are also a clear example of the omissions detected. In addition, the author identifies a set of five taboo topics given limited or no scope. The first of them concerns the issue of confiscating property and the origin of the great fortunes of Ibex 35. A topic that, despite having been the subject of some research in recent years (Maestre, 2019), has not received the same social and media interest as other equivalent cases at European level, where there has been

a process of reparation in which the companies that benefitted from slave labour have been held accountable for their past. A second taboo refers to the legitimising role of the Church within the regime's repressive apparatus. Something that, unlike the previous case, does represent a widely researched and well-known fact, but remains outside the contents of history books in Spain's secondary schools. The third issue that presents a clear omission relates to the identification of the persons in charge of the repression, whose trajectory in many cases continued after the dictatorship. The fourth taboo concerns civil society that was complicit in the repression on the winning side. A hot topic, without a doubt, since it refers to the recognition of a full-blown atmosphere of terror, where threats went beyond the official agencies of repression, spanning the full breadth of the social spectra of everyday life. And finally, the issue of reparations for victims is completely overlooked, a particularly serious issue if the period of dictatorship is to be broached from an educational perspective linked to democratic memory. A series of systematic oversights in terms of topics that show discrepancies in how they are covered when it comes to a chronological presentation of history. As a result, the Spanish Civil War, which lasted just three years, has more prominence than the Franco dictatorship, which went on for almost four decades.

A chronological matter that is relevant to the point of influencing not only the textbooks but also the official curricula of compulsory and post-compulsory secondary education, in which continuity is established between the Second Spanish Republic and the Spanish Civil War, instead of doing so between the Spanish Civil War and Dictatorship. Although it is more practical to combine the Second Spanish Republic and the Spanish Civil War thematically, this entails the establishment of a clear causal relationship between the two of them and, therefore, the implicit recognition of one of the arguments defended by neo-Francoist revisionism that the Republic's political action was the cause of the War. Putting forward a thematic link between the War and the Dictatorship, despite implying a greater pedagogical challenge to group the subject areas, would convey a vision in accordance with historical reality, in which there is an evident cause-and-effect relationship between the War and the Dictatorship.

The planning, execution and consolidation of studies such as those put forward in this case are of paramount importance in an educational context such as that of Spain in relation to its recent history. Educating in history and memory, and doing so under the umbrella of a reliable discourse, based on empirical data, is essential to counter those discourses protected by official memory in Spain that emerged from the transition. A narrative that has its cornerstone in the equidistance between sides, and that, as the author has shown through the study presented in this book, has a major educational voice in the vast majority of publishers in charge of the history books used in Spain's secondary schools.

"La asignatura pendiente. La memoria histórica democrática en los libros de texto escolares" [The Failed Subject. Democratic Historical Memory in School Textbooks] also highlights that the publishers responsible for publishing the textbooks for compulsory and post-compulsory secondary education are controlled by large media groups, some of which are directly linked to the Catholic Church. Each and every one of them has a strong editorial policy and, therefore, ideological stance, which serves their corporate interests. This is well known by Díez Gutiérrez, who, in addition to researching the relationship between education and historical memory, has developed a broad line of research in recent years on the impact of neoliberalism on the education system (Díez Gutiérrez, 2018, 2019, 2020).

Given the poor state in which democratic memory is found in the textbooks of Spanish secondary schools, numerous initiatives have emerged in recent years from the teaching staff themselves to deal with this shortcoming. The establishment of working groups, the development of research projects and of complementary materials, such as the teaching units developed by the author's colleagues (Díez Gutiérrez; Rodríguez González, 2018), are some of the many proposals being put forward outside official curricula. The teaching

staff's entrepreneurial capacity in matters of democratic memory that, despite being a positive note, is still the confirmation of that huge mistake to which this book refers, and that does not occur in just textbooks, but also in the very structure of the curricular content of compulsory and post-compulsory secondary education. To this end, the latest autonomous communities in Spain to enact memory laws have stipulated how democratic memory is to be covered in official curricula. Thus, with varying degrees of impact and involvement, the memory laws of Andalusia (Law 2/2017), the Valencian Community (Law 14/2017), Aragon (Law 14/2018), Extremadura (Law 1/2019) and Asturias (Law 1/2019), as well as the draft of the new democratic memory law at state level (Presidency of the Government of Spain, 2020) raise the need to develop the approach to covering the history of 20th-century Spain from the perspective of democratic memory.

