

UNLEARNING PREJUDICE THROUGH MEMORY? CONTEMPORARY GERMAN MEMORY POLITICS AND HUMAN RIGHTS EDUCATION

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Abstract

This article is about contemporary memory politics in Germany, with a special focus on memory education as a function of governmentality. It describes the linkage of the memory of the Holocaust with present-day human rights causes and examines education that is intended to use that memory to create better German citizens. I look into the widely accepted idea that in a democracy, citizens not only have rights but also obligations to behave in accordance with the society's values. By examining the citizen's alleged obligations and how they are characterized by different forms of memorializing historical events, I offer insight into the rationale for injecting a retrospective view into present-day politics and educational efforts that are intended to accomplish that. Contemporary German memory education is to a great extent influenced by global educational programs such as those supported by UNESCO. I come to the conclusion that many of the programs aimed at German citizens include education about the Holocaust and are considered to be "naturally" complementary to promoting human rights. Nevertheless, the German government's proclaimed aim of advancing respect for human rights and thereby creating a more peaceful future carries with it a risk of becoming a stepping stone to the assumption of a morally superior position that will result in new forms of exclusion.

Keywords: Germany; Memorium Nuremberg Trials; global citizenship education; governmentality; human rights; Holocaust

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Introduction

On the occasion of what would have been Anne Frank's ninetieth birthday, on June 12, 2019, Heiko Maas, the Foreign Minister of Germany, tweeted a message about the continuing relevance of Anne Frank's story. In his tweet, he said that Frank's diary was an important "warning" and a "symbol for humanity."¹ An Israeli diplomat, Emmanuel Nahshon, retorted in a tweeted reply that Anne Frank's diary was "NOT a warning about wishy-washy pseudo universal values" and that moreover the universalization of the Shoah was a "dishonest rewriting of history."² His harsh criticism must have come as a surprise to Maas, who since becoming foreign minister in 2018 has relentlessly emphasized Germany's duty to remember the Holocaust and its lessons. In his inaugural speech in March 2018, Maas stated that his main reason for going into politics was Auschwitz.³ This is a curious and rather unusual statement for a German politician, but it provoked only a few reactions and even fewer inquiries seeking to clarify what Maas actually meant.

Not every attempt to memorialize the Holocaust derives from the same interpretation of its history, its impact on today's societies, or the things we can learn from it. This article intends to unpack Maas's statement and examine its epistemology. The opposing opinions voiced by Maas on the one hand and Nahshon on the other serve as a point of departure for exploration of German "retrospective politics."⁴ The aim is less to explain Nahshon's criticism of Maas's statement, and more to shed light on the ways in which the memory of the Holocaust can be used in politics beyond promoting a sense of responsibility for the Holocaust itself and honoring its victims.

One example of the broader use of the Holocaust is found in another statement by Maas. At the end of 2017, when he was holding the position of Minister of Justice, Maas demanded that refugees be educated and tested in Holocaust

¹ German Foreign Office, Twitter post, June 12, 2019, 3:52 p.m., <https://twitter.com/GermanyDiplo/status/1138760917418725376>.

² The original tweet has been deleted, but news coverage of it can be found, among other places, in *Jüdische Allgemeine*, June 14, 2019, <https://www.juedische-allgemeine.de/politik/versuch-die-lehren-der-schoa-zu-verallgemeinern>.

³ Maas's inaugural speech can be read on the website of the German Foreign Office: "Rede zum Amtsantritt von Bundesaußenminister Heiko Maas," March 14, 2018, <https://www.auswaertiges-amt.de/de/newsroom/bm-maas-amtsantritt/1788184>.

⁴ I take this term from Berber Bevernage, "The Past is Evil/Evil is Past: On Retrospective Politics, Philosophy of History, and Temporal Manichaeism," *History and Theory* 54, No. 3 (2015): 333–352, doi: 10.1111/hith.10763.

history before they are granted legal status in Germany. His demand was mainly directed at refugees from allegedly “un-democratic,” mostly Islamic, countries and was intended to ensure that they unlearn the prejudices that Maas assumed them to harbor.⁵

What are the “memory politics” that underlie Maas’s demand for Holocaust education for refugees? How do they relate to his statement about Anne Frank’s birthday as a “symbol for mankind?” Answering these questions leads me into an analysis of a global trend toward employing the memory of past atrocities as a tool of governmentality. In order to grasp the extent to which Maas’s views conform to current discourse, and are constructed thereby and systemic thereto, rather than mere expressions of his individual ideas, I will situate them in the broader context of history and historical pedagogy. From the analytical perspective of Foucault’s concept of *Governmentality*, this article examines the most important medium for preserving the public memory of historical events: education. My hypothesis is that educational programs about the Holocaust are increasingly designed to foster the core values of liberal democracy and aim to create a sense of widely shared responsibility for society and the well-being of humanity.

I will further argue that the “lessons for humanity” found in the Holocaust are integral to the United Nations programs for Global Citizenship Education. To make that claim more tangible, I will briefly introduce some of the UN’s core educational programs and then turn to the ways in which they are materialized in one museum space, the Memorium Nuremberg Trials. The museum opened in Nuremberg, Germany in 2010 and is not exclusively dedicated to the Holocaust. Neither, however, can it be divorced from it, as I will explain below. What I intended to find out by studying the Memorium in connection with pedagogical programs for citizenship and Heiko Maas’s statements is the following: what is the rationale, the ideological motor, behind memory education in contemporary Germany (and maybe even elsewhere)? What ideas about the ideal citizen does it disseminate?

Shortly after Maas delivered his inaugural speech, he visited Israel. There he met with survivors of the Holocaust and explained to them why he had declared Auschwitz as his motivation for becoming a politician. When he searched his family for someone who had fought against or even mildly resisted Nazi rule, but

⁵ One of the few newspaper articles about Maas’s remarks can be found in “Justizminister Maas: Wissen zu Holocaust in Integrationskursen abfragen,” *MiGAZIN*, December 18, 2017, <http://www.migazin.de/2017/12/18/justizminister-maas-wissen-holocaust-integrationskursen>.

did not find anyone, he decided to go into politics in order to take an active part in preventing atrocities like the Holocaust from ever happening again.⁶ Shortly after his meeting with the survivors, Maas expressed a similar view in the guest-book of Israel's national Holocaust memorial, Yad Vashem. He emphasized not only his personal responsibility but that of the entire nation-state of Germany. He wrote: "Remembrance must never stop. Germany holds responsibility for the most ferocious atrocities in the history of humanity. The Shoah remains a warning and gives us a mandate to stand up for human rights and tolerance."⁷

An emphasis on Germany's special responsibility for human rights, resulting from having perpetrated the Holocaust, is not new, nor is it unique to Heiko Maas. Moreover, German politicians often express similar sentiments about the state of Israel, to which Germany recognizes a special indebtedness.⁸ However, the number of statements made by Maas in this vein is particularly noticeable. Moreover, all of his remarks and expressions of accountability regarding the Holocaust indicate that Maas assumes Germany to have fully internalized the desire to promote human rights, in a way many of the people who are seeking refuge there have not. His remarks can only be understood in relation to the concerns often expressed in Germany about "importing" hatred for various minorities along with the refugees, who are reputed to lack respect for the values of a free and democratic Germany.⁹ Such expressions of concern only work against the background of a European Union that considers itself a "peace project" at heart, in which Germany has become an important player.¹⁰ Accordingly, what Maas has said is conditioned by a certain discourse that has become viral since

⁶ Maas's visit to Israel was covered by, among others, the German newspaper *Die Zeit*, March 26, 2018, <https://www.zeit.de/news/2018-03/26/maas-erklaert-holocaust-ueberlebenden-seine-auschwitz-aeusserung-180326-99-637821>.

