History, Memory, and State-Sponsored Violence
Time and Justice

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Dedicated to Shanan Galan and the many other ‘social desaparecidos’ in the Fortress of Europe.
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This book is centered around a series of simple but provocative theses: that the way one deals with historical injustice and the ethics of history is strongly dependent on the way one conceives of historical time, that the concepts of time traditionally used by historians are structurally more compatible with the perpetrators' than the victims' point of view, and that breaking with this structural bias demands a fundamental rethinking of the dominant modern notions of history and historical time.

When I started working on the doctoral research that forms the basis of this book, my plan was to focus on the practical use of history outside of academic historiography by focusing on the so-called field of ‘transitional justice,’ and more specifically on the context of ‘truth commissions,’ such as they have been set up to reckon with the legacy of the military junta in Argentina, the Apartheid era in South Africa, and the civil war in Sierra Leone. Little did I know that studying the practical use of history would lead me into a philosophical journey in which I would ultimately come to question some of the basic assumptions that I took for granted as a trained historian.

Two insights made me decide that a more philosophical approach was necessary. First I came to see that the truth commissions’ interest in history was much harder to explain than I originally expected: it could not be reduced to a search for historical truth, it was not merely a matter of borrowing the historians’ methodology, and sometimes it even could not be understood in terms of an opposition between remembrance and oblivion. Second, I was surprised to find out that the truth commissions met with popular protest that could not entirely be attributed to matters of amnesty, reparations, or conflicting visions of historical truth. I became convinced that, on a more profound level, both the truth commissions’ interest in history and the popular protests against them were related to different concepts of time, to different interpretations of the relation among past, present, and future.

One of the most fundamental challenges to the traditional conceptualizations of historical time doubtlessly lies in the often repeated claim of victims that the past haunts the present. Studying such different, sometimes
even counterintuitive, concepts of time, I developed two central hypotheses: firstly, that indeed the delineation between past and present is not absolute and the past sometimes persists in the present; and secondly, that discourses of history, rather than being neutral descriptions of past and present, often manifest a dimension of ‘performativity,’ by which they actively establish a break or temporal ‘distance’ between past and present.

After scrutinizing the practical relevance of the uses of historical discourse and the resistance against them in the context of transitional justice, I dedicate the second part of the book to a philosophical inquiry into the questions of why it is so hard for most academic historians to take seriously the notion of the haunting or persisting past, and of what kind of alternative chronosophy would be better suited to do so.

I would like to think of this book as a contribution to the theory of history, albeit an unorthodox one. Unorthodox because it does not focus on professional historiography; it does not go into questions of truth, objectivity, or narrativism; but mostly, this book differs from conventional philosophy of history because it tries to draw the attention to some long-neglected ‘big questions’ about the historical condition—questions about historical time, the unity of history, and the ontological status of present and past—and because it is openly programmatic in its plea for a new historical ethics.

I am aware that big questions do not come without big risks. However, I hope that I will be able to convince the readers that raising these questions is not a matter of sterile sophistry, but that it has a real social relevance.

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Writing this book has taken me along a lengthy and winding road full of bends, side-roads, and occasionally even a U-turn. At each of these bends, side-roads, and U-turns I have encountered people who have stimulated and inspired me to go on or encouraged me to change direction. It is impossible to name all of these persons, but let me nevertheless list some who have been especially important in making this project possible. As this book evolved out of a PhD project, I first of all want to thank Gita Deneckere who supervised this project and who has always been very supportive and who granted me the freedom to shape my research the way I wanted to. Furthermore I would like to thank Chris Lorenz, who from early on functioned as an informal co-supervisor and who time and again provided me with insights that were of crucial importance to the development of my project.

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1 Introduction

One wants to break free of the past: rightly, because nothing at all can live in its shadow, and because there will be no end to the terror as long as guilt and violence are repaid with guilt and violence; wrongly, because the past that one would like to evade is still very much alive.

T. Adorno

In order to struggle against retribution, forgiveness finds its powerful ally in time.

W. Benjamin

Several philosophers have noted the temporal dimensions of the relation between history and justice or ethics. The most explicitly pronounced and opposed positions in the debate undoubtedly are taken by Friedrich Nietzsche and Walter Benjamin. For Nietzsche, history always must serve life and the future; it should not strive to achieve historical justice. Nietzsche scorns the widespread ‘consuming fever of history’ and envies the cattle that, fettered to the moment, live unhistorically, in contrast to humankind, which is buried by the ever-increasing burden of what is past. To be able to live, he insists, humankind must abandon the hope for historical justice and must learn to forget.

In contrast, Walter Benjamin famously took an unreserved stance in favor of the innumerable victims of historical injustice still coveted by the piling wreckage of the past. He defends an ‘anamnestic solidarity’ between the living and the dead, arguing that living generations should not primarily aim at the future but at preceding generations in their striving for justice. The living, Benjamin argues, possess a ‘weak messianic power’ to redress the injustices of a catastrophic past.

At the root of these opposing stances are radically different conceptions of the past and its ontological status. Within Western modernity the relationship between history and justice generally is dominated by the idea that the past is absent or distant. This ambiguous or even inferior ontological status of the past has led several philosophers, following Nietzsche, to plead against an ‘obsession’ with history and to argue instead for an ethics aimed at the present. The idea of the past as absent or distant makes it
difficult to ground the frequently felt ‘duty to remember’ or alleged obligation to ‘do justice to the past’ in the (‘demanding’) past itself. History’s ability to contribute to the quest for justice, as a result, often seems very limited or even non-existent. The close relationship between this particular conception of historical time and the restricted ethical mandate of history becomes apparent when the former conception of time is contrasted with the notion of time often implied in the discourse of jurisdiction.

TIME OF HISTORY VS. TIME OF JURISDICTION

The French historian Henry Rousso noted in an interview that historians traditionally have seen the proper time for history as the inverse of the proper time for justice. While the law decrees that the possibility of prosecuting and punishing expires after a certain amount of time (with the important exception of crimes against humanity), the historian supposedly should begin work only after a certain waiting period, often after the dead are buried and the archives unsealed. Rousso rejects this notion of a waiting period but does not seem to realize that the temporal antagonism between history and justice is rooted much more deeply than appears at first sight. The conflict between the ‘time of jurisdiction’ and the ‘time of history’ (I refer here to history as a discipline or as a broader discourse) can be interpreted as an antagonism deriving from their respective emphasis on presence or absence and with the re- or irreversibility of the event at stake. Traditionally, the discourse of jurisdiction assumes a reversible time in which the crime is, as it were, still wholly present and able to be reversed, annulled, or compensated by the correct sentence and punishment. This notion of time relates to a quasi-economic logic of guilt and punishment, in which justice ultimately is understood as retribution and atonement. History, in contrast, traditionally works with what has happened and now is irretrievably gone. It stresses the ‘arrow of time,’ thinks of time as fundamentally irreversible, and forces us to recognize the dimensions of absence and the inalterability of the past.

History’s irreversible time challenges the time of jurisdiction: Retributive justice can never be speedy enough to fully reverse or undo the damage done because every crime is always already partly in the past and thus always displays a dimension of absence or distance. This makes it impossible, within history’s concept of irreversible time, to achieve complete justice after a period of time has elapsed. Whoever strives for a vaster moral mandate for history (in the name of the victims of historical injustice) will sooner or later have to confront this concept of time. Max Horkheimer used exactly this irreversible historical time as a fearsome weapon in his criticism of the eschatological and anamnestic philosophy of his friend Walter Benjamin. The idea of perfect justice, according to Horkheimer, is a recurring illusion that stems from a primitive idea of exchange. It is unthinkable that perfect justice can be realized within the realm of history because even a perfectly just society never can compensate for the misery of the past. The historical past is nichtwiedergutzumachende: [past] injustices are over and done with. The murdered really are murdered.10

The irreversible time of history is right to criticize this ‘primitive idea of exchange’ that underlies the reversible time of jurisdiction. Both Emmanuel Levinas and, in his wake, Jacques Derrida have argued that the time of suffering and historical injustice is not quantifiable and cannot be used in a system of exchange.12 Yet does the irreversible time of history in its turn not overstate the absence or distance of the past? Does it not neglect dimensions of persistence or haunting ‘presence’ of the past and its injustices? The emphasis on the absence and irreversibility of the past endows the irreversible time of history with something uncomfortable, something unjust, and something almost unacceptable in a moral sense. It is against such an irreversible time, which ‘threatens to destroy all morality,’ that the Belgian-Austrian Auschwitz survivor Jean Améry rebels in his notorious essay ‘Resentments’ (1966). Améry shocked his contemporaries by pleading against forgiveness and reconciliation in favor of resentment and by demanding a ‘moral inversion’ of time. He complained that: ‘the entire world really does understand the young Germans’ indignation at the resentful prophets of hate, and firmly sides with those to whom the future belongs. Future is obviously a value concept. What will be tomorrow is more valuable than what was yesterday.’ Améry encouraged resentment but realized that its backward temporal orientation is in conflict with some of the most dominant ideas concerning the irreversible nature of time:

Absurdly, it demands that the irreversible be turned around, that the event be undone. […] the time-sense of the person trapped in resentment is twisted around, dis-ordered, if you wish, for it desires two impossible things: regression into the past and nullification of what happened.14

Still, as a captive of the ‘moral truth,’ Améry demands a right of resistance against what he calls the anti-moral ‘biological’ time that heals all wounds:

What happened, happened. This sentence is just as true as it is hostile to morals and intellect. […] The moral person demands annulment of time—in the particular case by nailing the criminal to his deed. Thereby, and through a moral turning-back of the clock, the latter can join his victim as a fellow human being.15


Améry is right, of course, when he admits the absurdity of trying to undo what has been done. However, I want to take seriously his complaints about
the a- or even immoral character of irreversible time—seriously enough to take his complaint as one of the prime motivations for this book and to criticize and attempt to rethink this notion of time. Yet, how does one rethink the irreversible time of history with its stress on the distant or the absent without digressing into the mythical reversibility of the time of jurisdiction? How, indeed, is it possible to conceive of a third way, scrupulously resisting both poles of the dichotomous opposition of the reversible and the irreversible, or of the present and the absent past?

A good starting point can be found in the work of the French philosopher Vladimir Jankelevitch. In one of his philosophical masterpieces on time and temporality, Jankelevitch introduces an analytical distinction between what he calls the ‘irreversible’ and the ‘irrevocable.’ Although both, according to Jankelevitch, are dimensions of the same temporal process, they refer to two radically different experiences of the past. The irreversible, a having-taken-place (avoir-eu-lieu) that should primarily be deciphered as a having-been (avoir-été), refers to a transient or fleeting past. The irrevocable, a having-taken-place most often associated with the having-been-done (avoir-fait), in contrast, is stubborn and tough. People experience the past as irreversible if they experience it as fragile and as immediately dissolving or fleeting from the present. They experience the past as irrevocable if they experience it as a persistent and massive depository that sticks to the present. Both experiences of the past, however, according to Jankelevitch, relate to an inverse impossibility: to either revisit a lost past or expel an unimportant past; to bring an all-too-past past (un passé trop passé) into the present or banish an all-too-present past (un passé trop présent) from that present.17

Jankelevitch’s analytic distinction is of great relevance because the concept of the irrevocable enables us to escape the seemingly compelling dichotomies we discussed above. Surely the irreversible temporal experience, much like the irreversible time of history, stresses the inalterability of the past—what could it mean to call something irrevocable if not in the first place that it can never be revoked—but, in contrast to the irreversible time of history, it does not condemn that past to an inferior ontological status that facilitates its neglect. By referring to a past that got ‘stuck’ and persists into the present, the concept of the irrevocable indeed breaks with the idea of a ‘temporal distance’ between the present and the past that is so central in the irreversible time of history. Moreover, the irrevocable defies the dichotomy of the fixed categories of the absolutely absent and the absolutely present by referring to the incomplete and seemingly contradictory ‘presence’ of what is generally considered to be absent: i.e., the past.