Taking action from the official arena is fundamental, since, given the power to reverse hegemonies associated with education, galvanising a new curriculum, and the consequent adaptation of the textbook syllabus to this curriculum, may be a key factor in the construction of a more civic and tolerant society. And this is so because, as Díez Gutiérrez himself puts it, educating in democratic memory does not, under any circumstances, imply indoctrination, but rather puts forward universally agreed pedagogical goals based on the transmission of values linked to the respect for human rights. In losing this perspective, education becomes meaningless, impartial and harmful.

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Argentine Memory for the World

Alejandra Naftal
Executive Director of the **ESMA Museum and Site of Memory**

Since 2015, the process of Memory, Truth and Justice is writing a new and auspicious chapter of its own history. At the request of human rights organizations, the ESMA Museum and Site of Memory, operating under the scope of the country's Secretary of Human Rights, is carrying on its nomination process for the UNESCO World Heritage List, which identifies and preserves heritage properties which carry an outstanding universal value. The goal? To propose a new interpretation of the property, not in the context of its unquestionable relevance within the history of the country and the region, but as a contribution to the world's Cultural Heritage. A Heritage of 'Never Again'.

Inaugurated in May 19th, 2015, the ESMA Museum and Site of Memory is now a thorough expression of this social contract that unites Argentines and expresses itself through a State policy that is the result of a constant demand. It is so because its creation was the byproduct of many years of debate and quest for multisectorial consensus, and because its permanent exhibition and the building where it stands bear witness to the crime that characterized our country's darkest hours and made us infamous around the world.

1. Picture of the permanent exhibition | ESMA

The challenge is big. UNESCO asks those who submit these kinds of candidacies to offer a balanced and truthful version of historic facts, and the proof that the submitted property is not only a relevant testimony for the country but also carries an outstanding universal value. This is what we have been working on almost since the opening of the Museum in 2015, when we conducted a critical analysis of the guidelines provided by the organization regarding the nomination of properties. From then on, the outstanding universal values we are proposing to the institution are State terrorism based on the forced disappearance of people and social consensus as a means to obtain justice, achieved thanks to the struggle and persistence of human rights organizations and survivors.

There are precedents of other sites of memory UNESCO has declared as part of that program. They are Gorée Island in Senegal, the Valongo Wharf in Brazil, the Nazi concentration and extermination camp in Auschwitz-Birkenau in Poland, the Old Mostar Bridge in Bosnia-Herzegovina and the South African prison of Robben Island, which represents the fight against apartheid. As in these cases, our candidacy aims to reconstruct the wounds from our recent history's traumatic events. This way, we hope to contribute to the process of Memory, Truth and Justice ushered by the return of democracy after the last military dictatorship of 1976-1983.

We are aware that in order to achieve this we need a true commitment by the Argentine State in all of its dimensions: political, diplomatic, economic and social. That is why ahead of us lies the great work of securing the support of different sectors that create dialogues and reflections about the candidacy. We will do so with the belief that the process itself is an achievement, and always with the aim of continuing to build more Memory, more Truth and more Justice, the fundamental pillars of our Democracy. Argentine Memory for the World.

