



Literature Review:

The role of civil society in managing memories of disputed territories

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Part 5 of 7: Civil society, the state and politics of memory: remembrance, reconciliation and transitional justice – Muhammad Younis

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CIVIL SOCIETY, THE STATE AND POLITICS OF MEMORY: REMEMBRANCE, RECONCILIATION AND TRANSITIONAL JUSTICE - Muhammad Younis

Dr. Muhammad Younis (Associate Professor, Forman Christian College) has research interests which include federalism, democracy, the politics of Pakistan and International Organizations. This section discusses various transnational patterns related to memory and reconciliation and the emergence of truth commissions to address the legacy of conflict.

The 20th century saw a rise in attempts by civil society towards memory reconciliation at a transnational level, especially in the field of transitional justice. Originally the term transitional justice was used in legal context, however, it soon became apparent that it could also be used for non-judicial instruments such as healing circles, apologies, collective remembrance and commemoration. All of this became evident with the establishment of organizations like Institute for Justice and Reconciliation (IJR), International Center for Transitional Justice (ICTJ) and International Institute for Democracy and Electoral Assistance (IDEA) (Schwelling, 2012, 4). All of these organizations have aimed to dig out and convey past injustices that have occurred. With the codification of the principles upon which these organizations work, it seems that transitional justice practices have been affirmed at an international level. However, a closer examination reveals that uncovering these past injustices can be problematic for societies unwilling to confront their past. For example, it took the U.S. a long time to accept its atrocities towards the indigenous people through slavery. The same is the case with Australia (Schwelling, 2012, 5).

A denial or hesitation towards memory of injustice is not unique to any part of the world. In Poland, the birthplace of the Solidarity Movement was a shipyard. But when it went near to closure and as an iconic Polish site made headlines, it went largely unnoticed in Poland (Pearce, 2009, 3). This ironic development was explained as a consequence of hesitation on part of the Poland to reconcile with its past. Although Polish people do organize commemorations, the feuding Solidarity activists have discouraged people and in general they seem oblivious to their past. However,

while all of these concerns are valid, it must be taken into account that this is not a matter of outright denial of Poland's Solidarity Movement, but rather an aloofness from it. In fact, residents of Plonsk, Poland walk every October along the roads where Jews were made to walk before being sent off to Aushwitz (Holc, 2018). Vigils are held to commemorate the innocent lives lost. This is an example of memory activism, and it seeks remembrance of past injustice. One problem that Holc has tried to address through memory activism is the silence of Poles during the Holocaust. Among other arguments, it is stated that the Poles were made to rationalize anti-Semitism. Much of this work was done by the Center for Jewish Culture in Krakow (Holc, 2018, 82). Although the argument is compelling, rationalization of anti-Semitism could not have been propagated to all Poles. This kind of critical investigation does open ways to accurate reconciliation between Jew and non-Jew Polish population.

Over the years, in different parts of the world, a lot of methods have been used to investigate the process of transitional memory, reconciliation and the role of civil society in it. Cases of injustice from the 20th century onwards were taken; studied and civil society's involvement was investigated. Finally, the practical implications of reconciliation processes were also taken into account. For some, it was argued that reconciliation is a utopian idea and cannot be fully achieved (Schwelling, 2012). Interestingly, this is in contrast to the author's aims towards proper reconciliation. Regardless, the approach does help look at the reconciliation process in the 20th Century. Japan spent the second half of the 20th Century in re-building its economy and infrastructure. But with all of its economic boom and progress, Japan has been unable to do away with its colonial injustices, something China and Korea are unwilling to forget. This has become a roadblock in Japan's ambitions of playing a substantive role in regional politics. Therefore, it is important for China, South Korea and Japan to work together in order to address the trust deficit that has historically occurred between these nations. (Goto, 2015). However, there is a need to address the domestic realities of each of these nations when it comes to reconciliation and

the consequences of steps taken towards them. While the suggestion to form dialogue between these nations to speed up reconciliation can be effective in the long term, Japan's short term regional dominance may still remain contested. And Japan's guilt-fatigue is not helping it so far.