This ‘presence’—or, better, nonspatial proximity—of the irrevocable should never be confused with the metaphysical notion of presence, which functions as the antonym of absence because that would lead to logical inconsistencies. Yet, denying the absolute absence of the past or rejecting the concept of temporal distance, by saying that the past is sometimes irrevocably stuck in the present, does not necessarily commit one to logical inconsistencies or absurdities—such as the idea of ‘backward causation’ or the denial of ‘path dependence.’ In other words, the perspective of the irrevocable offers a great opportunity to criticize the irreversible time of history and to scrutinize the viability of an alternative chronosophy that would challenge the conception of the past as a ‘dead’ matter that is absent or distant and leave some intellectual space to take seriously the idea of a ‘persisting’ or ‘haunting’ past.

Yet, having said this, we should take the reasoning to its conclusions: A persisting ‘past’ does not simply deconstruct the notions of absence and distance; rather, it blurs the strict delineation between past and present and thereby even questions the existence of these temporal dimensions as separate entities. Therefore, I hope the reflection on the notion of the irrevocable will provoke us to rethink or reconsider two simple but fundamental questions: what does it actually mean for something or someone to be ‘past,’ and how do things, persons, or events become past? It strikes me that historians hardly ever (Michel de Certeau seems an important exception) explicitly raise this question about the peculiar ‘transition’ between present and past. Let us, then, briefly reconsider Henry Rousso’s comment about the ‘waiting period’ that has long been and still often is recommended to historians. Does not this long-standing taboo on the writing of ‘contemporary’ history—more than being merely a result of a practical problem relating to closed archives or the fear to work with lack of enough hindsight—primarily signal exactly this: a taboo on any practice that could bring up the tangled question of the (ontological) limits separating past and present and the living and the dead? Or formulated slightly differently, does not the relatively recent crumbling of the taboo on contemporary history and the increasing popularity of writing on an ever more recent past oblige us to start rethinking the most fundamental presumption that for so long has grounded most of academic historiography: the presumption that there is something like a ‘natural’ and ‘given’ break or distance between past and present? Does the past, as Chris Lorenz beautifully formulates it, have any ‘natural half-life’ as if it were a portion of depleted uranium? Can a genuinely ‘contemporary’ history be based on the same (implicit) notions of time and temporality that for so long made many academic historians believe that they worked with a past that is ‘dead’ or ‘gone’? Because they are so closely related to the notion of the irrevocable, these questions will accompany us (although often remaining implicit) throughout the entire book.

Sadly, Jankelevitch prematurely aborts the promising opening offered by the notion of the irrevocable almost immediately after he has stated the latter’s existence as a category of experience. Jankelevitch hurls to stress the merely metaphorical or subjective character of the idea that the irrevocable past ‘survives’ in the present. In reality, Jankelevitch claims, all time moves constantly in one direction, and the persistence of the past into the present
thus can be only a distorted experience of what in reality is a process of irreversible becoming. Still, despite this premature abortion, Jankéléwich has presented us with a name for the alternative chronosophy that I want to scrutinize. In the following parts and chapters, I will analyze and criticize the (use of the) notion of irreversible historical time, and I will try to defend the consistence, the feasibility, and the ethical significance of the notion of the irrevocable.

THE TRANSITIONAL JUSTICE DILEMMA, TRUTH COMMISSIONS, AND THE RIGHT TO HISTORICAL TRUTH

How better to study the history–time–ethics triad than by looking at a context in which it is put into 'practice'? The debate on the temporal dimensions of ethics which we have discussed above by referring to the conflicting stances of thinkers like Nietzsche, Benjamin, Horkheimer, and Améry has relatively recently (re)appeared on the international political stage with full strength and high urgency in the emerging field of transitional justice. Transitional justice can be described with the words of Ruti Teitel as 'the conception of justice associated with periods of political change, characterized by legal responses to confront the wrongdoings of repressive predecessor regimes.'21 The need for societies in transition to reckon with violent legacies of dictatorship or civil war is of course not new. Focusing on transitional justice from a historical perspective, Jon Elster has claimed that its existence can be drawn back at least to 411 and 403 BC, when the Athenians had to restore democracy twice after it was overthrown by oligarchs. Elster also furnishes his transitional justice 'universe' with cases from the seventeenth, eighteenth, and nineteenth centuries, including the restoration of the monarchy in England after the Declaration of Breda (1660), the restoration of the monarchy in France after the fall of Napoleon (twice, in 1814 and 1815), and the transition to independence after the Anglo-American treaty of 1783. 22 The origins of modern transitional justice, according to Ruti Teitel, could be situated in the aftermath of the First World War, but she argues that it only became understood as both extraordinary and international in the period after 1945. This delimitation enables her to draw a three-phase genealogy of transitional justice, in which the first 'post-war phase' associated with the Nuremberg trials is followed by a second 'post-Cold War phase' associated with the democratic transitions of the late 1980s, which in its turn toward the end of the twentieth century has been replaced by a third 'steady-state phase' of transitional justice 'associated with contemporary conditions of persistent conflict which lay the foundation for a normalized law of violence.'23

When talking about transitional justice, most scholars only have these more recent second and third phases in mind, and the phenomenon is most often (implicitly) taken to include only transitions to democracy.24 In the last quarter of the twentieth century, as several commentators have noted, something like a 'tidal wave of new democracies' or a 'heady wave of liberalization' has occurred in countries that were emerging from an authoritarian and often violent past.25 The 'wave' apparently began in southern Europe with the transitions in Greece and Spain; soon headed for Latin America, where countries such as Argentina, Bolivia, Chile, Brazil, and Uruguay all emerged from military dictatorships; later turned to Eastern Europe, where Poland, Eastern Germany, and Hungary broke with their communist regimes; and most recently has taken an almost global dimension with the fall of Apartheid in South Africa, peace processes in other parts of Africa, and things starting to move in Asian countries such as Cambodia, East Timor, and South Korea.26

If transitional justice deserves to be named as a specific branch of justice in comparison with other more 'ordinary' forms of criminal justice and social justice, it is first and foremost because the context of political and social transition creates a specific set of constraints that make the use of the 'orthodox' repertoire of justice mechanisms very difficult. This is especially the case when transitions do not follow a clear cut (military) victory by a (democratic) successor regime but, instead, result from a negotiated revolution or settlement between the old and the new forces. In these situations with a precarious balance of power, in which the old elite retains great political or economical influence and in which military and security forces keep threatening peace or political stability, it is hard to set up trials or resort to a straightforward application of criminal law.27 Sometimes judges or prosecutors receive death threats, and often witnesses are still too frightened to show up in court. A lack of socio-economic stability also can make it difficult for countries emerging from situations of massive human rights violations to bear the huge costs of a mass trial with a virtual guarantee of numerous legal obstacles including the lack of sufficient evidence if the perpetrators found the opportunity to destroy incriminating documents. As Alex Boraine puts it: 'There are enormous difficulties in pursuing justice in a normal situation, but when one attempts to do this in countries undergoing transitions, the problems are intensified. There is a need to balance two imperatives: on the one hand, there is the need to return to the rule of law and the prosecution of offenders; on the other, there is a need for rebuilding societies and embarking on the process of reconciliation.'28

Because these two imperatives often seem opposed, commentators have spoken about a 'devil's choice'29 or a 'transitional justice dilemma'30 to repair historical injustice and thereby risk social dissent, destabilization, and return of violence; or to aim at a democratic and peaceful present and future to the 'disadvantage' of the victims of a grim past? The human rights activist Juan Méndez refers to the dilemma as 'one of the hardest choices that any democracy has to make,' and he disapprovingly adds that the longing for reconciliation and nation building all too often has led to a 'forgive-and-forget policy.'31 Similarly another commentator rhetorically puts the
question as follows: ‘What, then, shall we choose? A peace built upon the public suppression of the victim’s memories, or a justice that risks bringing war back to life again?’

Predictably, most perpetrators of injustices choose the first option, which they often advocate in the name of the future and of national reconciliation. Augusto Pinochet, for example, attempted to prevent a public exposure of the violent past for which he himself was responsible by adopting a cynically voluntarist discourse that stressed the importance of progress and nation building. ‘Both sides should forget,’ he claimed, ‘we must continue working for Chile, for our republic; we should not look back. Let’s not allow this country to become a third-class nation but a second- or first-class one if possible. But to achieve that it is necessary to be intelligent, capable, and to have the ability to forget.’ Similarly, F. W. De Klerk in South Africa after the fall of Apartheid stated that: ‘The best way to reconcile would be to say: Let’s close the book of the past, let’s really forgive and let’s now start looking at the future.’

Conscious forgetting and the subordination of retrospective justice to a present- and future-oriented policy has also been defended more sincerely in the name of democracy and emancipation by people with less questionable credits. The American political philosopher, Jean Bethke Elshtain, for example, defends the resort to a ‘knowing forgetting’ in situations where nations or groups are held hostage to a burdened past and are in great need of the ‘drama of forgiveness.’ ‘People,’ she writes, ‘are very fond of citing Santayana’s claim that those who don’t know their history are doomed to repeat it. But perhaps the reverse is more likely, namely, that it is those who know their history too well who are doomed to repetition.’ A similar position is defended by Bruce Ackerman. Given the particular combination of high moral capital with a low bureaucratic capacity that often characterizes young democracies, moral capital, according to Ackerman, is better spent on constitutional ordering than on corrective justice. If given full play, the demand for justice, Ackerman warns, can threaten the development of a liberal democracy. Moreover he adds: ‘There can be no hope of comprehensively correcting the wrongs done over a generation or more. A few crude, bureaucratically feasible reforms will do more justice, and prove less divisive, than a quixotic quest after the mirage of corrective justice.’

What then to do with the ‘stinking carcasses’ that are often still left in the official archives (e.g., the Stasi files in East Germany), Ackerman rhetorically asks, and providing his own answer he radically states: ‘Burn them, I say. If the files remain, members of the new government will be tempted to use them to blackmail the opposition.’ If a strong constitutional foundation is built, the terrors of the past in his view will become no more than ‘a grim but distant memory.’

Until fairly recently, a combination of amnesia and amnesty indeed historically prevailed as the most commonly used antidote against a painful past brought on by violent internal conflict. It is important to stress the fact that, despite the well-known exception of the Nuremberg trials where an external power came to prosecute the perpetrators and the exceptional case of Greece where the Colonels were swiftly prosecuted after a military defeat, retrospective justice is very rare when injustices are committed by state actors. As Carlos Santiago Nino, one of the main architects of transitional justice in Argentina, writing in 1996, remarks: ‘In surveying the history of the criminal law when applied to massive human rights violations, we find blanket amnesties or pardons, widespread silence, and failure to prosecute anyone.’ Similarly, another commentator notes that wars, amnesties, and oblivion often come together: ‘If violent conflict provides an irregular heartbeat to human co-existence, amnesties come to lighten the burden.’ Historically, Timothy Garton Ash claims, the ‘advocates of forgetting’ have come in great number and have been of considerable influence. From the treaty of Lothar in 851 to the Treaty of Lausanne in 1923, many peace treaties in European history have included acts that ordered forgetting. Even since 1945, Garton Ash writes, much of post-war Western European democracy was constructed on a foundation of forgetting. As late as 1975, he remarks, Spain made its transition to democracy with a conscious policy of forgetting.

Since the early 1980s, however, things have been changing. Although the need for amnesty often remains, it has become more subtle or conditional, and the language of oblivion has almost entirely disappeared from the political vocabulary. A ‘cultural turn’ in political theory made it mandatory that even in situations where political constraints exclude the viability of retributive justice, the past should not be left behind and the burden of history should be addressed. The need to manage the legacy of violent pasts revealed itself as a major policy issue: As a commentator notes, ‘there seems to be a growing consensus that the past demands something from us in situations of transition.’

In an attempt to find a pragmatic solution to the transitional justice dilemma that would seem less provocative toward perpetrators than the idea of criminal prosecutions, while not completely ignoring the suffering of victims, legal experts have developed the formula of the ‘truth commission’: semi-judicial bodies that, in contrast to criminal courts or war tribunals, cannot sentence or punish but offer an officially sanctioned ‘truth telling’ as an alternative.

Although they have been given many different names, several dozens of these truth commissions have functioned internationally during the last three decades. Except for a dysfunctional commission of inquiry on the fate of the disappeared people established by Idi Amin Dada in Uganda in 1974, the first real experiments with the formula of the truth commission took place in Latin America during the early 1980s. After the establishment in 1982 of a Bolivian commission that disbanded without submitting a final report, important pioneering work was done in 1984 by the Argentine Comisión Nacional sobre la Desaparición de Personas (CONADEP). A year later a similar commission on the disappeared was set up in Uruguay,
and from this moment on truth commissions were established in countries all over the world, including Zimbabwe, Uganda (for a second time), Nepal, Chile, Chad, Germany, El Salvador, Sri Lanka, Haiti, Burundi, South Africa, Ecuador, Guatemala, Nigeria, Sierra Leone, Paraguay, Peru, East Timor, the Democratic Republic of the Congo, Liberia, and Kenya.