⁷ This quote appeared in German in news coverage of Maas's trip. See *Tagesschau*, ARD, March 25, 2018, <https://www.tagesschau.de/ausland/maas-israel-103.html>.

⁸ Statements in this regard abound and are made whenever German politicians meet with Israelis. Angela Merkel, as well as the former President of Germany, Joachim Gauck, have declared their unconditional solidarity with and responsibility for Israel in light of the German past. See, for example, the study conducted by Bertelsmann Stiftung: Steffen Hagemann and Roby Nathanson, *Germany and Israel Today: Linked by the Past, Divided by the Present* (Berlin: Bertelsmann Stiftung, 2015).

⁹ María do Mar Castro Varela, "Integrationsregime und Gouvernementalität. Herausforderungen an interkulturelle/internationale soziale Arbeit," in *Bildung, Pluralität und Demokratie: Erfahrungen, Analysen und Interventionen in der Migrationsgesellschaft*. Vol. II, ed. M. Gomolla et al. (Hamburg: Helmut-Schmidt-Universität / Universität der Bundeswehr Hamburg, 2015), 66–83, http://edoc.sub.uni-hamburg.de/hsu/volltexte/2015/3099/pdf/Publikation_IKB_II_final_2015.pdf.

¹⁰ María do Mar Castro Varela, "Europa – Ein Gespenst geht um," in *Europa: Entgrenzungen*, ed. Gregor Maria Hoff (Innsbruck – Wien: Tyrolia, 2015), 49–82.

the so-called “summer of migration” in 2015, and by the general discourse on security and the norms and values of Germany.¹¹ Moreover, this argumentation is once again linked to the memory of the Holocaust: it has become commonly accepted that the Second World War against Nazi Germany and its collaborators was a “campaign for social justice.”¹² Subsequently, a new peace project, the European Union, arose out of the ashes of desolated post-war Europe, which was enlightened by the shock of the Holocaust.¹³ Even though historian Samuel Moyn, among others,¹⁴ has problematized this nexus and argued the emergence of the human rights agenda was not predominantly a response to the Holocaust, this tale of success remains mostly unchallenged.¹⁵

The main focus of this paper will be on so-called *memory education*. This term reflects that public memory is not only informed by but also mediated through education, as Maas implies in his remarks about the need for refugees to receive education about the Holocaust. The construction and negotiation of knowledge about past events and also about the lessons to be learned from them takes place to a large extent in history-based teaching. The “generation of post-memory” fills in its lack of lived experience and personal memories by means of didactics, whether in school or at a museum.¹⁶ In contemporary Germany it is almost impossible to distinguish between historical education about Nazism and the Holocaust, which nurtures what is often referred to as *collective memory*, and the practice of memorializing those events, such as the public commemoration of the liberation of Auschwitz each year on January 27. That date,

¹¹ Roozbeh Shirazi, “When Schooling Becomes a Tactic of Security: Educating to Counter ‘Extremism’”, *Diaspora, Indigenous, and Minority Education* 11, No. 1 (January 2017): 2–5, doi 10.1080/15595692.2016.1253555.

¹² Samuel Moyn, *Human Rights and the Uses of History* (London – Brooklyn, NY: Verso, 2014), 77.

¹³ This metaphor of the rising phoenix was employed by the former President of the European Council, Herman Van Rompuy, in a speech he delivered after the European Union was awarded the Nobel Peace Prize in 2012. His Nobel Prize Lecture can be found at <https://www.nobelprize.org/mediaplayer/?id=1919>.

¹⁴ For an analysis of different aspects of the Holocaust–human rights nexus see, among others, Daniel Levy and Natan Sznaider, *Human Rights and Memory* (Pennsylvania: Pennsylvania State University Press, 2010) as well as Lea David, “Against Standardization of Memory,” *Human Rights Quarterly* 39, No. 2 (2017): 296–318, doi: 10.1353/hrq.2017.0019.

¹⁵ Moyn, *Human Rights and the Uses of History*, 87–97.

¹⁶ I borrow this term from Marianne Hirsch even though I am aware that she uses it to describe “the relationship that the ‘generation after’ bears to the personal, collective, and cultural trauma of those who came before.” She does not, as I do here, include all that came after. She did not refer to the historical time of the descendants of the perpetrators and bystanders. See Marianne Hirsch, *The Generation of Postmemory. Writing and Visual Culture after the Holocaust* (New York: Columbia University Press, 2012), 5.

which since 2007 has been designated as International Holocaust Remembrance Day, would have little impact but for the pedagogical programs providing historical information and reminders about the importance of retaining the lessons of the Holocaust in the memory of future generations.¹⁷

Hence, I argue that public memory of the Holocaust and its implementation must be understood as a political mechanism, with its contemporary expressions “operating through the imposition of structures of education, knowledge apparatus, and cultural impositions” as well as through tacit demands by politicians for a generally more responsible citizenry.¹⁸

Memory in Discourse

Scholars such as Benedict Anderson, and Frantz Fanon with his emphasis on the colonial space, have theorized the interdependency of history and identity.¹⁹ Focusing on Europe, Anderson showed how *imagined communities* such as nation-states center their history around a founding myth. They place value on events and historic figures that resonate with an awareness of their allegedly unique culture and its distinguishing features, such as language.²⁰ The works of Maurice Halbwachs make the same point and illustrate how closely identity and collective memory are entangled.²¹

Since approaches to the study of memory differ, even within the field, I will provide a brief description of my understanding of it. I make use of Michel Foucault’s discourse theory and analysis. I consider German public memory in all its forms and functions to be a discourse of knowledge, that is, a discourse that shapes, regulates, limits and produces certain knowledge. It is a discourse that makes statements about the past, but also about the present and future *sayable*.²² Not every historical event, eyewitness account or archival record is granted the

¹⁷ Needless to say, that goes for any kind of memorial day that is part of the mnemonic calendar of a society.

¹⁸ Joanne Coysh, “Power and Discourse in Human Rights Education,” in *Critical Human Rights, Citizenship and Democracy Education, Entanglements and Regenerations*, ed. Michalinos Zembylas and André Keet (London: Bloomsbury Critical Education, 2018), 64.

¹⁹ Benedict Anderson, *Imagined Communities* (London: Verso, 2006), 204–206; Frantz Fanon, *The Wretched of the Earth* (New York: Grove Press, 1963).

²⁰ *Ibid.*, 37–46. See also Stuart Hall, *Rassismus und kulturelle Identität. Ausgewählte Schriften*, Vol. 2 (Hamburg: Argument, 1994).

²¹ Maurice Halbwachs, *Das Gedächtnis und seine sozialen Bedingungen* (Frankfurt a. M.: Suhrkamp, 1985).