2. Alejandra Naftal | ESMA

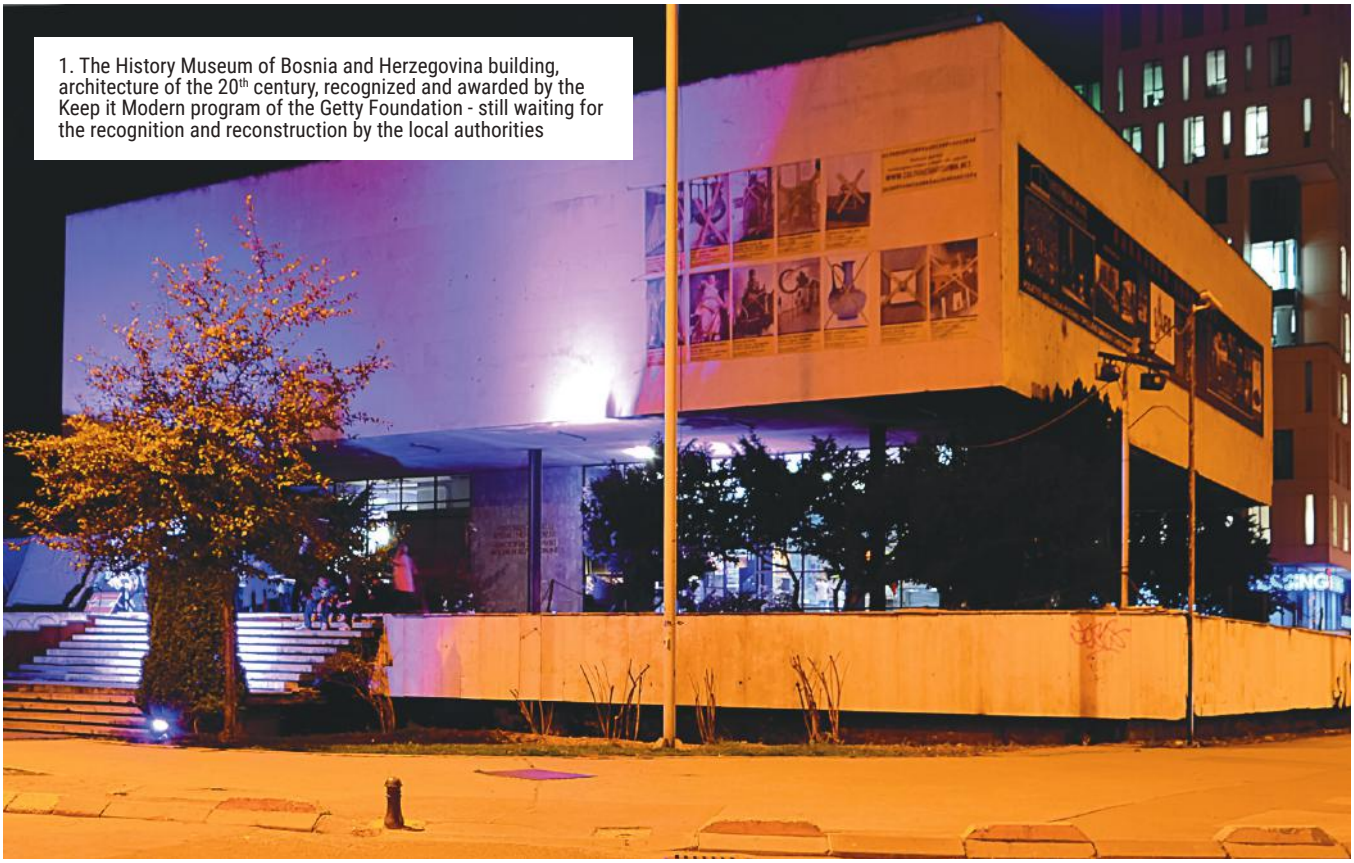
3. Picture of the permanent exhibition | ESMA

The History Museum of Bosnia and Herzegovina in Sarajevo

Elma Hašimbegović
Museum director, historian and museum professional

I have been asked to provide a text for the sightseeing category of the EUROM magazine. I was thinking hard about how to present the History Museum of Bosnia and Herzegovina in Sarajevo to pique readers' interest and to make them think of the museum as a unique institution. It is neither the museum featuring the most important collections, nor the museum hosting the most appealing exhibitions, nor the oldest one in the country. It does not have a Mona Lisa or a Haggadah; it does not even have a star piece. But it is a special place nonetheless. I have decided to take you on the tour as I would with our VIP visitors when they come to the museum (note that we consider every single visitor a VIP). A spot of history, a spot of present-day context, who we are and what we are doing...