Of all these cases, the commission with the most extensive mandate and the greatest international influence was the Truth and Reconciliation Commission (TRC) set up in South Africa in 1995. It was the first truth commission to hold public hearings and function in a highly transparent way. By attracting an enormous amount of domestic and international media and scholarly attention, the South African TRC came to function as a standard for all the following truth commissions, promoting the formula of the truth commission as the mandatory ‘staple of the transitional justice menu.’

As one scholar notes, since the advent of the South African TRC, it is hard to think of any political or post-conflict transition where the idea of establishing a truth commission has not been contemplated. The South African TRC also was one of the first truth commissions to self-consciously state that the revelation of historical truth can be considered as an adequate alternative form of justice. What started out as a political compromise in an attempt to escape the Scylla of the transitional justice dilemma thus eventually came to be seen as an important legal innovation. Despite the fact that the emphasis on ‘truth’ in the early commissions was primarily a pragmatic move for which a rationale was later sought, the truth commissions following the South African TRC generally do not merely argue that they are a second-best alternative but, rather, insist that they can accomplish things that cannot be provided by traditional courts. Telling the truth about the past is believed to be highly instrumental in reaching the goal of social peace and the restoration of civic trust in wounded nations because, according to one of its main advocates, ‘a society cannot reconcile itself on the grounds of a divided memory.’ ‘Truth’ moreover increasingly has been considered an ‘absolute, unrenounceable value,’ and as Luc Huyse remarks, recent truth commissions are based on the idea that the remembrance of the truth brings with it the supreme or ultimate form of justice. Instead of being a trade off that sacrifices the pursuit of justice for the sake of political stability, as some scholars argue, advocates of truth commissions state that the innovative legal concepts of ‘truth as acknowledgement’ and ‘justice as recognition,’ bridge the tensions between truth and justice and provide a more legitimation for these commissions. Partly under the impulse of the truth commissions, the idea of an inalienable ‘right to truth’ has increasingly emerged as an established part of international law. In the words of UN special rapporteur, Louis Joinet:

This is not simply the right of any individual victim or his nearest and dearest to know what happened, a right to the truth. The right to know is also a collective right, drawing upon history to prevent violations from recurring in the future. Its corollary is a ‘duty to remember’ on the part of the State: to be forearmed against the perversions of history that go under the names of revisionism or negationism, for the history of its oppression is part of a people’s national heritage and as such must be preserved.

TRANSGITIONAL JUSTICE, THE CRISIS OF MODERN TIME
CONSCIOUSNESS, AND THE PROJECT OF SIMULTANEITY

It goes without saying that the recent emergence of truth commissions and the development of the legal concept of a ‘right to truth’ are of great relevance to historians. With the increasing popularity of the formula of the truth commission as a kind of hybrid situated at the intersection between history and jurisdiction, historical discourse moves center stage in the ethico-political management of the collective past. In fact, in the whole field of transitional justice, the once well-guarded borders separating history and jurisdiction have become vague and permeable. Legal scholars have started to ponder the ability and desirability of war tribunals to serve as history lessons that would teach citizens about democratic values or civic skills, and some historians have begun to mobilize their discipline in support of conflict management and reconciliation. Ruti Teitel speaks about the emergence of ‘transitional historical justice’ as an autonomous practice that can be placed next to criminal justice, reparatory justice, administrative justice, and constitutional justice.

Yet, in order to understand the concrete relation between history and ethics or justice, it has to be asked what history, or historical discourse, is actually ‘doing’ (or expected to do) in the field of transitional justice. Why, exactly, do so many countries in transition recently turn to historical truth in order to attain national unity and reconciliation, ironically ascribing benevolent properties to it that closely resemble those once associated with collective forgetting? Why, indeed, has the once dominant ‘no-action option’ almost completely lost credit as a viable way to deal with burdened pasts, and why does almost nobody believe in the option of oblivion any longer?

In order to answer these questions, I propose to analyze the function of history, or rather of a particular discourse on history, in the field of transitional justice from the perspective of a politics of time—a politics which takes the temporal structures of social practices as the specific objects of its transformative (or preservative) intent. I argue that the truth commissions’ turn to history and the recent international preoccupation with repairing and apologizing for historical injustices—which observers have described as the upsurge of a ‘neo-enlightenment morality,’ a ‘fin de millénaire’ fever of atonement, or a globalized ‘politics of regret’—should...
primarily be seen as a reaction to a changing régime d'historicité, to use a concept coined by the French historian François Hartog.66

As long as one remains stuck in the modernist dichotomy of a 'living' present and an ontologically inferior absent or distant past, the only reasonable way out of the transitional justice dilemma—given the difficulty of falling back on the traditional legal repertoire of criminal justice and given the fear of a divisive remembrance—indeed seems to lie in a combination of amnesty and amnesia. The stress on irreversible historical time indirectly promotes an attitude of letting 'bygones be bygones' whenever victims or relatives cannot achieve justice immediately after crimes are committed. However, I will claim that a seeming 'failure' of the modern consciousness of time has resulted in a profoundly altered relation to the past. In this context, the option of a collective amnesia has lost credit not only because it is deemed unjust but also because it is no longer considered adequate as a tool for putting the past to rest. Mere oblivion, it seems, will no longer do.

The substantial policy change relating to past wrongdoings during the last decades could be described as related to a loss of trust in the workings of time or 'temporal decay' as an automatic pacifier that brings about some kind of 'simili-forgiveness' in the long run.67 During the high days of modernity, time in the West was generally experienced as something that was both progressing and erasing. This idea was tellingly expressed by Vladimir Jankélévitch when he stated that 'innovation actualises novelty by draining the overabundance of memories, by favouring the deflation of the memory.'68 In the context of this time consciousness, the amnesia option—whether as a product of passive forgetting, amnesty, or a rigorous destruction of records—could be defended as a form of naturalism, merely confirming what time would do by itself anyway. Although an overspill of recollection could slow or weigh down the elan of progress slightly, most were confident that the direction of time cannot be reversed and that nobody can move against its current. The melancholic or rancorous person, therefore, was often considered no more than a 'latecomer, risking being swept up by his epoch,' a living anachronism who has no chance of surviving if (s)he refuses to be contemporaneous with his/her contemporaries who focus on the future.69 From this perspective, historical injustice and its victims hardly posed a political problem in the long run. Writing in 1967, Jankélévitch could, for example, still confidently express the idea that:

Sooner or later, the rancorous person will give in to the omnipotence of time and to the weight of the accumulated years, for time is almost as omnipotent as death, and time is more tenacious than the most tenacious of wills, for it is irresistible! [...] No resentment, no matter how stubborn it is, can hold fast in the face of this mass of indifference and disaffection. Everything counsels forgetting! [...] One day or another, in the long run, oceanic forgetting will submerge all rancor underneath its leveling grayness, just as the desert sands finish by burying dead cities and defunct civilizations, and just as the accumulation of centuries and millennia ultimately will envelop inexpiable crimes and undying glories in the immensity of nothingness.70

The figure of the living anachronism is still a popular metaphor to describe resentful victims or perpetrators, but the legacy of atrocious pasts has internationally become a major political problem. Time and again we are confronted with narratives of ancient injustices that support claims for reparations or feed contemporary conflict until nobody is still confident that the burden of history will just fade away by itself. The relatively recent loss of confidence in time as a force that heals all wounds becomes clear when we contrast the foregoing citations of Jankélévitch with a more recent comment on the subversive nature of atrocious pasts by Michael Ignatieff.71 The problem with the past and the reason that it continues to torment, according to Ignatieff, is precisely that it is not past: 'Crimes can never be safely fixed in the historical past: they remain locked in the eternal present crying out for vengeance.'72 Ignatieff illustrates his claim by describing how reporters active in the Balkan wars were often confronted with atrocity stories that conflated the contemporary conflict with events dating back as far as 1941, 1841, or even 1441. He concludes that places like the former Yugoslavia, Rwanda, and South Africa 'are not living in a serial order of time but in a simultaneous one, in which the past and present are a continuous, agglutinated mass of fantasies, distortions, myths and lies.'73

In the period between the remarks of Jankélévitch and those of Ignatieff, something indeed changed in the régime d'historicité that regulates modernity's articulation of past, present, and future. Ignatieff expresses an idea that in a less explicit form has become widespread: that the past in post-conflict situations somehow gets stuck in the present and refuses to go. Past and present no longer seem to separate on their own strength. 'Since roughly the end of the Cold War,' John Torpey comments, 'the distance that normally separates us from the past has been strongly challenged in favor of an insistence that the past is constantly, urgently present as part of our everyday experience.'74 The dissemination of an idiom that refers to the ghostly or uncanny nature of the past—talking about the 'haunting past,'75 'specters of history,'76 or 'ghosts at the table of democracy,'77 to give just some examples—seems to underscore the widespread feeling of an uncomfortable presence. Advocates of reparation politics, too, often stress the stubborn persistence of past injustices. The Nigerian Nobel prizewinner Wole Soyinka, for example, substantiates his well-known reparation claims for the trans-Atlantic slave trade by a reading of the African past as a 'diabolical continuity' in which the ancient slave stockades never seem to vanish.78 Ignatieff thus draws our attention to the fact that the painful past haunts us in a manner that influences or even threatens prevalent modern consciousness of time.
To understand how this change has come about, we can borrow and adapt the notions of the 'irreversible' and the 'irrevocable' by Jankelevitch himself. Although both the irreversible and the irrevocable are arguably experiential categories that are present in all forms of historical consciousness, their changing ratio can help us to distinguish between differing régimes d'historicité. The decline of the idea of progress and the advent of a 'consciousness of man-made catastrophe' tend to create a relatively new historical consciousness. Memory of offense, to borrow a term from Primo Levi, has continuously increased since the Holocaust and now profoundly challenges modernity's consciousness of time. The growing influence of organized and highly visible victim-groups and 'entrepreneurs of memory' has contested the irreversible evaporating past and has given rise to an experience that predominantly accentuates the irrevocable.

Several scholars indeed argue that 'memory' manifests a temporal structure that radically differs from the one of academic historiography. Discussing post-Holocaust Jewish memory, Gabrielle Spiegel, for example, claims that this kind of memory tends to conflict with modern historiography because it reincarnates, resurrects, and recycles and refuses to keep the past in the past. Similarly, Lawrence Langer asserts that the memory of atrocity tends to develop a 'durational time' that disrupts chronology.

The opposition in temporal orientation between 'history' and 'memory' has not only been remarked in the context of traumatic memories. One of the first to elaborate on this rift was Maurice Halbwachs, who contrasted the historical enterprise with what he called collective memory.

Yosef Hayim Yerushalmi in the early 1980s further elaborated on the differences between historiography and (collective) memory by asserting that memory in contrast to history seeks not the historicity of the past but its 'eternal contemporaneity.' A similar stance can be found in the work of Pierre Nora, who claims that memory and history are fundamentally opposed to one another: 'With the appearance of the trace, of mediation, of distance, we are not in the realm of true memory but of history [. . .] Memory is a perpetually actual phenomenon, a bond tying us to the eternal present; history is a representation of the past.

What is at stake with the persistence or 'presence without agency' of the irrevocable past is indeed the clear delineation between past and present that lies at the root of the modern consciousness of time and modern historiography, as Reinhart Koselleck and Michel de Certeau have shown.

Time in post-conflict contexts often is no longer conceptualized as 'a necessary medium of change'; its passing no longer seems to produce a distance between past and present. For modernity, which, as Jürgen Habermas argues, defines itself by its orientation to the new and needs a continually renewed break with the past in order to distinguish itself, as the most recent period, from each foregoing epoch, this is quite threatening. As Hans Blumenberg stresses, modernity's claim to be able to accomplish this break is far from self-evident because it conflicts with the reality of history where one can hardly ever start from the ground up.