²² Michel Foucault, *The Order of Discourse: An Archaeology of the Human Sciences* (London: Tavistock, 1970).

authority required for it to find its way into, say, a museum, or for its commemoration to find its way onto the public calendar.²³ Hence one of the core questions underlying my analysis is how does the discourse that regulates memory affect and condition specific truths about the past. That is not to say that history itself is either true or false. To approach memory as discourse rather means to examine how the discursive framework demarcates the boundaries within which we negotiate what is acceptable thought about certain past events, how to commemorate them and how to give them specific meaning in contemporary society.²⁴

This can be illustrated by an example that is closely related to the subject matter of this article. Public knowledge in Germany of the history of the Holocaust is to a great extent based on thorough research conducted by numerous scholars over the past seventy years. But it is also very much informed by family memories and identities that might contradict some of the scientific findings. Nonetheless, private memories and identities have not only been passed from generation to generation but from the early post-war period onwards have been woven into the fabric of Germany's public memory, its institutions and its programs.²⁵ The questions raised by a discourse-theoretical approach to public memory do not cast doubt on the historical events themselves but instead seek answers to how we think about the past, how we interpret it and where the limits and possibilities of all utterances about the past lie.

Accordingly, some knowledge is generally considered more authoritative than other bodies of knowledge. What we believe to be true about our world depends on the discourses that structure, assemble and regulate "regimes of truth."²⁶ Sara Mills argues that an analytics of discourse "should be concerned with the mechanics whereby one becomes produced as the dominant discourse, which is supported by institutional funding, by the provision of buildings and staff by the state, and by the respect of the population as a whole, whereas the other is treated with suspicion and is housed both metaphorically and literally

²³ Eviatar Zerubavel, *Time Maps. Collective Memory and the Social Shape of the Past* (Chicago – London: The University of Chicago Press, 2003).

²⁴ Sara Mills, *Discourse: The New Critical Idiom* (New York: Routledge, 1997); Achim Landwehr, "Die Kunst, sich nicht allzu sicher zu sein: Möglichkeiten kritischer Geschichtsschreibung," *Werkstatt Geschichte* 61 (2013): 1–14.

²⁵ Dan Diner, "Ereignis und Erinnerung. Über Variationen historischen Gedächtnisses," in *Shoah – Formen der Erinnerung: Geschichte, Philosophie, Literatur, Kunst*, ed. Nicolas Berg, Jess Jochimsen, and Bernd Stiegler (München: Wilhelm Fink, 1996), 13–31; Dan Diner, *Gegenläufige Gedächtnisse. Über Geltung und Wirkung des Holocaust* (Göttingen: Vandenhoeck & Ruprecht, 2007).

²⁶ Michel Foucault, *The History of Sexuality*, Vol. 1: *An Introduction* (London: Allen Lane, 1979), 46.

at the margins of society.”²⁷ To put it in the simplest way: all the techniques and practices of government are inevitably entangled with the discourses that produce, shape and regulate them.

Governmentality and Techniques of the Self

In order to understand the government’s management of its subjects by the use of memory, I must briefly explain Foucault’s concept of *governmentality*, on which I rely for my analytic perspective. In a series of thirteen lectures between January and April 1978 at the Collège de France, Foucault developed his framework of governmentality, which is concerned with all conceptualizations of power that govern human conduct – in other words, with the ensemble of powers utilized by a society to control its population. Foucault used the term “government” in a rather broad sense. He understood it to mean the assemblage of all the techniques that are used to regulate a population, through various instruments that formulate and give direction to how we behave. The Foucauldian notion of government is therefore that which organizes “the conduct of conduct,” as Mitchell Dean argues:

Government is any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seeks to shape conduct by working through our desires, aspirations, interests and beliefs, for definite but shifting ends.²⁸

Studies of governmentality probe these calculated and rational activities, as well as the mentalities they create, which influence the conduct of “people, individuals, or groups.”²⁹ These activities are not primarily ordered or carried out by what we often think of as the “government,” that is, the state or the politicians officially running it. Instead, governmentality is a perspective that understands government in a nominalistic way.³⁰ It does not primarily focus on the state as the sum of multiple institutions but tries to “grasp its history and existence at the level of the specific arts, practices and techniques that have combined in

²⁷ Mills, *Discourse*, 19.

²⁸ Mitchel Dean, *Governmentality: Power and Rule in Modern Society*, 2nd ed. (London: SAGE, 2010), 18.

²⁹ Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France 1977–1978* (New York: Picador – Palgrave, 2007), 102, 120–122.

³⁰ William Walters, *Governmentality: Critical Encounters* (New York: Routledge, 2012), 10–19.

different ways and at different times to make something called ‘the state’ thinkable and meaningful in the first place, and viable as a framework for conducting human behaviour.”³¹

Education and programs of empowerment are important features of the conglomerate of techniques of government that exists in contemporary democratic societies. Expanding on Foucault’s ideas, Wendy Brown explains that “neoliberalism carries a social analysis that, when deployed as a form of governmentality, reaches from the soul of the citizen-subject to education policy to practices of empire.”³² Today’s democratic societies rely on a concept of citizenship that distinguishes between “subjects” and “citizens.”³³ In her book, *The Will to Empower*, Barbara Cruikshank persuasively argues that individuals in a democracy are transformed into “self-governing citizens” through what she called “technologies of citizenship.” Hence, citizens are “made” by discourse in a certain way and are allowed to “participate in politics, to act in their collective interest, desires and goals. Whereas subjects behave themselves because an external force exerts power over them, citizens have power to act for themselves; they are their own master.”³⁴

From that point of view, democratic rationality desires an active citizen because such a citizen does not burden the state by being dependent on welfare – or even the health care system. So goes its basic logic. What is more, subjects and citizens alike are constantly urged by various actors, institutions and programs to become more engaged in society, either to empower themselves (which is usually demanded of subjects) or to empower others (mainly a task assigned to citizens).

This technique of government does not force its subjects to obey but instead governs their freedom of action by deliberately shaping the desired state of their bodies and souls. Foucault, as well as scholars like Ulrich Bröckling and Nicholas Rose who draw upon Foucault’s ideas, have coined the term “the techniques of the self” to describe it.³⁵ Cruikshank has further shown that “democratic

³¹ Ibid., 13.

³² Wendy Brown, “Neoliberalism and the End of Liberal Democracy,” in *Edgework: Critical Essays on Knowledge and Politics* (Princeton/Oxford: Princeton University Press, 2005), 39.

³³ A lengthy study of the subject-citizen dichotomy can be found in the following groundbreaking work by Barbara Cruikshank, *The Will to Empower: Democratic Citizens and Other Subjects* (Ithaca, NY: Cornell University Press, 1999).

³⁴ Cruikshank, *The Will to Empower*, 19.

³⁵ Detailed research on these techniques of the self can be found in Michel Foucault, *The Care of the Self* (New York: Pantheon, 1986); Ulrich Bröckling, *Das Unternehmerische Selbst. Soziologie einer Subjektivierungsform* (Frankfurt a. M.: Suhrkamp, 2007); Nikolas Rose, “Das Regieren von

citizenship is less a solution to political problems than a strategy of government. [...] This is a manner of governing that relies not on institutions, organized violence or state power but on securing the voluntary compliance of citizens.”³⁶

Neoliberal democratic rationality targets not only the economy but all spheres of politics and the everyday lives of governmental subjects. It promotes the individual’s ability to care for oneself and, if possible, voluntarily care for others as well. Unlike older forms of government, the neoliberal idea of management of populations does not primarily use the law to enforce obedience but focuses on influencing the “conduct of conduct.”³⁷

Museums and the “Urgency of Memory”

These theoretical considerations are especially interesting when we analyze the politics of memory in human rights education, where we can clearly see a will to engage the citizen-subject in the name of democracy. Engaging others and oneself might be neither bad nor good. Analysis of governmentality teaches us that it is in any event a political act. Its political nature becomes more tangible when we examine the institutions of memory and their utilization in support of democratic rationality. For the purposes of this article I choose to examine one such institution, a museum.