Do not be fooled by the broken stairs at the entrance and shabby exterior, to paraphrase an anonymous Tripadvisor visitor, this is a place with a great deal to offer, many stories to tell, many questions to answer and a lot to learn. You just need to give it a chance and come in. Welcoming the visitors in the spacious lobby are objects and artworks tied to the history of the Second World War: stained glass with revolutionary messages, a glimpse from the windows of weapons on display in the atrium, armed people in the bronze artwork... Is it a military museum? No, it is not, but these objects reveal something of its history. Established in the aftermath of World War II, in November 1945, as the Museum of National Liberation of Bosnia and Herzegovina, it sought to "preserve the memory of the war and a just battle of all peoples of Bosnia and Herzegovina and Yugoslavia against fascism". This was the state narrative in the newly created socialist state. The centre of the stained glass reads "Smrt fašizmu, Sloboda narodu" ("Death to fascism, freedom to the people"), a work by the prominent Yugoslav artist and partisan Vojo Dimitrijević. At one point the name was changed to the Museum of the Revolution of Bosnia and Herzegovina, a name to preserve the memory of the place, and at approximately

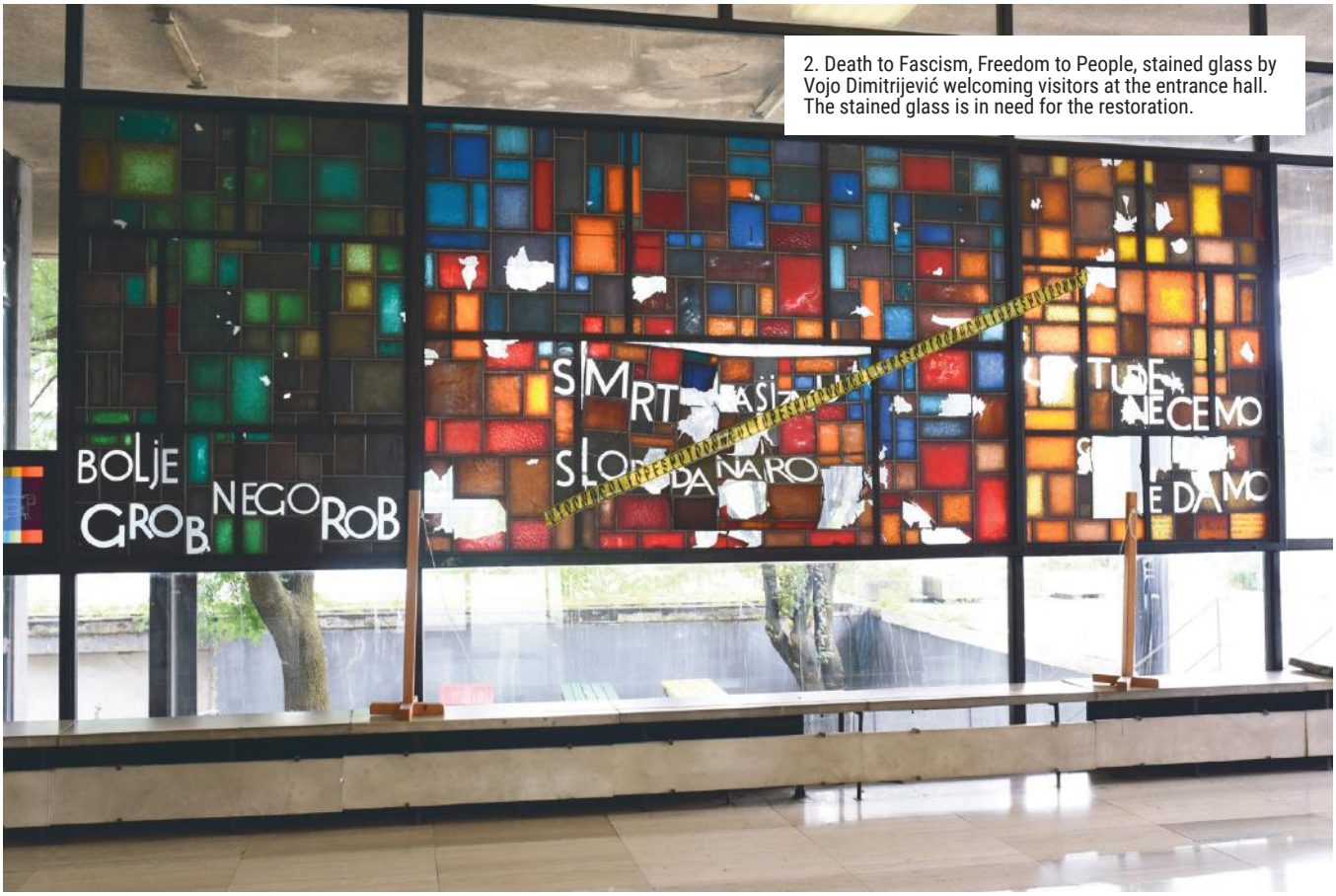


1. The History Museum of Bosnia and Herzegovina building, architecture of the 20th century, recognized and awarded by the Keep it Modern program of the Getty Foundation - still waiting for the recognition and reconstruction by the local authorities