It is exactly in this ambiguous context of a fragile modernity and a shaky belief in the possibility of a strict demarcation of past and present, I argue, that the peculiar turn to history in truth commissions must be situated. The turn to history, I claim, primary has to invoke the notion of irreversibility and restore or enforce the characteristically modernist belief in a break between past and present that is threatened by a memory that refuses to let the past go. Although truth commissions sincerely reject amnesia, they primarily turn to 'history' in order to pacify the troublesome force of 'memory.' History, then, is introduced in the field of transitional justice not despite an already overabundant memory but because of it. Transitional politics are often interpreted as a search for a proper balance between too much memory and too much forgetting, but it is my thesis that the current field of transitional justice is an arena for two conflicting ways of remembering that are driven by contrary temporal features. I do not interpret the changing experience of the past as pathology, phantasm, or a distortion of 'real' historical time by 'militant' memory. Instead, I place both memory and history in the context of a modernist time that is not a natural given but a cultural and political artifact; an artifact that, as Jürgen Habermas remarks, is in constant need of self-reassurance.

This perspective allows us to grasp a dimension of history that exceeds its traditional functions of representing the past, of searching for the truth, and of generating meaning. In relation to a modernity threatened by the irrevocable, history is useful for a property that, as Mark Phillips points out, is all too often neglected: its regulation of (temporal) 'distance.' Our relation to the past is all about producing and manipulating distance, however foreshortened or extended. This distance between past and present, Philips remarks, is not simply given but actively constructed in a broad range of 'distance-constructions' that involve ideological and affective implications, cognitive assumptions, and formal traits. This understanding—that the distancing of past and present does not simply result from the passing of time but is something that must be actively pursued—underpins one of the central propositions of this work. Instead of being a neutral analytical frame, I will argue, history can be performative. By this I mean that historical language is not only used to describe reality (the so-called 'constative' use of language) but that it can also produce substantial socio-political effects and that, to some extent, it can bring into being the state of affairs it pretends merely to describe (the so-called 'performative' use of language).

In order to understand why this performative 'distancing' is important for countries going through transition, one has to take a look at the close relationship between the politics of time and the project of nation building. Benedict Anderson argues that the 'obscure genesis' of modern nations cannot be understood without taking fully into account the development
of a specific concept of ‘simultaneity.’ This ‘cross-time simultaneity,’ which is measured by clock and calendar, has been a long time in the making and, according to Anderson, is in marked contrast to the medieval Christian conception of ‘simultaneity-along-time’, in which past and future were fused into an instantaneous present by divine prefiguring and fulfillment. The idea of the modern nation as a solid community moving through history is a precise analogue of the idea of a ‘sociological organism moving calendrically through homogeneous, empty time.’ As Anderson puts it:

An American will never meet, or even know the names of more than a handful of his 240,000-odd fellow Americans. He has no idea of what they are up to at any one time. But he has complete confidence in their steady, anonymous, simultaneous activity.

Nation building could then be interpreted as based on the complex creation of an idea of temporal simultaneity. It is, however, exactly this project of simultaneity that is threatened by the abundant memories of atrocious pasts. From this perspective, the major threat posed by these memories is not that they evoke a divisive past but rather, as we have seen, that they tend to experience this divisive past as irrevocable and refuse to let it go. Societies dealing with a divisive irrevocable past and trying to create a national simultaneity, then, primarily turn to a historical discourse in order to produce a sense of irreversibility and to reestablish or impose the modernist disjunction between past and present. Although the remembrance of a divisive past will never be conducive to the creation of a nation-wide experience of simultaneity, it helps if that past is collectively remembered as remaining at a ‘distance’ from, or separate from, the present.

However, history’s contribution to the project of simultaneity has side effects: Often the construction of national simultaneity comes at the cost of the exclusion of people who cannot or do not want to leave the past ‘behind.’ Borrowing a term from the anthropologist Johannes Fabian, I will therefore argue that the discourse on the irrevocable time of history sometimes tends to become an ‘allochronistic’ practice: a practice that (symbolically) allocates into another time or treats as non-simultaneous all those who refuse to participate in the process of nation building or reconciliation.

OUTLINE OF THE BOOK

This book consists of two parts, each in its turn subdivided into different chapters. In the first part, I set myself a double goal. First I try to demonstrate that the notion of irrevocability can be related relevantly to widespread popular experiences of historicity, and that this notion has great ethical relevance. Second I elaborate on my claims about the ethical implications of discourses on history and irreversible historical time (which I formulated in more abstract terms above) by analyzing their performativity. Although this performativity can be benign and often is experienced as a necessity, it is never ethically neutral.

In order to make both points, each of the three following chapters discusses the introduction and contestation of historical discourse in truth commissions and the broader context of transitional justice. First I focus on the transitional justice situation in Argentina; second I analyze the case of South Africa; and third I discuss the case of Sierra Leone, where a truth commission and a war tribunal were combined. From a geopolitical perspective, Argentina, South Africa, and Sierra Leone could be called peripheral or (in the case of the first two) at best semi-peripheral, and the three countries have the sad honor that their best known export products are newly coined terms and concepts that originated in their horrific histories of conflict: from ‘desaparecido’ and ‘dirty war,’ over ‘Apartheid’ and ‘neck-lacing,’ to ‘blood diamonds’ and ‘juju warriors.’ However, when looked on from the perspective of legal philosophy or international law, the three countries have been at the core of recent evolutions in transitional justice, and most importantly they each represent a landmark in the evolution of the formula of the truth commission. A focus on the cases of Argentina, South Africa, and Sierra Leone offers a privileged overview of the broader truth commission phenomenon because the commissions established in these three countries together span a period of three decades and also because they influenced one another and were crucial in the construction of a common canon.

Because the truth commission in Argentina was held behind closed doors and because it was primarily meant as an inquiry that eventually had to assist and facilitate the much more ambitious trial of the junta leaders, I will mainly elaborate on the protest it provoked and will try to analyze the relation between historical discourse and the public protest of the ‘Madres de Plaza de Mayo.’ The next two chapters, in contrast, primarily focus on the workings of the truth commissions themselves. However, in these chapters, too, I try to highlight the resistance against the truth commissions and their use of a historical discourse. Using NGO reports and material from their well-documented website, I will discuss the position of the South African ‘Khulumani Victim Support Group.’ Relying on anthropological literature, I will discuss the popular resistance against the work of the truth commission in Sierra Leone.

The focus on transitional justice yields interesting insights because, as one commentator puts it, ‘seldom does history seem so urgently relevant or important as in moments of sudden political transition from one state form to another.’ Focusing on relatively exceptional but nonetheless widespread situations of transition, we can learn a lot about historians and historical discourse in more ‘normal’ settings. This is so because the political reality of truth commissions and transitional justice confronts us with a context that strongly differs from the historical context in which the
world. Reality is far more complex, with conflicts about time and rules unchallenged over the world or even over the 'Western' part of the example, in the fields of political and economical organization. However, and the irreversible time of history they bolster are historical constructions that are closely related to the disenchanted worldview that slowly and irregularly has developed in the West. That irreversible historical time is not universally accepted is exemplified by the resistance against its dissemination in the context of transitional justice. This resistance should make us ponder whether the international dissemination of the irreversible time of history could not in certain cases amount to a specific variation on the imposition of a Western 'temporal architecture' as it has taken place, for example, in the fields of political and economical organization. However, let me make it clear that I do not think that the conflict between differing chronosophies follows a clear divide between the West and the non-West. Although it is widespread and influential, I do not take the irreversible time of history to be the one and only form of historical consciousness that rules unchallenged over the world or even over the 'Western' part of the world. Reality is far more complex, with conflicts about time and régimes d'historicité existing on several levels, both between cultures or subcultures, etc.

The second chapter of the second part of the book (Chapter 6) is dedicated to the search for an alternative chronosophy that enables us to think through and explain (or at least offers us a good starting point to do so) the irrevoable. Several thinkers have developed views on time that significantly differ from the irreversible time of history with its stress on the absent or distant past. In order for an alternative chronosophy to provide the intellectual space necessary to recognize the irrevoable, it will have to break with the idea of the absent or distant past and be able to include into its perspective a notion of 'non-synchronicity' or even 'anachronicity.' The work of thinkers such as Fernand Braudel, R. G. Collingwood, Ernst Bloch, and Louis Althusser partially and in varying degrees provides such perspectives. In a much more radical way, such a perspective is provided by Jacques Derrida. During the last years of his life, Derrida dedicated a lot of his attention to the haunting past and the ambiguous position of debt of the living generations in relation to this past. Discussing the enigmatic survival of the past, Derrida tellingly spoke about his perspective as revolving around a 'spectral' concept of time. It has hardly been noticed by any historian or philosopher of history at all, but this concept of a spectral time profoundly challenges irreversible historical time, and therefore I considered it appropriate to dedicate a separate chapter (the third chapter of the second part, Chapter 7) to Derrida and his chronosophy.

In the fourth and final chapter of this book, I will return to a somewhat more concrete level by moving the discussion away from a strict focus on time to a discussion of the relation between history and mourning. Here I will argue that one can learn a lot by approaching history as a practice of mourning, but that the conclusions that one draws from this intellectual exercise strongly depend on the specific concept of mourning that one takes as a point of departure. Many of the 'ontological commitments' underlying mainstream modern historical thinking can also be found in the dominant modern account of mourning, which in many ways opposes the older and more widespread non-modern notions of mourning. Modern mourning theory obscures the phenomenon of the irrevoable, and consequently it also denies most dimensions of its own performativity. Because non-modern mourning, while offering a better starting point to think about the irrevoable and while recognizing a much more substantial notion of performativity, often is based on an all-too-enchanted worldview, I will once more turn to the work of Jacques Derrida in order to provide an alternative position.
Part I
2 ‘La Muerte No Existe’
The Madres de Plaza de Mayo and the Resistance against the Irreversible Time of History

This war, like all wars, leaves some aftereffects, great wounds that time, and only time, can heal. They are caused by the losses; the dead, the wounded, the detained, the ones ‘forever absent.’

General R.E. Viola

‘Why do they like the dead? Because death is final.’

Hebe de Bonafini

INTRODUCTION

In the preface to a book published on the occasion of the 30th birthday of the last military coup in Argentina, Hebe de Bonafini, the president of the Madres de Plaza de Mayo, quotes some provocative words of the writer Galeano: la muerte no existe—‘death does not exist.’ Radical as it may be, this expression is in line with an intriguing slogan that has characterized the Madres’ struggle for almost three decades: aparición con vida—‘living appearance.’ Ever since the disappearance of their sons and daughters in the late 1970s, the group of mothers around Hebe de Bonafini has claimed that disappearance is a ‘state of being,’ more than merely signifying death or the absolute lack of knowledge about someone’s fate. Even after several bodies washed ashore on the coasts of the Atlantic and after secret mass burials were discovered all over the country, the Madres de Plaza de Mayo continued to insist that the desaparecidos—the Spanish name for the victims of the military who vanished without a trace—are not like ‘ordinary’ dead but are, instead, in between life and death. As Hebe de Bonafini once famously declared, ‘the mothers of the disappeared will not be converted into the mothers of the dead.’ The Madres consistently speak about their disappeared children in the present tense and count their birthdays as if they were still aging each year.

This idea of immortality might seem strange for a movement that grew out of a group of grieving women who initially met one another in what one
commentator referred to as ‘public institutions of death’: hospitals, police stations, army garrisons, morgues, and cemeteries. This was especially the case in a society where women were traditionally expected to perform the role of ‘reproducers of life and guardians of death.’ The Madres’ ceaseless (and soon internationally reputed) protest marches on the main square in Buenos Aires and their incredible strength born out of despair perplexed the military, which initially did not understand the full extent of the challenge and laconically ridiculed the women by calling them las locas de Plaza de Mayo—‘the mad women of the square.’

Once the military dictatorship was over, the persistent refusal to mourn (although of course not a refusal to grieve) and to recognize the death of the desaparecidos did not make the Madres very popular in the wider Argentine society. Their stance met with sympathetic incomprehension at best or, worse, was denounced by a majority who wanted to move on and thought that mothers should mourn privately and keep silent. As one member of the Madres commented at the end of the 1980s, ‘Aparición con vida is the most controversial of our slogans because a lot of people support us, but say aparición con vida no. You’re mad…’

Scholars have indeed tried to grasp the Madres’ denial of death in terms of psychopathology related to the problematic of mourning without a body. The relatives’ endless waiting for the desaparecidos to come home is sometimes described in psychological terms as ‘numification.’ The demand for aparición con vida, similarly, has been analyzed as hope against hope or, worse, as pre-rational or even magical thinking.