My focus on a museum stems from the assumption that educational institutions in general and museums in particular disseminate political rationalities. Tony Bennett, in his convincing work, *The Birth of the Museum*, identifies museums as places that nurture tactics of self-governance and exhort the visitor to live in a more moral way.³⁸ Hence, the study of a museum provides insight into its capacity of “programming behavior,” or more generally, its “technology of behavior management.”³⁹

unternehmerischen Individuen,” *Kurswechsel. Zeitschrift für gesellschafts-, wirtschafts- und umwelt-politische Alternativen* 2 (2000): 8–27.

³⁶ Cruikshank, *The Will to Empower*, 4.

³⁷ Thijs Willaert, *Postcolonial Studies After Foucault: Discourse, Discipline, Biopower, and Governmentality as Travelling Concepts* (Published as Doctoral Dissertation by Justus Liebig University Giessen 2013), 152.

³⁸ Tony Bennett, *The Birth of the Museum: History, Theory, Politics* (Abingdon: Routledge, 1995), 17–25.

³⁹ *Ibid.*, 101.

Museum spaces are not neutral but instead always suggest particular moral obligations and concepts of citizenship.⁴⁰ History museums present the “past made present”⁴¹ in accord with the contemporary “politics out of history.”⁴² The narratives to be found in a museum’s exhibits are based on discursively regulated historical facts that depend on a particular politics of knowledge and “regime of truth.” Therefore, history museums can be seen as a reflection of the official narrative of the past. They are active players that archive, constitute, authorize and make available what is at that time and place being acknowledged as “history.”⁴³ In a museum, it is possible to observe what has been selected for display and what has been left out – or only superficially presented – as well as get a sense of how the official narrative has changed over time.

Today’s history museums no longer display only the heroic stories of imagined communities. Instead, they often add stories of past failures to their exhibitions, thoroughly woven into a narrative of liability and the need for atonement. Such conscience-stricken gestures seem to have become necessary in order to emphasize a nation’s true greatness. Greatness built upon moral superiority has replaced the older version of a nation’s greatness *per se*.⁴⁴ This trend can be identified in global politics as well as national and international law, where acts of contrition for crimes committed in the past are understood to be a sign of maturity.⁴⁵ An example is the enactment of memory laws such as those prohibiting denial of the Holocaust, as well as other forms of public atonement for the past atrocities committed by a nation-state. Moreover, admitting “the guilt

⁴⁰ Vanessa Andreotti, ed., *The Political Economy of Global Citizenship Education* (New York: Routledge, 2014).

⁴¹ Michael Rothberg, *Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization* (Redwood City: Stanford University Press, 2009).

⁴² Wendy Brown, *Politics Out of History* (Princeton: Princeton University Press, 2001).

⁴³ Jennifer Carter, “The Rise of Human Rights Museology: The Evolving Relationship of Historical Memory and Rights Discourses in Holocaust and Human Rights Museums” (Paper presented at The Holocaust, Human Rights, and the Museum Workshop and Book Project 2017, unpublished).

⁴⁴ Derrida’s essay, *On Cosmopolitanism and Forgiveness*, is a very important work on this issue. It is based, however, on a very general proposition and the normative discourse in international politics. I am aware that current political developments, especially the rise of new rightwing movements in various European countries and even more so the many statements made by Donald Trump since the beginning of his presidency point in a different direction. They are an attempt to reclaim and make prominent again the tale of a nation’s natural greatness.

⁴⁵ Uladzisław Belavusau and Aleksandra Gliszczyńska-Grabias, eds., *Law and Memory. Towards Legal Governance of History* (Cambridge: Cambridge University Press, 2017), doi: 10.1017/9781316986172.

of nations”⁴⁶ has become a moral obligation of international politics.⁴⁷ Jacques Derrida goes so far as to say:

The proliferation of scenes of repentance, of asking “forgiveness”, signifies, no doubt, a universal urgency of memory. It is necessary to turn toward the past and it is necessary to take this act of memory [...] beyond the juridical instance, or that of the Nation-State.⁴⁸

This “urgency of memory” calls for memorialization of particular events. The current didactics of history focus predominantly on learning from past failures. Germany is often referred to as a particularly good example of responsibly addressing a troublesome past – in terms of the legal measures it has enacted and even more in its practices of memorialization.⁴⁹ What is more, Germany’s own assessment of its history has so far advanced that it has led Heiko Maas to demand that Germany’s “Others” also learn from the Holocaust. His attitude suggests that Germans have now learned so much that they have graduated to become teachers of tolerance.⁵⁰

Human Rights and Memory Education for the (Global) Citizen

In what follows I will apply the forgoing theoretical considerations to actual memory institutions and their programs in two ways. I will explain them in regard to the techniques of citizenship, and also with regard to the neoliberal rationale that is often concealed in their ideological underpinnings. I will therefore trace the theme of empowerment and the normative concept of citizenship in publications on human rights and Holocaust education. I will then turn to the Memorial Nuremberg Trials as a case study of the ways in which this theme is materialized in a particular museum space.

⁴⁶ Elazar Barkan, *The Guilt of Nations. Restitution and Negotiating Historical Injustices* (New York: W. W. Norton, 2000).

⁴⁷ A lengthy discussion of the issue of atonement as retrospective politics and the different perspectives on it can be found in Bevernage, “The Past is Evil.”

⁴⁸ Derrida, *On Cosmopolitanism and Forgiveness*, 28.

⁴⁹ Elazar Barkan and Alexander Karn, *Taking Wrongs Seriously. Apologies and Reconciliation* (Stanford, CA: Stanford University Press, 2006); Anne Seibring, Editorial to Wiedergutmachung und Gerechtigkeit, *Aus Politik und Zeitgeschichte*, No. 25–26 (2013): 1, <https://www.bpb.de/apuz/162877/wiedergutmachung-und-gerechtigkeit>.

⁵⁰ María do Mar Castro Varela and Baris Ülker, eds., *Doing Tolerance: Democracy, Citizenship and Social Protests* (Opladen: Barbara Budrich, 2017).

The logic and activating potential of the techniques of the self that underlie many educational programs can also be identified in UNESCO's publications on Human Rights, Citizenship and Holocaust Education. They will serve as my main examples.⁵¹ The question I want to answer is: what is the relationship between the contemporary – presumably depoliticized – human rights discourse about the memory of the Holocaust and the UN's desired formulation of citizenship?

Human rights education (HRE) has been gaining in importance for the past twenty years. It has been institutionalized and formalized to a great extent by various structures of the United Nations, as well as national and international NGOs. In a newly published volume edited by the South African scholar André Keet, Keet identifies an interdependence of human rights, democracy and citizenship in education. All three themes are included under the rubric "education for democratic citizens."⁵² A paper published in 1998 by UNESCO on "Citizenship Education in the Twenty-first Century" gives the following brief explanation of the aim of citizenship education:

Citizenship education can be defined as educating children, from early childhood, to become clear-thinking and enlightened citizens who participate in decisions concerning society [...]. Conversely, citizenship education which trains "good" citizens, i.e. citizens aware of the human and political issues at stake in their society or nation, requires from each citizen ethical and moral qualities. All forms of citizenship education inculcate (or aim at inculcating) respect for others and recognition of the equality of all human beings; and at combating all forms of discrimination [...] by fostering a spirit of tolerance and peace among human beings.⁵³

Ever since, HRE has been presented as a desirable "global educational philosophy" that encourages all endeavors for a more peaceful and just world. It is in line with the efforts of the Council of Europe (CoE) and the UN to "promote

⁵¹ A discussion of the different terms, "democracy", "human rights" and "citizenship" education, as well how they overlap, can be found in Michalinos Zembylas and André Keet, eds., *Critical Human Rights, Citizenship and Democracy Education, Entanglements and Regenerations* (London: Bloomsbury Critical Education, 2018).