the same time (1963, opening to the public in 1966) received the purpose-built venue. This period can be considered the museum's golden age. Situated in the city's outskirts, the museum is a modernist building strongly influenced by Mies van der Rohe's architecture, built from stone, metal and glass, with a floating cuboid at its centre. It was a precursor and harbinger of the Marijin Dvor neighbourhood's transformation into an area of modernist, experimental architecture (Parliament Building, UNIS skyscrapers and Holiday Inn Hotel). The architects Magaš, Šmidihen and Horvat signed the building design. For fifty years, the museum collected war artefacts, archives and photographic material, and valuable artworks from the period. It grew a significant collection and, at the same time, served as an institution to educate the public about the values and ideology of socialist Yugoslavia.

But then came the fall of communism, the breakup of the state, war and destruction. The museum lost its purpose, as the revolution was over. What's more, the building happened to be at the first front line, two hundred meters from the siege line. This can be seen in Dimitrijević's stained glass. The building is riddled with bullets and shrapnel as a result of the siege, adding to the story of the place. Many more stories about the museum building during the war are still waiting to be told and discovered.

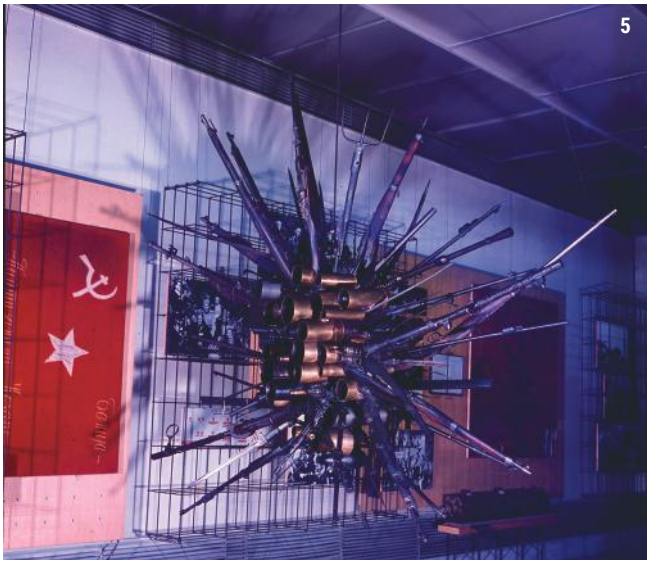
Nevertheless, the most challenging period for the museum was yet to come. It arrived following the siege, in the so-called post-war or transitional period, which is still, 25 years on after the end of the war, the one we live in. The History Museum of Bosnia and Herzegovina, as a national state institution with no State Ministry of Culture, is not legally recognised and is consequently not funded by the State. It shares its fate with six other cultural institutions of national importance and significance – including the National Museum, the National Gallery and the National Library of Bosnia and Herzegovina, to name but a few –, which have had no legal status or official founder since 1995. Abandoned by the government, they have all been left alone to struggle for basic survival, putting their collections and buildings in jeopardy. In other words, endangering the country's national cultural heritage. In the political climate of post-war Bosnia



2. Death to Fascism, Freedom to People, stained glass by Vojo Dimitrijević welcoming visitors at the entrance hall. The stained glass is in need for the restoration.

3. Wake up, Europe! Support and solidarity mobilisations for Bosnia and Herzegovina and its Citizens during the 1992-1995 war, the latest museum project based on a vast research and documentation collected from the private, organizational and public archives all around Europe

4. Besieged Sarajevo, permanent exhibition since 2003, serving as a platform for the constructive dialogue and dealing with the past activities. Hand-made stoves illustrate creativity of the citizens during the siege.