Although a psycho-social analysis can be helpful to understand the particular problems with which the relatives of the disappeared are coping, and although an aspect of magical language can hardly be denied in the Madres’ ghostly representation of the desaparecidos, these perspectives are insufficient to understand the entire political and ethical extent of the demand for ‘living appearance’ and the refusal to perform the work of mourning demanded by society. In this chapter I will read the Madres’ discourse as a radical resistance to the irreversible time of history. The Madres’ staging of the spectral figure of the desaparecidos, I argue, has to be placed within a context of a sophisticated politics of time.

TRANSITIONAL JUSTICE IN ARGENTINA: A LONG AND WINDING ROAD

When the free elections of 1983 formally put an end to seven years of military dictatorship, the reemerging Argentine democracy inherited a heavily burdened legacy that would be troublesome for more than a quarter of a century to come. Since the reestablishment of democracy, every successive government has been confronted with both a continuous demand for justice by the victims of state terrorism and a pressure for amnesty by the military. Although the violent years between 1976 and 1983 are still subject to strongly antagonistic interpretations by diverse societal groups, nobody can deny that the desaparecidos—as a ‘population of ghosts’—have become an integral part of Argentine politics and society.

The coup of 1976 was no unique event in Argentine history; in fact it was only the last one in a long ‘national tradition’ of military takeovers. Neither did political violence and state terrorism start on the night of 23 March 1976, when the military junta led by General Jorge Rafael Videla overthrew the elected government. However, none of the preceding coups and no previous political violence approached the extent of violence that was to follow. Under the veil of national security, thousands of people were abducted in a secret but well-planned campaign that was masterminded by the military high command. People disappeared from their bedrooms at night, were abducted from their workplace, or were taken from the street in broad daylight. Once ‘disappeared,’ typically nothing was ever heard from them, nor were bodies returned. The victims simply stopped having any civil existence and entered the lugubrious and ghostly category of the desaparecidos.

The victims were generally not officially arrested and put into prison but were held in secret detention centers (Centros Clandestinos de Detención). Approximately 600 of these centers are estimated to have existed. They were true sites of horror. Torture was applied without exception, and the calvary of the victims most often ended in a journey that led to mass burials and anonymous graves or even to the Argentine rivers and the sea. The number of desaparecidos is still disputed—about 9,000 cases have been identified, some speak about a number up to 30,000—but contrary to the military rhetoric, there is relative consensus that most of them were never involved in armed struggle or even in any political activity.

For quite a while, the tactic of making people disappear proved to be effective in avoiding the creation of martyrs around whose names and bodies public protest could be organized. In the first year of the coup, no one protested abroad, as big crowds had done throughout the world four years earlier, when Pinochet started torturing and killing his political opponents in Chile. Furthermore, no country broke off its diplomatic relations with Argentina, as many had done with Chile.

Once it was confronted with public protest, the military declared that it dealt with an enemy that used guerrilla techniques and that this guerra sucia (‘dirty war’) demanded an adapted counterstrategy that could not be restricted to the rule of law. In fact, the military was proud of what it called its ‘war against subversion,’ and despite the courage and perseverance of the Madres de Plaza de Mayo and others, the eventual demise of the juntas was provoked not by the protests against their violations of human rights but by internal divisions and some external events. Ultimately, it was a combination of economic crisis and a humiliating defeat in the war over the Islas Malvinas (Falkland Islands) that forced the military to organize…
a return to civilian rule and to negotiate with the democratic political parties that took advantage of the power vacuum to organize and unite into a Multipartidaria ("Multiparty").

Before handing over political power, however, the military tried to make sure it would not be prosecuted for its human rights violations. In order to safeguard itself, it took three precautions. First, in April 1983, the junta published the ‘Final Document on the War Against Subversion and Terrorism’ (this document will be discussed in more detail later). This document claimed that the junta had fulfilled its duty in service of the nation and stated that the desaparecidos, if they were not in exile or hiding, perished in open confrontation and thus had to be considered dead. Second, the junta issued the ‘Law of National Pacification,’ a blanket amnesty that granted immunity to some suspected terrorists and all members of the military for crimes committed between 1973 and June 1982. Third, the military ordered the destruction of all documents and archives that could incriminate it.

At this point in Argentine history, it was not unthinkable (to make an understatement) that the military, in spite of the lobbying of human rights organizations, would succeed in covering up what it had done and in escaping accountability. Although human rights organizations had great moral authority in the years immediately following the transition, their direct political influence was small. In contrast, the military’s grievances were hard to ignore because of the simple fact that it had easy access to arms. If the cry for justice of the victims and their relatives, then, got any response on the political level, it was because, in a total surprise, the first presidential elections were won by a candidate of the ‘Radical Party’ with a campaign devoted to human rights, with the renowned novelist Ernesto Sábato presiding.

Within the term of nine months that it was given to scrutinize the crimes of the juntas committed between 1976 and 1983, the commission took about 7,000 testimonies in which it documented the cases of 8,961 persons who disappeared.

Besides taking statements, the commission also identified and visited a large number of secret detention centers and organized some exhumations of mass burials and anonymous graves. Responding to the request of relatives who believed that some desaparecidos were still alive, the CONADEP went searching for unidentified persons in prisons and psychiatric institutions. Although its efforts to locate living desaparecidos proved fruitless, the commission gathered a huge amount of information, and its overall results were considered successful by the president and his advisers. On 20 September 1984, the commission handed over 50,008 pages of documentation to President Alfonsín, and a book-length version of the report, omitting the names of perpetrators, was published. Despite their initial resistance, most human rights organizations in time came to cooperate with the CONADEP. One important exception has been the Madres de Plaza de Mayo, who continued to criticize the commission (more on that later).

Alfonsín’s attempt to let the military purge itself proved far less successful than his truth commission initiative. His human rights policy suffered a serious setback when the Supreme Council—the highest military court—stated its inability and lack of will to prosecute the junta leaders, making it necessary to transfer the prosecutions to the (civil) Federal Court. This eventually led to a relatively unique event in Latin American history: the highly publicized trial of the nine military commanders of the three successive juntas. In March 1985, Public Prosecutor Julio Strassera formulated 711 charges, including murder, illegal detention, torture, rape, and robbery, and demanded appropriate sentences. The final verdict of the court pronounced life imprisonment for Videla and Massera. Agosti, Viola, and Lambruschini were, respectively, sentenced to four years and six months, seventeen years, and eight years of imprisonment. All were disqualified in
perpetuity from holding public office and were stripped of their military rank. The others—Graffigna, Galtieri, Anaya, and Lami Dozo—were acquitted on the grounds that the bulk of the ‘dirty war’ crimes had ceased during their reign.

In the wake of the trial of the junta leaders, an increasing number of prosecutions, filed by relatives of persons who disappeared, slowly started. However, once well on their way, the prosecutions were halted by two interventions by Alfonsin’s government. Worried by the strong reactions of the military and challenged by a series of bombings by ultra-right groups, Alfonsin asked his advisers to draft a legal strategy that would limit the punitive process. In the beginning of December 1986, this resulted in the punto final (‘full-stop’) law, which prescribed that further legal proceedings had to be initiated within a deadline of sixty days from its declaration. The measure proved counterproductive, however, and triggered an avalanche of new prosecutions. Neither did it appease the military.

In April 1987, an attempt to arrest an officer who refused to show up in court resulted in a military revolt. Through a dramatic personal intervention, Alfonsin was able to end the revolt, but he could do so only by secretly making concessions to the military. Less than a month later, Alfonsin proposed the infamous obediencia debida law (‘law of due obedience’) that excluded from prosecution all members of the military and the security forces who had acted under orders. Its practical effect was to grant amnesty to approximately 300 of the 500 accused military officers. The law was widely seen as a sell-out, and it provoked strong reactions from the human rights organizations. It did not satisfy the military either, and the time of rebellion was not over. Between 1988 and 1990 four military mutinies and one left-wing siege of a military garrison took place. Meanwhile the government had to cope with economic problems, and during a period of hyperinflation, Alfonsin ended up handing over his presidential power six months early to Carlos Menem, the Peronist candidate who won the elections of May 1989.

With the victory of Menem, a tragic period started for all who cared for human rights and justice in Argentina. Menem’s policy was led by pragmatic considerations in which matters of political stability prevailed over normative principles. In relation to the legacy of the human rights violations, Menem’s answer was ‘national reconciliation.’ By this he basically meant that the issue had to be left behind. ‘The past has nothing more to teach us,’ Menem assured. ‘We must look ahead, with our eyes fixed on the future. Unless we learn to forget,’ he warned, ‘we will be turned into a pillar of salt.’ In October 1989, Menem issued a series of decrees that pardoned more than 300 persons who were being prosecuted. The pardons mainly applied to military men accused of crimes committed during the ‘dirty war,’ but they also applied to some leftist ‘subversives’ accused of crimes in the 1970s and even to the officers who rebelled against the government in the late 1980s. A year later a second series of pardons followed, now even covering those who were already convicted, including the junta leaders Videla, Massera, and Viola and the guerrilla leader Mario Eduardo Firmenich. It hardly needs to be mentioned that the pardons embittered the victims and their relatives, but also a total of 70 percent of the general population opposed them.

The unique realizations in the quest for justice by the CONADEP and the Junta Trial that were already tempered by the punto final and the obediencia debida laws were now completely annulled. During the early 1990s, the human rights organizations carried on their quest for justice by taking it overseas. Court proceedings were started in Spain, Italy, Sweden, France, Germany, and Mexico, but extradition requests were systematically refused from the Argentine side. In 1995 the burdened past returned to Argentina with full force when some military men, immune from prosecution, made a series of horrible confessions about their activities during the ‘dirty war.’ The most notorious of these confessions came from retired navy captain Adolfo Scilingo, who admitted to his participation in two ‘death flights,’ during which he threw thirty drugged victims from an aircraft into the sea. In a few weeks time, one confession followed the other in the media, and the ‘confessional tide’ came to a climax when army chief of staff General Martin Balza appeared on television to officially acknowledge that the army had used illegitimate methods during the ‘dirty war.’

Profiting from the renewed public attention, the Centro de Estudios Legales Y Sociales (CELS), one of the most important Argentine human rights organizations, rallied for what it called juicios por la verdad (‘truth trials’). Lacking any possibility of prosecution or punishment, these trials were a form of judicial action that limited itself to investigation and documentation. Human Rights Watch calls the truth trials a fundamental legal innovation, and their principle has been approved of by the Inter-American Commission on Human Rights, but the Madres de Plaza de Mayo have strongly criticized them as powerless and deeply cynical (more about that later).

More recently, better news on the impunity issue is coming from Argentina. In March 2001, Gabriel Cavallo, a federal judge, declared that the amnesty laws in Argentina were unconstitutional and void, thereby reopening the possibility of prosecution. In October 2001, another federal judge—Claudio Bonadio—likewise ruled that the punto final and the obediencia debida laws were unconstitutional and null, but the issue was delayed when later that year Argentina suffered a major economic crisis and went through four presidents in a few weeks. Two years later, in 2003, things started moving again when Nestor Kirchner was elected president with a campaign that stressed human rights. In August that year, Kirchner gathered the congressional support necessary to annul the two amnesty laws and reopen a few major cases that had been shelved for more than a decade. The unconstitutionality of the punto final law and the obediencia debida law finally was confirmed by the Supreme Court in June 2005.
the presidential pardons granted by Menem to more than 400 officers still stand, the overturning of the punto final and obediencia debida laws opened a lot of new opportunities. 48

In 2004, Kirchner announced that the Escuela Superior de Mecánica de la Armada, a notorious clandestine detention and torture center in Buenos Aires widely known as the ESMA, would become the location for a memorial dedicated to the victims of the state terror. 49 With this development and that of the creation of a Park of Memory, Argentina finally seemed to acknowledge its dark legacy. 50

THE MADRES IN TIMES OF DICTATORSHIP

The Madres de Plaza de Mayo came into existence in 1977 when, shortly after the military coup and the start of the first wave of disappearances, a group of mothers convened in order to organize the search for their sons and daughters and give voice to their protest. The Madres first gathered secretly but soon decided to go public with their protest to the square in front of the presidential palace. 51 On 30 April 1977, fourteen mothers assembled in the Plaza de Mayo. 52 Soon the number of mothers coming to the square increased: Shortly after their first meeting they counted 60 or 70, and a bit later there were about 300 of them. Meanwhile the Madres also assured their presence in other marches and public happenings, where they tried to draw attention by wearing their children’s diapers as headscarves. 53

Because the national press remained almost completely silent about their protest, the Madres decided to place a paid advertisement in a paper. 54 In October 1977, the ad appeared in La Prensa. The headline read, ‘We do not ask for anything more than truth,’ and the ad listed the cases of 237 disappeared people who the Madres had been able to trace. 55

Until this moment, the Madres suffered some maltreatment, but their social status as mothers and older women had protected them from the far more brutal violence that their sons and daughters had suffered. This was about to change. Their public protest and the signed ad in the paper made the Madres extremely vulnerable. A month after the placement of the ad, the movement was infiltrated, and subsequently three of the founding members of the Madres were abducted together with a sympathizing artist and two French nuns. 56 The losses came as a terrible blow to the movement.