Acknowledgement of past injustices can help bridge gaps and foster reconciliation. An example of this can be taken from the Armenian genocide. When Talaat Pasha, the man held responsible for this was killed by an Armenian rebel, the jury surprisingly came in favour of the Armenian (Payne, 2012, 45). This was very unpredictable because the case turned from a clear murder case to an acknowledgment of the Armenian genocide. The trial even investigated the German inaction during the genocide and found no immediate links. Since it gave the Armenians the recognition they had been calling for, the trial proved political and helped Germany reconcile with the Armenians. Although this meant a distance from its World War I ally, it also meant that any German complicity in this genocide would now seem oxymoronic. However, the same Germany that investigated the genocide of the 1910s and distanced itself from it was directly responsible for another and even more horrific genocide three decades later. Regardless, in the post-war period, many Germans have made efforts to reconcile with their past atrocities through atonement due to the guilt faced by them. A large part of this narrative taken to task by German youth, who tried to play their part in reconciling with the Israelis by coming to terms with the realities of their past injustices. In fact, this guilt was particularly more visible in the German youth in the 1960s. The German youth became particularly vocal in its activism towards reconciliation by promoting the idea of peace through the process of atonement and playing its part in the Israeli-Palestine conflict (Wienand, 2012). Furthermore, it was seen that this activism was not limited to German youth of 1960s or 1970s but kept renewing with each generation. Hence, this can be seen as a continued practice of reconciliation by the Germans in their effort towards achieving atonement. This can be seen in parallel to the efforts of Japan in the post-war period reconciliation (Goto, 2015). However,

much like Japan, Germany can also get a guilt-fatigue. So, while it is vital for Germany to keep reconciliation constant, it should take into account that it can become a hindrance in the same way it has become for Japan. Similarly, it is very important to keep past injustices from getting politicized to an extent where they may be used for political gains instead of reconciliation. An example of this was seen in 2005, when in an effort to promote peace, a few thousand Jewish settlers were removed from Gaza strip (Langenbacher, n.d.). The plan resulted in widespread backlash from ultra-nationalist Israeli outfits and the Prime Minister of Israel resigned as the finance minister. But the most intriguing aspect was the comparison that was drawn between this plan and the Jewish resettlement during the Holocaust. It was widely propagated that these actions were not different from those horrific injustices of Nazi Germany. Although symbolism of Nazi Germany was widely used to revert this plan, but when the actual withdrawal happened, it proved to be much more peaceful and orderly. Hence, it can be seen that it is vital to look at both sides of the story before drawing conclusions and drawing similarities between events of monumental value. The excessive usage of the horrors of Holocaust to draw parallels with a peace effort shows the volatility of such narratives. It must be understood that every narrative, whether inclusive or exclusive is based on an argument that resonates with its supporters.

This pursuit of truth has led to the formation and global diffusion of Truth Commissions. Truth Commissions have become popular in places undergoing a transition from a dictatorship towards a democracy. Although the phenomenon of Truth Commissions was unheard of half a century ago, it has become widely popular in digging up and confronting past injustices. Through these Commissions, the reconciliation becomes more likely. Since the 1980s, Truth Commissions have been set up with similar goals of uncovering the human rights violations in the period of turmoil and repression under different regimes (Kruger, 2012). As a consequence of their popularity, truth commissions have been established by NGOs at national as well as international level. The reports of these commissions are widely accepted as