⁵² Zembylas and Keet, eds., *Critical Human Rights*, 1.

⁵³ The entire publication can be found at "Module 7: Citizen Education," www.unesco.org/education/tlsf/docs/module_7.doc.

human rights, democracy and the rule of law.”⁵⁴ The CoE formulates its vision of HRE as follows:

Learning in education for democratic citizenship and human rights education is a lifelong process [that includes] training, awareness-raising, information, practices and activities which aim, by equipping learners with knowledge, skills and understanding and developing their attitudes and behaviour, to empower them to exercise and defend their democratic rights and responsibilities in society, to value diversity and to play an active part in democratic life, with a view to the promotion and protection of democracy and the rule of law.⁵⁵

It is clear that according to these definitions, citizens living in a democracy have rights, but they also have obligations. They are expected to participate actively in society, to behave in accord with its values and to respect its laws. Looked upon from the analytical perspective of governmentality, and keeping the techniques of the self in mind, the vocabulary employed by the CoE and the UN in the above quotes immediately reminds one of “the will to empower” that Barbara Cruikshank has identified as inherent in contemporary democratic discourse. Today, “the once critical approach to issues of oppression and discrimination has been adopted by mainstream development agencies [such as UNESCO], albeit more to improve productivity within the status quo than to foster social transformation.”⁵⁶

The CoE’s and the UN’s more mainstream ideas about citizen empowerment, which do not acknowledge that power-relations and domination are structures of democratic societies as well as under authoritarian forms of government, “only contribute to the depoliticisation of the concept.”⁵⁷

Depoliticization is very important to retrospective politics at its juncture with human rights, because the human rights project has a strong tendency to

⁵⁴ David Kerr, “The Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (EDC/HRE) and its Implementation,” 2013, <https://www.coe.int/en/web/edc/charter-on-education-for-democratic-citizenship-and-human-rights-education>.

⁵⁵ *Ibid.*

⁵⁶ Shirin M. Rai, “(Re)defining empowerment, measuring survival” (Paper prepared for Workshop on Empowerment: Obstacles, Flaws, Achievements, Carleton University, Ottawa, May 2007), <http://www.ethicsofempowerment.org/papers/RaiEmpowerment.pdf>.

⁵⁷ *Ibid.*, 2.

depoliticize the fields in which it engages, especially that of conflicts.⁵⁸ Wendy Brown reminds us:

The Human Rights discourse not only promulgates a politics that it dissimulates through the rubric of tolerance, it also promulgates a discourse of depoliticization that is itself a means by which the politics of tolerance – the operations of tolerance as a discourse of normativity and power – are dissimulated [...]. The process [...] produces a more generic depoliticization of conflicts and of scenes of inequality and domination.⁵⁹

The importance of Brown's critique is clear when we examine a particular topic in the conglomerate of human rights and citizenship education: Holocaust education. As part of its Millennium Development Goals 2030, UNESCO published a policy guide for *Education about the Holocaust and Preventing Genocide*.⁶⁰ The guide sets forth the "Rationale for Education about the Holocaust," along with "Learning Objectives," and the possible "Implementation" of those objectives. The guide emphasizes the "contribution" of Holocaust education to global citizenship education throughout its pages. It is assumed that teaching students about the history of Nazi Germany and especially the Holocaust will motivate them to reflect upon the prejudices and stereotypes they might hold and ideally *unlearn* them: "Learning objectives [of Holocaust education] align with approaches to Global Citizenship Education [...]. Intended outcomes can range from knowledge acquisition to behavioural change."⁶¹

All of the many texts on this topic published by the UN and UNESCO, as well as their partner organizations, sound very much the same. For example, in its educational programs, the International Holocaust Remembrance Alliance promises "behavioural changes" and explicitly refers to building "global citizenship." Even though "the citizen" and "citizenship" are everywhere in these documents, they do not give any explanation of the implications or underpinnings

⁵⁸ See for example Bevernage, "The Past is Evil"; as well as Tshepo Madlingozi, "Taking Stock of the South African Truth and Reconciliation Commission 20 Years later: No Truth, No Reconciliation and No Justice" (Paper presented to the 3rd International Colloquium of the Instituto Humanitas, Unisinos, Brazil, September 16, 2015).

⁵⁹ Wendy Brown, *Regulating Aversion: Tolerance in the Age of Identity and Empire* (Princeton, NJ: Princeton University Press, 2006), 142.

⁶⁰ UNESCO, *Education About the Holocaust and Preventing Genocide. A Policy Guide* (Paris: United Nations Educational, Scientific and Cultural Organization, 2015), <http://unesdoc.unesco.org/images/0024/002480/248071e.pdf>.

⁶¹ *Ibid.*, 38.

of the concepts. This is especially noticeable if one has learned from Barbara Cruikshank that in democratic discourse one does not become a “citizen” simply by holding legal citizenship, but by being actively formed by various means linked to relations of power.

However, I did find in all the publications indications of how the concept of the “good citizen” is globally endorsed by education. The aim of the international organizations is advancing respect for human rights, and thus creating a more peaceful future. Good global citizens are created by touching the “hearts and minds” of students.⁶² UNESCO believes that “the concrete horrors and inhumanity of the Holocaust marked the antithesis of the Global Citizenship that the world needed to cultivate for the future.”⁶³

The model of linking a look back into (selected) pasts with the present and the future is ubiquitous. Engagement by students with past atrocities, so the logic behind the model goes, will promote the values of democracy, sustain peace, and moreover, create *upstanders* for human rights.⁶⁴ Highly political issues, such as structural racism, are addressed in this model as problems resulting from individual misbehavior, a problem of tolerant vs. intolerant people, not a problem of the political order itself. There is very little understanding that institutionalized hierarchies and oppression carried out by state institutions have much more impact on systemic inequality than an individual could ever have.⁶⁵

In the context of (global) citizenship education, the morally charged message is that genocide more generally and the Holocaust in particular have a very simple causality: hatred, prejudice and intolerance harbored by individuals. The neoliberal preference for rational, responsible subjects holds even when the topic is genocide. Of course, genocide does not just happen because too many members of a group hold too much of a grudge against alleged *others*. The Holocaust did not just happen because too many Germans were intolerant. Merely focusing on individual responsibility ignores the role of Nazi ideology, the nation-state and the international community.

⁶² E. Doyle Stevick, “How Does Education About the Holocaust Advance Global Citizenship Education?” (Paper commissioned by the UNESCO Education Sector, 2017), 4, <https://unesco.org/ark:/48223/pf0000261969>.

⁶³ *Ibid.*, 4.