In 1978, Argentina hosted the World Cup of soccer. Streams of tourists and the extensive international attention meant great possibilities for the Madres. 57 But the preparations of the World Cup also provoked increased political repression. Moreover, the upsurge in patriotism that accompanied the sports games made it very hard for the Madres to disseminate their message of protest through the Argentine public. The Madres were accused of organizing an anti-Argentina campaign, and they lost the little popular support they had. 58 In this context of widespread indifference, the authorities had free reign in their repression. Toward the end of 1978 and the start of 1979, the Madres suffered their most severe persecution. 59 Mothers were arrested and humiliated repeatedly. The increased police brutality made it very hard for the mothers to keep up their weekly presence on the Plaza de Mayo, and eventually they temporarily had to return to the clandestine existence of their first days. 60

If the Madres survived this period of increased repression and isolation, it was due to a solidarity campaign and diplomatic pressure that came from abroad. 61 The military regime killed and abducted a large number of foreign citizens and citizens with dual nationality. This provoked increased diplomatic activity in several of the embassies in Buenos Aires. The military started to feel pressure from several countries, including Sweden, Germany, France, Italy, the Netherlands, and the United States. In September 1979, the Human Rights Commission of the Organization of American States came to inspect the suspected violations. 62 The Madres had been rallying for its coming ever since they began their struggle, but they would be left very disappointed. 63 While the commission issued a 374-page document that strongly criticized the military regime, the junta refused to release the report, and it seemed to have no further consequences. Moreover, the mothers came to deeply regret their testimony before the commission because many of the names and data found their way to the military regime. 64

However, the combination of growing international attention and the efforts of communities of political exiles scattered around the world enabled the Madres to establish an extensive international solidarity network. By spring 1979, the Madres, backed by the international support, were again ready to make a move on the domestic front. In an act of open rebellion, they set up a legally registered association. 65 With the financial support of international solidarity organizations, they could even afford an office of their own in early 1980. 66 From this office they would soon start to write and publish numerous pamphlets, booklets, and even a paper. Around the same time, the Madres decided to go back to the Plaza de Mayo no matter how fierce the repression. From this moment on, they would not stop going to the Plaza until their 15,000th and last march almost three decades later in 2006. 67

1981 was an important year for the Madres. The domestic popular support for their struggle finally increased, while the junta began facing cleavages in its ranks and proved incapable of containing the economic crisis. Toward the end of the dictatorship, the protests of the Madres attracted more and more people until they became huge public manifestations. The tone of the Madres steadily changed, and instead of humbly asking for compassion they now started to demand. When the military attempted to repeat its World Cup trick, trying to create popular consent and patriotism by invading the Malvinas/Falkland isles in 1982, the Madres replied with an adapted campaign: ‘Las Malvinas son Argentinas, los desaparecidos también’ (the Falklands are Argentinean, the desaparecidos too). 68
After the humiliating defeat by the British, the end of the military dictatorship was in sight. Soon a transitional government started to prepare for democracy, and on 10 December 1983, Alfonsín was inaugurated as president. For days Argentina became the scene of excited celebrations in honor of democracy. However, for the Madres, intense joy was mixed with an even more intense sadness. The transition to democracy was a moment of hope, but it also presented a new challenge in the quest for justice and memory. Already during the dictatorship, frictions had arisen between different human rights movements that were active in Argentina. Differences in political style and strategy created tensions between the so-called afectados—human rights groups made up of victims or relatives—and the non-afectados—organizations staffed mainly by professionals. After the transition to democracy, discussions on political positions and alliances also had an effect on the group of the afectados itself. One of the major controversies revolved around the question of what stances to take on the Alfonsín administration.

Another heated discussion arose on the proper strategy to secure the remembrance of the desaparecidos. These issues eventually led to the splitting of the Madres de Plaza de Mayo in 1986. Agitated by the leadership style of Madres President Hebe de Bonafini and her inflexible attitude toward the democratic government, a group left the organization and started a new one that they named the ‘Madres de Plaza de Mayo—Línea Fundadora.’ Both groups—the one led by Hebe de Bonafini and the new one led by María Adela Antokoletz—kept meeting weekly in the Plaza de Mayo, but Hebe’s fraction accused the dissidents of being ‘alfonsinistas.’

In what follows I will focus on the group organized around de Bonafini. The Madres de Plaza de Mayo reject posthumous honoring: ‘We the Madres de Plaza de Mayo know that our children are not dead; they live in the struggle, the dreams and the revolutionary promise of other youngsters. We the Madres de Plaza de Mayo encounter our children in every man or woman who rises to liberate his or her people. The 30,000 desaparecidos live in every one who dedicates his/her life so that others could live.’

The next point, ‘Cárcel a los genocidas,’ demands punishment for the perpetrators of the ‘genocide’ and is an outcry against impunity. Following this point is a far more peculiar one in which exhumations are rejected.

The Madres de Plaza de Mayo reject exhumations because our children are no corpses. Our children have physically disappeared but live in the struggle, the ideals and the commitment of all those who struggle for justice and the freedom of their people. The remains of our children have to stay where they fell. There are no tombs to bury a revolutionary. A handful of bones does not identify them because they are dreams, hope and an example for the generations to come.

Next, the Madres state that they reject economic reparations: ‘What has to be repaired with justice, one cannot repair with money.’ The following point is, at first sight, odd for a movement that struggles against forgetting, but it is consistent with the idea that the desaparecidos are not dead. The Madres reject posthumous honoring:

We reject nameplates and monuments because they signify the burying of the dead. […] Posthumous honoring only serves those who are responsible for the impunity and want to wash away their guilt. The only monument that we can erect is an uncompromising commitment toward their ideals.

When asked where their radical stance on memory and justice comes from, the Madres refer to the case of transitional justice in Bolivia that warned them and served as a negative example. They claim that they started rejecting economic reparations, exhumations, and monuments after they visited Bolivia, where they saw how victims were taken in by the human rights commission, which gave them some monuments and a little money but which, according to them, meanwhile handed the victims over to military men and politicians who investigated nothing and left everything as it was.

The negative experiences with the Bolivian case probably influenced the Madres’ hostile position toward the CONADEP. Other human rights organizations too initially reacted negatively to Alfonsín’s design of the
commission. Just like the Madres, many human rights organizations initially feared that the establishment of a truth commission was only a strategy to gain time and let things cool down. Just like the Madres, moreover, most other members of the human rights community criticized the controversial prologue of the Nunca Más report, which implicitly equated the state terror with the violence of the left-wing guerrilla. The disappointment about the fact that the report failed to name the perpetrators was another emotion that was widely shared among human rights activists. However, although most human rights organizations eventually came to endorse the commission and collaborated with it, the Madres never changed their position and later on became even more hostile toward Sábató’s work.

The reason for this continued resistance was in the last instance based on a critique of another nature than the ones just summed up—one that was unique for the Madres. The Madres were concerned that the commission, with its narrative of mass extermination and secret graves, would facilitate the symbolical burial of the desaparecidos. The truth produced by the CONADEP, the Madres claimed, was a ‘truth of the graveyards’ (verdad de los cementerios), and the resulting remembrance was a ‘memory of death’ (memoria de la muerte) instead of the ‘fertile memory’ (memoria fértil) that they advocated.

This suspicion only increased when the CONADEP ordered the excavation of a series of graves. The Madres were convinced that these exhumations were part of a government strategy to transform the desaparecidos into ‘ordinary’ dead in order to demobilize the grieving mothers and to close the entire chapter. In retrospect, they speak about the exhumations as the first phase of Alfonsín’s Punto Final: ‘the “full stop” did not start with the “full stop”-law; it started when Alfonsín during his first months of government started to send us telegrams telling that our children were dead in this or that cemetery [. . .] The “full stop” was a little plate in every place saying “here studied,” “here worked.”’

The Madres criticized the sensationalist media that turned the issue into a ‘horror show,’ which according to them would help Alfonsín to realize the radical stance on exhumations: ‘People were saturated with horror and they didn’t want to know any more about it, because horror has its limits. That was the intention.’ Moreover, they claimed that the exhumations only confirmed what was already known. They were not interested in morbid details and feared that accepting the death of the desaparecidos would weaken their strategic position in the quest for justice. Resisting the urge to have the remains of their child returned to them must have been extremely hard for most mothers. Hebe de Bonafini recalls how difficult it was to take the radical stance on exhumations: ‘It cost us weeks and weeks of meetings at which there were many tears and much despair, because the profound Catholic formation of our people creates almost a need to have a dead body, a burial, and a Mass.’

The Madres not only symbolically opposed exhumation, they also physically attempted to stop forensic archeologists from digging up bodies. After a few unprofessional exhumations where bulldozers and unskilled grave-diggers ruined crucial forensic evidence, human rights groups urged the CONADEP to seek the help of the American Association for the Advancement of Science. By request of the CONADEP, the famous American forensic archeologist Clyde Snow came to Argentina in order to train local archeologists to become forensic specialists. After Snow trained a team that would later form the basis of the internationally renowned Equipo Argentino de Antropología Forense (EAAF), one of his most important assignments was the exhumation of Liliana Pereyra on a cemetery in Mar del Plata. Liliana’s mother had asked for the exhumation, but two other bodies were expected to be in the grave, and one of these bodies was presumed to belong to Ana María Torti, whose mother was a member of the Madres and refused to give permission for the grave to be opened. The first day of the exhumation, the archeologists were able to work without great disturbances. However, when the archeologists entered the graveyard the following day, they encountered a large group of activists standing around the half-open graves. The Madres had arrived in the early morning and had started circling the graves.

The forensic archeologists of the EAAF defended themselves against Madres’ criticism by stating that it was their main objective ‘to give back a name and a history to those who have been robbed of both.’ To support their activities, the archeologists even used philosophical arguments and argued that burial and care for the dead have been around since pre-history and characterize what it means to be human. Even after natural disasters or wars, they stated, people generally try to bury those who had perished or at least try to honor them with symbolic tombs.

Despite these arguments, the Madres never stopped rejecting exhumations, and their attitude sometimes has been frighteningly consistent. On 8 July 2005, the remains of the three Madres who were abducted during the dictatorship turned up totally unexpectedly almost three decades after their disappearance. The Madres were perplexed and had to assemble for quite some time to decide what to do. In a press conference a few days later, they explained their position. After reminding the press that they would never consider the desaparecidos to be dead, they stated that they would respect the decision of the relatives of their former fellows. The Madres as a collective, however, would not participate in the funeral or in any rituals connected to death. No, they did not need dead bodies to know what happened. The truth they already knew and their children and fellows had to be considered ‘desaparecidos forever’—desaparecidos para siempre. The message was repeated on the Plaza de Mayo that same afternoon:

We told [the press] that the Madres are going to respect absolutely what the daughters of our comrades decide, but that the white headscarf,
The Madres developed their most pronounced spectral discourse. Hebe de Bonafini's speech on the occasion of the 19th birthday of the coup denounced the truth trials as a juridical trap. They were agitated that the Madres' struggle was collective and that the names did not matter because they had photos. The speech once again ended with an elaboration on the theme of the ghostly return of the desaparecidos: 'They threw them into the sea but they returned. They burned them but they returned. They threw them into dungeons but they returned. They tortured them but they returned.'