providing an image of the past injustices. There is also danger of outside influence on these commissions, especially if they are constituted at a governmental level. Regardless, the global spread of these commissions do provide for a wide range of data which can be compared and result in a globally accepted truth. This can pave the way towards reconciliation through collaborations. In fact, collaborations have been used as a tool of reconciliation at global level. As discussed above, memory narratives can be localized and in turn be politicized. In order to counter this, cross-border collaborations are done so that different memory narrative can be heard. One example of this is the post-war memory narratives formed in Europe; a continent ravaged with a long history of conflicting ideologies, enmities, wars and memory narratives. The European Union has played a huge role in developing a negotiated memory narrative that can suit such a diverse and divided continent. This has led to a number of resolutions and declarations which have formed guidelines and rules for development of memory narratives by ‘memory entrepreneurs’ (Jones 2017). These are people who collaborate across borders to reveal memory details of past events. Their role has been central to the spreading of cosmopolitan memory practices based around a universal focus of suffering and a shared human condition (Bull and Hansen, 2015).

As a result of their work, memory initiatives like the IHRA, ENRS and ENOA have focused on reconciliation between nations and show a united solidarity with victims of past injustice (Jones 2017, 29). This movement of memory narratives beyond borders is aimed to prevent the territorializing of memories and preserve an ‘accepted truth’, or ‘negotiated’ memory. This has been seen as central to unify an otherwise divided Europe. However, in a blow to the negotiated memory project, this decade has seen the rise of antagonistic neo-nationalism throughout Europe. Unlike the former, the rise of antagonistic neo-nationalism has promoted the extreme right’s nationalistic narrative. This discourse is localized and territorial unlike the cosmopolitan abstract form. It is proposed that these two modes of remembrance can be linked by undertaking an agonistic approach towards

remembrance (Bull and Hansen, 2015). According to this form of remembrance, the cosmopolitan form of remembrance has favored collective memory over the socio-political passions that led to the formation of such memories. Hence, agonistic form of remembrance relies on a number of socio-political perspectives to bring light to historical events. Hence, it gives importance to collective and individual perspectives. The aim is to compliment cosmopolitan viewpoint in some cases. However, the effectiveness of agonistic form of remembrance is still to be seen in an era when antagonism is on the rise.

The problem with pursuing a certain narrative of remembrance is that it clouds the realities by forming revisionist narratives. This can blur the realities of the struggles against past injustices. At the reunion of Student Non-violent Coordinating Committee, Joyce Ladner expressed disappointment with the way historical context seemed to inaccurately portray the realities of history (Nasstrom, 2008, 325). The lack of depiction of personal narratives of those involved in civil rights movement seemed unfair to him. By forming a collective form of remembrance, the unpleasant realities of such memories can be overlooked. He promoted the usage of autobiographies in memoir formation. The aim of these autobiographies of civil rights movements and their history is to provide a wider and diverse data for the remembrance of history. While this can give rise to a lot of ambiguity and disagreement, it can help in understanding the grand narrative and make it more binding and convincing.

It can also make combating re-emergence of past injustices easier. In a conference held in University of Pennsylvania in 1995, the trauma of sexual abuse memory and the law around it was discussed (Elliot, 1996). It was found that much of the repressed memories of child sexual abuse are a result of incest. And unfortunately, much of this was not taken seriously. In fact, it was not until 1993, that a law was re-written in the State of Virginia, that sexual abuse victims were able to sue their parents (Elliot, 1996, 15). The ignorance of this injustice can be explained by the

private nature of the crime and the absence of safeguards against it. The taboo nature of this memory caused its repression by the victims. It was not until this discussion was normalized and sexual abuse victims started speaking out, that this issue was taken seriously. The repression of these memories slowed the process of memory reconciliation. This speaks volumes of the importance of memory and remembrance in dealing with past traumas. Issues like these reveal the shortcomings of civil society in modern democracies. Hence, there is a need to put light on the responsibilities of civil society.

According to Flyvbjerg (2012), the philosophy of Habermas' communicative rationality in a progressive democracy, backed by consensus, can enable a better functioning civil society. In contrast, Foucault promoted the acceptance of conflicts in democracies. He argued that perfect consensus is unachievable and in a civil society centered on power analytic conflicts will happen. Both of these arguments reflect the different shades of a democracy and can play their part in memory reconciliation.

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