⁶⁴ The term “upstanders” can be found in various works that discuss genocide and human rights education. It is meant to complement the categories of perpetrators and bystanders. See, for example, the Wassmuth Center for Human Rights, “Be an Upstander,” <https://wassmuthcenter.org/be-an-upstander>.

⁶⁵ On this, see again Brown, *Regulating Aversion* as well as Wendy Brown and Rainer Forst, *The Power of Tolerance: A Debate*, ed. Luca Di Blasi and Christoph F. E. Holzhey (Wien: Turia + Kant, 2014).

Moreover, in the human rights discourse, differences between people appear *natural*. It does not officially approve of discrimination, but it does not question that some are “others” either. Especially in the case of genocide, this is a dangerous understanding of what has happened, because it condemns only the persecution and killing, but not the construction of otherness that led to the persecution in the first place.⁶⁶ Memory education more or less builds this perspective – or should we say, interpretation – of genocide into the public memory. Memory is used to create a mandate for human rights advocacy, as in the example of Heiko Maas. In that regard, the memory of the Holocaust has a clear-cut function as a technique of government. The memory of the Holocaust is not primarily dedicated to paying respect to the victims and deepening understanding of history in all its messiness and complexity. Rather, the duty to remember becomes a call to be better, directed at subject-citizens.

The UN and CoE educational programs state that the object of their efforts is the governance of behavior, or the “conduct of conduct” as Foucault put it. Memory is shorn of historical and political analysis. Their approach to citizen education chooses simple answers to improve public morals instead of engaging in a complex way with the roots of past atrocities and their impact on today’s societies.

The Memorium Nuremberg Trials: Commemorating the Lessons of the Holocaust?

The forms of pedagogy fostered by UNESCO are part of the human rights project and promote its will to empower the subject-citizen. UNESCO’s aim seems to be to make citizens take responsibility for any unproductive behavior, such as denigrating *others*, by reminding them of the mass crimes of the past. Rather than teach us about the origins and the rise of fascism, the lessons from Auschwitz are supposed to teach us to behave more humanely than our forebears did.⁶⁷

⁶⁶ The historian Joan Scott problematized the naturalization of supposed differences in her persuasive essay on the categories of experience, where she wrote: “They [studies about the history of differences] take as self-evident the identities of those whose experience is being documented and thus naturalize their difference [...]. The evidence of experience then becomes evidence for the fact of difference, rather than a way of exploring how difference is established.” See Joan Scott, “Experience,” in *Feminists Theorize the Political*, ed. Judith Butler and Joan Wallach Scott (New York: Routledge, 1992), 25.

⁶⁷ Jean Luc Nancy observed that, “In a sense, the Declaration [of Human Rights] is part of the general movement that, somehow nebulously, fosters the condemnation of ‘fascism’ and what this word

Talal Asad makes an intriguing point by taking a quick look at the historical origins of humanitarianism:

Compassion and charity are as old as human history, but helping human beings who are suffering – especially suffering due to human – has taken on new forms in modern times without entirely displacing older ones. In scope, humanitarianism tends to be global; ideologically it is linked in one way or another to the progressive emancipation of humanity, and emotionally it builds into “crimes against humanity.”⁶⁸

Crimes against humanity are a theme of the following section of this paper. The educational efforts of the CoE and UNESCO provide context and content to contemporary German memory politics. This will be illustrated using a museum, the Memorium Nuremberg Trials, as a practical example of public memory. To make my argument and link it to the previous discussion, I will look at the techniques used in the museum’s space as well as its educational materials, which like those of the UN and CoE aim to guide and shape, rather than directly control, the actions of others.

As I have already explained, all forms of memorialization are conditioned by society, its institutions, and its constitutive discourses. Thus, not all aspects of history find their way into public memory. The Memorium was particularly compelling to me because it addresses a part of history that exists at the crossroads of war and postwar, of national and transnational, and of the particular and the universal. Therefore, it employs a narrative similar to the one on which Heiko Maas relies. To be sure, a certain knowledge of history is required in order to recognize the selection processes behind the public memory celebrated by the Memorium. Accordingly, I have chosen to provide a brief biography of the museum, by which I do not only mean the history of the site itself, but also the history that it puts on display.

The Memorium, which is not officially a museum but has all the features of one and will therefore be regarded here as a museum space, was opened in 2010. It is located in Nuremberg, Germany, a city that is well known for being the

would, over a long period, ignominiously signify. However, any questioning of the underlying reasons for the rise of fascisms is relegated to the background, if not even further.” See Jean Luc Nancy, “On Human Rights. Two simple Remarks,” in *The Meanings of Rights. The Philosophy and Social Theory of Human Rights*, ed. Costas Douzinas and Conor Gearty (Cambridge: Cambridge University Press, 2014), 17.

⁶⁸ Talal Asad, “Reflections on Violence, Law and Humanitarianism,” *Critical Inquiry* 41, No. 2 (Winter 2015): 402, doi: 10.1086/679081.

location of the Nazi Party Rally Grounds (*Reichsparteitagsgelände*) and the place where the Nuremberg Race Laws of 1935 were enacted. Due to its importance during the twelve years of Nazi rule, the Allies chose to hold the International Military Tribunal that tried 24 Nazi war criminals in that very same city, adding another event to Nuremberg's Nazi-linked heritage. Therefore, many visitors coming to the Memorium Nuremberg Trials expect to be visiting a site of great historic meaning and moreover, a site that was central to Nuremberg's Nazi heritage.

But the Memorium is dedicated to a part of German history which really only began in 1945, after the Allied victory over Nazi Germany. It solemnly presents the perpetrators and their crimes, and focuses on the Nuremberg Trials as a historic event as well as their legacy. Most of the display panels in the museum discuss the International Military Tribunal (IMT), the London Statute on which it was based, the trials, the prosecutors, the defendants and their lawyers. It also gives some space to the witnesses who appeared and the impact of the trials on German society, as well as international responses to them. A smaller part of the exhibition then looks at the follow-up trials that prosecuted Nazi concentration camp doctors and the death squads (*Einsatzgruppen*) that killed many Jews in Eastern Europe.

The IMT trials in Nuremberg between 1945 and 1947 involved the prosecution of four criminal offenses. The one which is most important today is the offense of Crimes against Humanity.⁶⁹ The last gallery of the Memorium is dedicated and pays tribute to the further development of this new category of international criminal law. It covers the founding of the International Criminal Court (ICC) and the international criminal tribunals at The Hague, which held the first such trials since Nuremberg. The gallery represents a bridge from the past to the present.

In Derrida's essay mentioned above, the author makes an important observation that should be considered when one tries to understand the significance of the Nuremberg Trials and their "narrative-setting"⁷⁰ function:

⁶⁹ The other criminal offenses prosecuted at the IMT were War Crimes, Crimes against Peace, and Conspiracy to commit those crimes. The latter two charges were introduced to the field of international criminal law in Nuremberg in order to encompass the mass crimes committed by the Nazis. See Henrike Zentgraf, "Nürnberg in Vergangenheit und Gegenwart," *Aus Politik und Zeitgeschichte*, Wiedergutmachung und Gerechtigkeit, No. 25–26 (2013): 8–14, <https://www.bpb.de/apuz/162877/wiedergutmachung-und-gerechtigkeit>.