Despite the failed attempt to obtain lists, a group of attorneys associated with the human rights group CELS kept pressuring the government, arguing that the relatives have the right to attain information. Because there was no possibility of punishment of perpetrators after the combined amnesty laws of both Alfonsin and Menem, CELS strived for a new kind of court proceeding that would not condemn but would search for truth. They built their case on a trio of humanitarian considerations: 'the inalienable right to the truth, the obligation to respect the body, and the right to mourn the dead.' The CELS team not only used legal sources but also referred to literature and world history to support their claims about the universal need for funeral rites: the burial rituals of the Neanderthals, Philippe Ariès' cultural history of death, and even Sophocles' Antigone. The Madres denounced the truth trials as a juridical trap. They were agitated that the idea was proposed by human rights groups and that it was supported by several mothers and relatives.

In the late 1990s, the Madres protested against the plan to build a memorial park in Buenos Aires. In 1999, they sent a letter to the initiators of the project that 'if necessary they would use pickax, hammers and chisels to erase the names of their disappeared children' listed on this monument. The Parque de la Memoria would be realized eventually but only partially and with several years of delay. Looking back on the event some years later, the Madres explain once more why they took this stance on monuments and posthumous honoring. The Madres definitely resist oblivion, but it is striking how remembrance for them always has to serve justice and should never be considered a goal on its own. As they put it: 'He who does not forgive does not forget, but he who only says that he does not forget often forgives.' The central opposition, moreover, according to the Madres, is not between remembrance and oblivion but between oblivion and a certain kind of memory that they call memoria fertil ('fertile memory')—a memory that feeds the thirst and hunger for justice.
Like the economic reparations, the amnesty laws or the recuperation of accomplices of the genocide in elected positions in the ‘democracy,’ oblivion is another variety of impunity. The Madres have the recipe of ‘fertile memory’ in order to fight oblivion. This fertile memory of the Madres considers the value of life to be supreme, secures the rehabilitation of the desaparecidos as activists and tries to build bridges to new generations of solidarity and militant men and women.\(^{104}\)

The Madres’ memoria fertil found less barren grounds after the change of the millennium with the coming of President Néstor Kirchner (2003–2007). The Madres are happy about the annulment of some of the amnesty laws and the renewed prosecutions of military officers for violations that were perpetrated almost three decades ago. In March 2004, Kirchner presided over a ceremony during which the portraits of former junta leaders were removed from the walls of the ESMA. On the same day, the president announced that the military college would be expropriated and turned into a memorial.\(^{105}\) Six years earlier, in 1998, the Madres had strongly protested against President Menem’s plan to demolish the ESMA and build a monument of national reconciliation on the cleared site. This time, after the necessary negotiations, they supported the plans for the ESMA.\(^{106}\)

On the 30th anniversary of the coup, in 2006, the Madres felt victorious: At last the state recognized its responsibilities, and finally it engaged in a political instead of an economical form of reparation. In a special issue of their \textit{Periódico Mensual}, the result of three decades of struggle is reviewed:

Since the day when the actual office holder, only recently installed in the Casa Rosada, toppled the military leadership, he started a long list of political deeds with high symbolic and historical relevance which honor the painstakingly sustained position of the Madres against economical reparations, parks of memory, exhumations of corpses and the CONADEP. \(...\) Thirty years passed, but ‘Aparición con Vida’ formulated by the Madres drastically defeated the ‘Nunca Más’ by Sábat and Congress.\(^{107}\)

\textbf{‘APARICIÓN CON VIDA.’ A HISTORY OF A SLOGAN}

How to understand the Madres’ radical and often estranging stances on the legacy of the state terror? What to make of the spectral language manifested in the expressions ‘desaparecido para siempre’ and ‘aparición con vida’? What can this latter expression mean when the Madres firmly contrast it with the internationally celebrated phrase ‘Nunca Más,’ which they denounce as an empty Alfonsinist slogan? As I stated at the beginning of this chapter, the discourse of the Madres primarily has to be seen as a form of resistance against the irreversible time of history with its stress on the absence or distance of the past and the way this chronosophy was used to sustain the long reign of impunity in Argentina.

To grasp the Madres’ ‘invention’ of the spectral figure of the desaparecido, we have to look at the origin and transformation of the demand for living appearance. The Madres situate their first public usage of the phrase ‘aparición con vida’ in the early 1980s. The immediate occasion for the slogan came when the human rights activist Emilio Mignone (of the CELS organization) during a visit to Europe proclaimed that the desaparecidos were dead. The Madres reacted by publishing a document that asked for the living appearance of the desaparecidos.\(^{108}\) The question of the status of the disappeared would become a major breaking point within the human rights movement. Already before the end of the transition to democracy, most of the professional human rights organizations refused to march under the ‘aparición con vida’ banner because they considered it an unreasonable or even irrational demand.

For quite some time, many relatives indeed, against all odds, kept hoping that the desaparecidos would be found alive. Yet, there was more to the aparición con vida-demand than just hope against hope. For the Madres, holding firm to this demand became a radical way to react to the attitude and discourse of both the military government and its democratic successors.

Initially, the Madres’ requests to the military had been framed mostly in terms of the right to truth. In 1977, the first ad placed in a paper about the desaparecidos had been titled \textit{Solo pedimos la verdad}—‘We only ask for the truth.’\(^{109}\) On other occasions, the request for truth was even backed by an argument about the universal human need to mourn the dead. In April 1979, the Madres sent a document to several international power holders, including the UN, the government of the United States, and the Pope, in which they expressed the exceptional pain of the relatives of the desaparecidos:

The abducted remain deprived of any identity, one does not know whether they are dead or alive, and in the latter case whether they are detained and where. This generates ambiguities of all kinds, of which the psychological injuries are the gravest results. The relatives end up relating themselves to absences which convert into ‘ghosts.’ \(...\) One has to confront the absence, which, because of its extreme painfulness, is not a common process of mourning. It is a ‘mourning without object.’ It is emptiness, absolute loss, death without a corpse and without burial \(...\) All these twisted relations are caused by this barbarous act of abduction. The families ask for the truth in order to be able to come to terms with it.\(^{110}\)

Forced into a defensive position, the leaders of the second junta soon reacted by denying the whole phenomenon of the disappearances. In a speech given
in May 1979, General Viola claimed that the military had fought and won a non-conventional war that inevitably produced losses:

This war, like all wars, leaves some aftereffects, great wounds that time, and only time, can heal. They are caused by the losses; the dead, the wounded, the detained, the ones 'forever absent.'

The message was clear: Time would solve everything, and there was no ghostly presence of desaparecidos, there only were eternal absences—'ausentes para siempre.' That the military came to understand the troubling power of the desaparecidos' spectrality, however, was clearly manifested in a series of laws that were subsequently issued. These laws declared the death of all persons who disappeared longer than a few months, and the laws were presented as a gesture of philanthropy because they allegedly enabled the relatives to go on with their lives.

By 1980, even the representatives of some democratic parties started denying the (spectral) existence of the desaparecidos. In the middle of April that year, the president of the Unión Cívica Radical, Ricardo Balbín, famously stated on the Spanish television that in Argentina there were no desaparecidos, only the deceased:

Everybody knows that the desaparecidos are dead persons, but a country cannot live with phantoms/phantasies [fantasmas]. It has to deal with realities, however hard they are. We prefer mothers crying over their dead and not begging, like it is now, for an answer, which those who have to give it, deny them because it is impossible to give.

The Madres were furious about these statements. In an open letter they asked for Balbín's sources and stated that they were not begging for answers but had the right to demand them in the name of justice.

The juntas went on declaring that the desaparecidos did not exist or were really 'normal' dead, particularly when they felt that their reign was approaching its end. To understand how the declarations of death aimed on its 'war on subversion and terrorism,' then for the first time implicitly mentions the desaparecidos or, better, their non-existence: Many died in open confrontations with the government forces, others committed suicide to evade their capture, some deserted and had to hide from both the authorities and their own gangs. The military makes clear that there is no such thing as the spectral existence of the desaparecidos. At most there are 'unidentified dead,' people who died or persons who simply never existed. Moreover, it is assured, all those who were killed in action but could not be identified were legally buried in anonymous graves.

The whole text can be considered as an act of closure, which draws to one central conclusion: The 'dirty war' belongs to history and the nation wants to look forward for better times, 'that it is the wish of the whole nation to put a full stop [punto final] to a painful period in our history, in order to begin, in unity and freedom, the definitive constitutional institutionalization of the republic.' In the final sentences, the junta leaders talk about memory and reconciliation in a tone that can hardly be discerned from that of the average truth commission: 'Reconciliation is the difficult beginning of an era of maturity and responsibility, assumed with realism by all. The scars are a painful memory, but also the cement of a powerful democracy, of united and free people.' In anticipation of criticism, they end by stating that 'only the judgment of history can exactly determine to whom the direct responsibility for the unjust methods and the innocent deaths belong.'

During the first days of the reemergence of democracy, references to the need for closure and reconciliation disappeared from the public discourse for a while, but soon the democratic government developed a discourse that sometimes closely resembled that of the military. In a sense, both junta leaders and subsequent democratic leaders shared similar conceptions of the past as something that had to be left behind and subordinated to the interests of the present and the future. By the end of his period in office, Alfonsín stated that Argentina could not survive if it did not free itself from the burden of the past. Similarly, Menem cloaked his infamous amnesty laws in a historical discourse that talked about the closing of 'chapters' and claimed that the amnesty aimed at the 'painless and delicate task of closing bitter and painful stages [tapas]' in Argentine national life.' Less than a week before he announced his first amnesty law in 1989, Menem staged a bizarre ceremony in which the corpse of General Juan Manuel de Rosas was repatriated and placed in a family tomb in Buenos Aires more than 112 years after his death. Rosas had been a prominent figure in the civil conflict of the mid-nineteenth century; he had fled Argentina after a military defeat and subsequently became
the subject of conflicting historical interpretations that kept provoking animosities until well into the twentieth century. The symbolic rebural, according to Menem, was of great historical significance for the national reconciliation of all Argentines; it would close the century-old wounds of the past and put an end to intolerance. Although he did not explicitly refer to the 'dirty war,' it was clear to everybody, and certainly to the Madres, that Menem's real political objective was not to rehabilitate a nineteenth-century general but to bury the fresher and far more explosive memories of the recent period of state terror.

When General Martín Balza, in 1995, eventually came to offer apologies for the 'dirty war' crimes committed in the name of the armed forces, his speech revolved around a discourse that once again recalls the initial reaction of the military. All the dead have to be respected, but the debts have been cleared, and the only thing that really counts is truth. Moreover, he claims, 'in the history of nations, even that of the most cultivated nations, there exist harsh, obscure and quasi inexplicable epochs.' The past therefore has to be left behind, Balza stated, for 'if we do not succeed in closing the wounds and in performing the labor of mourning, we will not have a future.'

Soon after the first public denials of the existence of the desaparecidos starting in 1979 and the first claims that there only were 'normal' dead or 'ausentes para siempre,' the Madres learned that they had to change their strategy: From then on they would no longer ask for the truth; they also would start to demand living appearance and would refuse to fulfill the traditional task of mourning. They refused to assume the attitude of 'hired mourners.' As we remarked at the beginning of this chapter, the Madres' refusal to mourn often has been considered irrational or even a sign of madness. As Oscar Abudara Bini, an Argentine psychiatrist and fellow traveler of the Madres, remarks, for the faithful readers of Freud's 'Mourning and Melancholia,' there were only two possibilities for the relatives of the disappeared to cope with the past: The first one was the normal and natural process of mourning that recognizes the loss, and the other one was evidently pathological and delightfully denied the loss. After three decades of struggle, however, Abudara Bini claims, the Madres' position forces a change of perspective in both psychopathology and jurisprudence, and, in retrospect, the question can be raised who has been crazy. Another commentator notes the Madres changed the political significance of reburials and even the spiritual meaning of human remains in a way that clashed head on with the cultural constitution of Argentine society with its strong Catholic influences.

What might have started, then, as desperate hope against hope quickly turned into a powerful strategic and normative stance. As one mother puts it, 'the truth is we know they've killed them. Aparición con vida means that although the majority of them are dead, no one has taken responsibility for their deaths, because no one has said who killed them, who gave the order.' Or as Hebe De Bonafini explains, 'We know what happened. We are not mad, we do not ask impossible things. Aparición con vida is an ethical slogan in principle. As long as one single murderer remains on the streets, our children will live to condemn them.' And on the same subject, she adds somewhere else: 'Why do they like the dead? Because death is final.'