5. The Museum of Revolution, permanent exhibition until 1992, detail showing the Nandor Glid's artwork/installation. The same author designed the International Monument at the Dachau concentration camp memorial site.

and Herzegovina, in which citizens are ethnically divided and there is no real political will to support anything that fosters shared heritage and history, this is not an exception. It simply follows the pattern of deepening divisions and destroys the idea of Bosnian society as a multi-ethnic one. The most radical consequence of such politics towards national cultural institutions is the closure of the National Museum of Bosnia and Herzegovina for more than two years. This situation and political context explain the broken stairs, the shabby exterior and the cold interior in the winter months. But how has the History Museum of Bosnia and Herzegovina responded to the never-ending crisis?

The History Museum of Bosnia and Herzegovina has undergone a tremendous transformation, from playing a passive role, blaming politics for the state of the institution, to a proactive grassroots strategy to restore the institution's dignity. This strategy is reflected in opening up more towards the local community, networking, cooperation, and exploring different ways of handling history, heritage and culture. It has changed nobody's museum into everybody's museum, that is, a museum open to all. This strategy turned the museum into a dynamic, proactive institution with a remarkable number of national and international initiatives, a cultural hotspot, and a place for constructive dialogue about the past, present and future. Dealing with the war past of Bosnia and Herzegovina is one of the most thorny issues in our ethnically divided society, in which narratives of the war are cemented and serve as one of the focal points for nation-building processes and further divisions.

Here, in our guided tour, we have already come to the point of introducing our permanent exhibition and shall proceed to the first floor of the museum, which plays host to the exhibition on the siege.

Sarajevo, the capital of Bosnia and Herzegovina, is one of the cities in Bosnia and Herzegovina that most suffered during the breakup of Yugoslavia in the 1990s. It endured a siege of almost four years. It was the longest in modern history, and bore a lasting impact on its citizens, human casualties included, and on the city's architecture. In 2002, just seven

years after the war's end, the History Museum of Bosnia and Herzegovina decided to address this topic by collecting artefacts, documents, photographs and stories from 1992–1995. The results were presented in 2003 when the exhibition was officially inaugurated. The exhibition mainly aims to shine the spotlight on the day-to-day life of citizens during the siege, their endeavours to meet their needs for food, electricity, news, education, and culture. In essence, everything they had been deprived of and what they sought to keep a sense of normality in times of death and destruction. The exhibition features photographs, documents and newspapers from the first anti-war demonstrations in April 1992 and the first barricades to the Dayton Peace Agreement, signed in November 1995. It covers the most significant events of the siege, but also reveals the stories of ordinary people through the objects they donated to the museum. Handmade stoves and a whole host of improvised devices for cooking, heating, etc., made of different recycled materials, are testament to the creativity and resilience of Sarajevo's citizens: every object on display tells a story of survival, sharing and solidarity. The culture section is given a significant place at the exhibition too: posters of plays, concerts, exhibitions and other cultural events organised during the siege are proof of the need for arts and culture even in the most difficult times of human hardship. The whole concept of the exhibition as not serving national narratives and feeding nationalisms allows it to be a platform for constructive dialogue, both locally and internationally.

Parallel to the permanent process of collecting new objects and stories, the museum strives to pursue different initiatives with young people, artists and international partners. History, memory, dealing with the past, resilience, peace, reconciliation, and human rights are key themes in this endeavour. In doing so, we strongly believe that we are representing a voice that differs from mainstream politics, which keep the country and society in a constant state of tension and under the "post-war" label, even twenty-five years after the conflict. What's more, we are convinced that the stories and lessons from besieged Sarajevo extend far beyond local history and are relevant for the Europe of today.

There is still much more to tell you: what is hidden in the museum storerooms, how we address WW2 topics, what we are doing with the legacy of the Museum of the Revolution, and so on, but time is up, and we have far exceeded the space assigned to us...

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6. Museum collections are the main museum resources, serving to deal with WW2 and its legacy. Exhibition Between Fascism and Antifascism: in 11 acts.

7. A cooperation within the EU projects brings new partnerships and exhibitions. The Observing Walls project gathered partners from Ljubljana, Berlin and Sarajevo in 2019.

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The open-air museum Memento Park in Budapest, Hungary, dedicated to monumental statues and sculpted plaques from Hungary's communist period (1949–1989) | EUROM

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Co-funded by the Europe for Citizens Programme of the European Union