⁷⁰ I use this term with reference to the legal scholar Marina Aksenova, who studied the role of the ICT in shaping historical accounts of genocide and found that international law and its tribunals play an important part in the production of history. Furthermore, she writes, international

Even if words like “Crimes against Humanity” now circulate in everyday language. That event [the Nuremberg Trials] itself was *produced* and authorised by an international community on a date and according to a figure determined by history. This overlaps but is not confounded with the history of a reaffirmation of human rights, or a new Declaration of Human Rights.⁷¹

Derrida’s words are particularly interesting as they relate to memory and the memorializing of the Nuremberg Trials. Even though the legal category of Crimes against Humanity was first introduced at the IMT in Nuremberg as one of the four offenses that were prosecuted, the Trials were not concerned with the Holocaust.⁷² Nonetheless, the storyline present in public memory (although not in the Memorium) makes an immediate connection between the new criminal offense and the Holocaust. It perpetuates Europe’s aforementioned “founding myth”⁷³ and accepts that the criminal charge was the designated response to the Holocaust. This narrative has not only been employed by Heiko Maas in his inaugural speech, but also by Hermann van Rompuy, among others.

The well-known philosopher and political scientist Hannah Arendt strongly opposed the universalized concept of Crimes against Humanity. Instead of universalizing, and thereby depoliticizing the crimes committed by the Nazis and their collaborators, Arendt called, according to Judith Butler, for “a new mode of political and legal reflection that she believed would safeguard both thinking and the rights of an open-ended plural global population to protection against destruction.”⁷⁴ What Arendt meant by that is not the enlightenment notion of humankind. Instead, she was well aware that for the Shoah to have happened, Jews had to be excluded from membership in universal humankind. They had to be forced to remain outside, where they were excluded from the collective

criminal law “serves as a medium for communication of a certain narrative of historical truth.” See Marina Aksenova, “The Role of International Criminal Tribunals in Shaping the Historical Account of Genocide,” in *Law and Memory. Towards Legal Governance of History*, ed. Uladzislau Belavusau and Aleksandra Gliszczyńska-Grabias (Cambridge: Cambridge University Press, 2017), 54.

⁷¹ Derrida, *On Cosmopolitanism and Forgiveness*, 29.

⁷² The follow-up trials were to a certain extent dedicated to crimes connected to the Holocaust, but cannot be compared to the Auschwitz Trials of the 1960s, which only dealt with the crimes of the Holocaust. See Diner, “Ereignis und Erinnerung.”

⁷³ A discussion of this can be found in Aleida Assmann and Peter Novick, “Europe: A Community of Memory?” *Bulletin of the German Historical Institute* 40 (2007): 11–38.

⁷⁴ Judith Butler, “Hannah Arendt’s Challenge to Adolf Eichmann,” *The Guardian*, August 29, 2011, <https://www.theguardian.com/commentisfree/2011/aug/29/hannah-arendt-adolf-eichmann-banality-of-evil>.

of humans and specifically identified as *others* – and in the racist ideology of the Nazis, were no less than *sub-human*.⁷⁵

When Arendt speaks about the world of Nazism, which she claimed was irreconcilable with the rest of humankind, she is talking about a world in which plurality – not the similarity of all humans and their constructed hierarchies, but their diversity – had been destroyed. What she envisions for the future is not universality, but an “open-ended plural population.”⁷⁶ The idea of plurality rather than universality recognizes Jews as Jews and every other human being as distinct, but without attaching any specific meaning to difference by labeling anyone as *other*.⁷⁷ Nevertheless, the new world order, at least in the part of the Global North on the western side of the Iron Curtain, aspired to universal humanitarianism. It created a new category of law designed to condemn the immense crimes of Nazism, which it considered to universally injure all humanity. The sociologist Natan Sznajder, drawing upon Arendt, goes so far as to state that forcing the Jews, who were persecuted and murdered because they were Jews,⁷⁸ into the category of common humanity would lead to a Christian appropriation of the “Jewish catastrophe” and free the tragedy from any ethical bonds.⁷⁹

An interesting parallel can be drawn here. In 1915, well before the recognition of Crimes against Humanity as a legal construct, Great Britain, France and Russia wrote a joint declaration concerning the Armenian Genocide in 1915. In its initial text it stated that the massacre was committed “against Christianity and civilization.”⁸⁰ France, however, voted to change the wording because mentioning “Christianity” was too explicit. Eventually the two words were replaced by “humanity.” Asad adds for our consideration that,

Whatever the motive behind this verbal change what we have here is the translation of a particular into a universal: The moral content given to the term *humanity* as the

⁷⁵ Natan Sznajder, *Gedächtnisraum Europa. Die Visionen des europäischen Kosmopolitismus, eine jüdische Perspektive* (Bielefeld: transcript, 2008), 68.

⁷⁶ Hannah Arendt, *The Human Condition* (Chicago: The University of Chicago Press, 1958), 237.

⁷⁷ Robert Fine, “Crimes Against Humanity. Hannah Arendt and the Nuremberg Debates,” *European Journal of Social Theory* 3 (August 2000): 293–311.

⁷⁸ The debate over who was Jewish or not was conducted by the Nazis in accord with their racist ideology. It affected many people who would not have considered themselves as Jewish. Discounting murderous antisemitism is one feature. That is often disregarded as one of the political reasons for the rise of fascism and Nazism, as J. L. Nancy has pointed out.

⁷⁹ This is my translation of a quote taken from Natan Sznajder, *Gedächtnisraum Europa. Die Visionen des europäischen Kosmopolitismus, eine jüdische Perspektive* (Bielefeld: transcript, 2008), 68.

⁸⁰ Asad, “Reflections on Violence.”

synonym for *Christianity* reveals the assumption that whereas actual human beings are finite and particular – Turkish killers, Armenian victims, say – international law remains universal, a site that transcends differences between Christians and others.⁸¹

This is troublesome. It adds heavy weight to a critique of the tacitly Christian eurocentrism that underpins the project of universal humanism, and calls for more extensive work.⁸² The complexity of this criticism raises many questions, although I shall consider only one in the last part of this article: does German memory-politics display a certain disregard for the specific, divisive historical contexts of genocides – in our particular case, the Holocaust – and if so, how does that cohere with education about human rights and citizenship?

From Remorse to Complacency in Memory Education

In an attempt to contextualize the depiction of the Nuremberg Trials at the Memorium in terms of memory education for (global) citizens, I will once again turn to the wider human rights project. As stated on its website, the Memorium not only presents the past but also “the impact of the Nuremberg Trials up to the present.” As mentioned, the present is represented by the exhibit “From Nuremberg to Den Haag.” It covers the International Criminal Court (ICC) and more recently established international courts like the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR). These tribunals mainly adjudicate allegations of Crimes against Humanity and strongly rely on the Nuremberg Trials to add legitimacy to their purpose.

The Nuremberg Trials are a positive reference point – we could even go out on a limb and say they are the founding myth – for today’s international community and its objectives of the rule of law and international respect for human rights. Although Nuremberg was regarded as a Nazi stronghold in the 1930s and 1940s, contemporary Nuremberg has given itself the nickname “The City of Human Rights.” Several memorials and documentation centers, as well as the

⁸¹ *Ibid.*, 405.

⁸² Of course, much work on this has already been done and I want to recognize decolonial theory and critique as the pioneer in that respect. Bringing Hannah Arendt’s philosophy into conversation with that of Frantz Fanon and Sylvia Wynter, for example, would be most fruitful. I cannot do that in this particular article, but it most certainly will be followed up elsewhere. A decolonial critique can be found in Sylvia Wynter, “The Ceremony Must Be Found: After Humanism,” *On Humanism and the University I: The Discourse of Humanism* 12, No. 3 (1984): 19–70, doi: 10.2307/302808.

Street of Human Rights designed by Israeli artist Dani Karavan, proclaim the city's rejection of Nazism and its Nazi heritage in favor of a new identity. This narrative glosses over the fact that until the 1990s the Federal Republic of Germany did not recognize the verdicts handed down at Nuremberg, rejecting them as illegitimate victors' justice.⁸³ Still, by facing up to its past, Nuremberg has tried to transform its overall story into a tale of success.

When the Memorium was formally opened, the narrative behind Nuremberg's (and more generally, Germany's) claim to a new identity was expressed very clearly in news reports of the day: "Von Schuld und Sühne," "of guilt and atonement" was one of the headlines.⁸⁴ One might wonder if the journalist who chose that headline was aware of Jean Améry's famous collection of essays called *Beyond Guilt and Atonement*,⁸⁵ in which the Auschwitz survivor refuses any attempts at reconciliation. What is more, Améry claimed the right to nurture resentment towards the perpetrators of genocide instead of forgiving them in pursuit of a harmonious future. He regarded forgiveness as a response to the experience of the Holocaust to be morally dubious and said that it should not be the aspiration of a democratic citizen.⁸⁶ Furthermore, the Memorium – even though presenting a more nuanced account of history than what finds its way into public memory – not only promotes the narrative of a successful rise of respect for human rights. It also utilizes techniques to motivate its visitors not to just passively consume the information it provides, but rather to take an active stance in light of the lessons they should learn from history. One of the Memorium's educational programs asks its participants to come up with their own ideas for an international justice system. They are challenged to develop something like an international court and to take as their inspiration the last section of the exhibition, which is sponsored by the UN and is entitled "Why Justice Matters." Whatever ideas of their own the visitors might have, the exhibition's design ensures that their responses stay within the framework of liberal democracy and respect its most important virtue, the rule of law.

⁸³ Gerhard Werle, "Von der Ablehnung zur Mitgestaltung: Deutschland und das Völkerstrafrecht," in *Völkerrecht als Wertordnung – Common Values in International Law. Festschrift für / Essays in Honour of Christian Tomuschat*, ed. Pierre M. Dupuy et al. (Kehl am Rhein: N.P. Engel, 2006), 655–669.

⁸⁴ Olaf Przybilla, "Von Schuld und Sühne," *Süddeutsche Zeitung*, November 22, 2010, <https://www.sueddeutsche.de/kultur/memorium-nuernberger-prozesse-von-schuld-und-suehne-1.1026660>.

⁸⁵ Jean Améry, *Jenseits von Schuld und Sühne. Bewältigungsversuche eines Überwältigten* (München: Szeszny, 1966). An English translation was published a year later.

⁸⁶ David Heyd, "Is There a Duty to Forgive?" *Criminal Justice Ethics* 32, No. 2 (2013): 163–174, doi: <http://dx.doi.org/10.1080/0731129X.2013.817719>.

In this regard, the museum space functions as a tool of government. It teaches about the conduct of conduct expected from the German subject-citizen. Heiko Maas, who entered politics after having found out about the questionable role of his family under National Socialism, can be seen as the prototype of a citizen activated by memory. He rose to the lofty moral position of a responsible advocate for peace and human rights, which eventually made it possible for him to demand that refugees learn about the Holocaust in order to unlearn their prejudices. Or rather, they should learn about the Holocaust in order to value the Global North's version of democracy. All of this is a depoliticized discourse that emphasizes the German citizen's responsibility to contribute to a world striving for peace and humane conditions, morally underpinned by the memory of the Holocaust. This narrative of "the birth of universal benevolence as a specifically *modern* virtue, the moral imperative to reduce suffering [...] is not unfamiliar," as Talal Asad reminds us.⁸⁷ But Asad also points out the different manifestations of this imperative as it changes in different societal contexts:

They are diverse in the sense that they may evince horror at what they see or remorse at what they have done; they may express a feeling of inadequacy at the thought that they are unable to prevent some terrible suffering or of complacency at supporting a virtuous cause from a position of security.⁸⁸

Looking at the Holocaust from the perspective of the lessons that have been learned and the remorse for it that has been expressed, it becomes more approachable and less troubling. If we take Arendt and Améry seriously and face the fact that "universal" humankind was never open to *all* humans but always produced its *others*, the question of whether advocating for human rights really is the only virtuous response to the Holocaust becomes pressing once again.⁸⁹ The intertwined discourses nonetheless appear almost natural and thus do not allow for the realization that they are but one perspective out of many in a world of multiple narratives and multiple responses to the past.

⁸⁷ Asad, "Reflections on Violence."

⁸⁸ *Ibid.*

⁸⁹ Thorough analyses of this issue have been conducted by scholars from different fields, such as political theory, postcolonial theory, and philosophy. See, for example, Hannah Arendt, *The Origins of Totalitarianism* (New York: Schocken Books, 1951); Frantz Fanon, *The Wretched of the Earth* (New York: Grove Press, 1963); Wendy Brown, *Regulating Aversion: Tolerance in the Age of Identity and Empire* (Princeton, NJ: Princeton University Press, 2006); and Makau W. Mutua, *Human Rights Standards. Hegemony, Law and Politics* (Albany, NY: SUNY Press, 2016).

Conclusion

Memory education is a subfield of human rights education. HRE is itself a contested area for the dissemination and articulation of different forms of knowledge, and is “ultimately about the exercise of power.”⁹⁰ I argue that at the juncture of the commemoration of the Holocaust and the tolerance that its memory is expected to engender, we find a storyline or discourse that has no reference to any kind of power-relationships, ideology, or actual perpetrators and victims. This lack stimulates a future-oriented memorialization of both the Holocaust and universal human rights. It takes the experience of genocide as the point of departure toward a better future in which human rights are fully respected. The dominant narrative about human rights I outline in this article not only controls how those rights are articulated and understood, “but also the choices and actions people take in consequence.”⁹¹

As one example of such actions, I have examined how memory-based educational material about the Holocaust is formulated. That material nurtures certain norms and values, and consequently motivates citizens to behave in accord with them. As I discuss above, the narrative reflected in the knowledge embodied in the human rights education materials produced by the UN and CoE promotes universalization of the suffering of the Holocaust. That is to say, it confuses Holocaust-memory and the dominant universalizing discourse about human rights. Following the ideas of Asad, and synthesizing different aspects of the forgoing considerations, I come to the conclusion that the remorse expressed for Germany’s past crimes has created the complacency about supposedly superior German morality demonstrated by Heiko Maas. That complacency is legitimized because of the universalized memory inherent in the accepted narrative of human rights. Germans can now give others lessons in tolerance, can accuse refugees of antisemitism, and can refuse to accept them as new members of German society because they do not value democracy enough. At the juncture with the human rights discourse, the memory of the Holocaust has become a means of governing not only German citizens, but also Germany’s *others* – ignoring the fact that where there are *others*, there is always racism and perceived supremacy. All of which should be foreign to the memory of genocide and not disguised within it.

⁹⁰ Joanne Coysh, “Exploring Discourse and Power in Human Rights Education,” in *Critical Human Rights, Citizenship, and Democracy Education. Entanglements and Regenerations*, ed. Michalinos Zembylas and André Keet (London: Bloomsbury, 2018), 63.

⁹¹ *Ibid.*, 51.