CONCLUSION: THE TIME OF THE DESAPARECIDOS

The human rights activism of the Madres de Plaza de Mayo is clearly related to a specific concept of time. Grasping this concept is not an easy task, however, because the Madres remain a practically oriented movement that does not often dwell on abstract issues such as time. Luckily there are some sources that can grant us an insight. In 1999, the Madres decided to set up the Universidad Popular Madres de Plaza de Mayo (UPMPM), a popular university that strives to 'join together theory and practice' and to function as a 'new space of resistance.' The UPMPM organizes a course on the philosophy of history, but the most interesting sources for our scrutiny of the Madres' conception of time and history are to be found in a series of inaugural lectures and in a course named 'History of the Madres de Plaza de Mayo.' This latter course gives an overview of the evolution of the movement. Interestingly, it starts with a 'methodological unit' called 'Memory, Past and History,' which differentiates between distinct uses of history ranging from 'history as an active relation to the past' to 'history as a discourse of hegemonic power.' In order for the students to attain a critical concept of history, some obligatory literature is given; the list includes Spanish translations of works by Carlos Marx, Eric Hobsbawm, Edward Thompson, and Jean Chesneaux and also two texts by the organizers of the course themselves.

One of these is an article by Inés Vázquez titled 'Aspects of Memory and Culture in Post-dictatorship Argentina.' The article begins by quoting some passages of Jorge Luis Borges' story 'Funes el memorioso,' which tells the history of a man who after an accident acquires the capacity to remember everything, including the most trivial detail, but because of this condition can no longer think or reason. Post-dictatorship remembrance in Argentina, Vázquez argues, is a remembrance of exhaustive (horrendous) details that, just like Borges' protagonist, suffers an incapacity to deliver explanations. Once more the Nunca Más report by the CONADEP serves as the most prominent example of this failure. The author complains that this type of remembrance treats the 'permanent actuality of the horror effected by the impunity' as something that is already past, as something that occurred in 'another time than the one of today.' The result is that society starts to 'remember' even in situations where the 'temporal logic,' according to Vázquez, clearly demands
'perception and action.' In some cases, she states, 'the demand of remembrance (while in reality what is asked for is justice), appears immediately, practically attached to the crime.' To illustrate this, Vázquez discusses the case of the Argentine reporter José Luis Cabezás, who was murdered on 25 January 1996 and for whom protesters two days later on the 27th already shouted, 'Let's not forget about Cabezás.' In contrast to the detailed 'memory of horror,' the author states, 'we start with the idea that what is called the 'Argentine past' never came to be so, never ended happening, never had an end.' To resume, two forms of remembrance exist according to Vázquez: One recalls everything exhaustively in the style of Funes or Nunca Más but remembers it by saying 'this is already past'; the other is the form adopted by the Madres, who stress continuity and are capable of saying, 'This is what we are.' It should be clear that the article also implicitly discusses two radically different conceptions of time, but Vázquez treats the matter of time more explicitly in a seminar organized in preparation of the creation of the popular university. There she remarks that the Madres' weekly circular march was held counter-clockwise in order to symbolize their defiance, and she pointedly states that their protest necessarily conflicts with the general idea of temporal linearity and historical progress. The Madres' struggle emanates a 'circular' or even 'simultaneous' time.

If, as we have seen, circularity in general offers us another mode of representing time, distinct of the irreversible layering/spreading [escalonamiento irreversible] of past, present and future, the physical circularity that the Madres present to us enables the integration of these three instances that are established by dominant culture to produce the illusion of temporal order. An integration that we could describe as follows: while we walk around the pyramid, the desaparecidos, (bound to the past in the classical conception of time and the thought of the establishment) are here again.

Vázquez regrets that circular temporality has so often had negative associations in Western thought and that the broader political left in Argentina has failed to adopt the time concept of the Madres.

Some did try to adapt the Madres' peculiar politics of time to societal and political issues that exceed the direct involvement with the politics of memory. One of these attempts can be found in the concept of the 'socially disappeared' (desaparecidos sociales), coined by Alfredo Moffat in another of the lectures held in preparation of the establishment of the Popular University. In Argentina, Moffat claims, certain social groups, including indigenous people, African slaves, creoles, street children, homeless people, and psychiatric patients, have always been made to disappear from society.

Social desaparecidos are the 'living dead': neither alive nor really dead. Just like 'political desaparecidos,' Moffat writes, 'social desaparecidos' are negated, denied any history, and made invisible. In the words of Moffat, they are condemned to an existence in 'another time and another space.'

The relation between time and the struggle of the Madres is also briefly considered in still another of the preparatory lectures. Enrique Mari, one of Argentina's most prominent legal philosophers, claims that time is an essentially human experience that cannot be reduced to a simple physical reality. Time, he argues, has to be the object of a collective struggle that aims to construct it in a way that resists linearity, succession, and the simple accumulation of days in which past, present, and future exist without interconnection.

The three commentators are of course right: The struggle of the Madres has involved a struggle over time all along. More than just posing a formidable political challenge to Argentine society, the Madres' refusal to perform the labor of mourning, their resistance to closure, and their claim that the ghostly desaparecidos will never be a matter of the past constitute a frontal attack on the prevalent modern concepts of time and history. Hebe de Bonafini formulates this challenge straightforwardly in some concluding remarks to the series of preparatory lectures. In a highly rhetorical passage, she recalls an incident that took place at the time of the Junta Trial. In the courtroom, one of the judges had asked her to put away her white headscarf, but she refused because the accused were allowed to wear their military uniforms. The Spanish expression used by the judge had been 'archives,' and now the president of the Madres states that it is exactly this 'archives'—translatable as 'put it away' but also as 'put it into the archives'—which signifies the compromise that the democratic politicians made with the military, the judges, the clergy, and the bureaucratic syndicates: 'This 'archives' is the impunity, the pardon, the disgrace.'

The Madres' 'memoria fértil,' indeed, not only resists oblivion but also opposes all forms of 'historical' remembrance that conceive of the past as a closed entity that is removed from the present and only can be conserved by archiving its traces. For more than thirty years now, they resisted closure, and the protest against 'death' as a master metaphor of modern history is one of the most important features of their struggle. Because they fear that the presumed inferior ontological status of the 'dead' past (in comparison with the 'living' present) facilitates its neglect and, thus, impunity, they have substituted it for a representation that stresses spectral presence. The only way to appreciate the full extent of the contrast between the famous Nunca Más slogan and the Madres' less well-known Aparición con vida is by seeing them as founded in two conflicting conceptions of time and history.
INTRODUCTION

The South African Truth and Reconciliation Commission (TRC; 1996–2003) has received much praise internationally. All over the world, commentators have celebrated it as a legal innovation and a solution to the hard dilemmas involved in dealing with the painful past in post-conflict situations. The commissioners of the TRC indeed claim to have created a formula that successfully dealt with the legacy of Apartheid while avoiding both impunity and vengeance. Its chair Desmond Tutu and vice-chair Alex Boraine have travelled around the globe to share their experiences. African National Congress (ANC) parliamentary Johnny De Lange proudly stated that South Africa was the first nation to create a truth commission by an Act of parliament after a public and participatory process. Moreover, he adds, the South African TRC represented a unique blend of both traditional and contemporary ways of dealing with historical injustice. In his words the TRC combined features of both the ‘justice model’ that aims at accountability through prosecution and the ‘reconciliation model’ that exists in countries like Chile, where truth commissions have been combined with general amnesties. The secret formula of the South African TRC, according to its commissioners and international commentators alike, is that it resisted a general or blanket amnesty by making amnesty conditional on a full disclosure of the historical truth. The revelation of this truth, it is claimed, leads to a process of healing and national reconciliation and even contributes to ‘restorative’ justice by securing remembrance. As a prominent South African judge expresses the idea, ‘The public and official exposure of the truth, especially if the perpetrator is a part of that process, is itself an important form of justice.’ The South African arrangement, it is claimed, was not an amnesty that equals amnesia but was a ‘public amnesty’ that, according to those who granted it, was ‘something more and less than the objectionable norm.’

The TRC, according to its commissioners, engaged in Milan Kundera’s ‘struggle of memory against forgetting.’ Alex Boraine quotes the famous line by George Santayana that ‘those who forget the past are condemned to repeat it,’ and he reminds his readers about the old Jewish wisdom that ‘to remember is the secret of redemption.’ Reflecting on his work in the commission, Boraine writes that he is ‘unashamed in [his] belief that, in the South African context, history has to be rewritten and that the TRC has made a significant contribution to this end.’ Similarly, Desmond Tutu states that the TRC’s contribution to a new historiography is one of the greatest legacies of the commission, which tries to offer ‘a road map to those who wish to travel into our past.’ ‘We can still claim, without fear of being contradicted,’ Tutu writes, ‘that we have contributed more to uncovering the truth about the past than all the court cases in the history of apartheid.’ Supporters of the TRC indeed argue that a truth commission is better suited to produce historical truth than any court or tribunal: Just like ‘processes of criminal justice suffer if made to bear the weight of history,’ equally so ‘history suffers if viewed through a judicial lens.’ One commentator similarly argues that the most important feature of the TRC’s final report is that, unlike juridical decisions, it does not represent a ‘final point’ and cannot be reduced to a narration of ‘forensic truth.’ With great enthusiasm she declares that ‘the TRC represents probably one of the most interesting remembrance spaces (lieu de la mémoire) of our time.’

Yet, the abundant praise that has been heaped on the TRC internationally stands in sharp contrast with its general reception in South Africa itself. Ever since its conception, the TRC has encountered a wide range of criticism. Not surprisingly, it was criticized by those who favored forgetting and who claimed that the opening up of ‘old wounds’ endangers the future. Likewise, the TRC expected politically inspired critiques that asserted that its final report is biased and that not all parties were dealt with evenhandedly or, to the contrary, that its evenhandedness failed to differentiate between the immorality of Apartheid and the morality of the struggle against it. Another series of critiques was directed at the amnesty arrangement and the notion of reconciliation included in the mandate of the TRC. The amnesty arrangement was never supported by the majority of the South African public, and it became the subject of some of the most...
serious legal challenges faced by the TRC. Moreover, not everyone was convinced by the commission’s rhetoric about ‘restorative’ justice or about ‘revealing is healing,’ and several commentators have questioned whether there actually exists any direct positive relation between truth revelation and reconciliation as the TRC claims. In addition to these criticisms on the political and ethical aspects of the TRC, several scholars, including some historians, harshly criticized the findings it produced, rejected its all-too-narrow focus, and spoke about a ‘diminished truth’.

Most discomfortingly, however, commentators have claimed that the TRC suffers a short memory span and that it potentially facilitates social amnesia instead of forging a new collective memory. This idea underlies several of the critiques, but it was formulated most notably by Jacques Derrida. Derrida caused a stir when during a visit to South Africa in 1998 he expressed his fear that the TRC risked turning into an ‘exercise in forgetting.’ The TRC’s production of an archive on Apartheid, he claimed, just like any archive produces memory and forgetting at the same time: ‘When I handwrite something on a piece of paper,’ his reasoning went, ‘I put it in my pocket or in the safe, it’s just in order to forget it, to know that I can find it again while in the meantime having forgotten it.’ Derrida’s statements were taken seriously, and Verne Harris, director of the South African History Archive and one-time member of TRC’s investigation team, even concludes that the commission was an instrument of the state, ‘providing a nod at remembering in the interests of a profoundly forgetting.’ Three South African historians argue that the TRC’s desire to create a national past was tempered by its fear of disturbing the ‘cemetery of history,’ and they speak about a paradoxical mechanism in which the past is simultaneously exposed and submerged or exhumed and (re)buried. Others, too, claim that the idea of forgiveness aimed at forgetting or that the TRC displayed an ‘amnesiac rhetoric,’ which always risks producing amnesia.

While the critiques about the dimensions of amnesia in the TRC are to be taken seriously, it would, of course, be undesirable if they obscured the enormous differences between the work of the TRC and the state-imposed amnesia that existed under Apartheid rule. As Verne Harris himself remarks, the ‘tool of forgetfulness’ was crucial to the Apartheid system, which forcefully eliminated the memory of oppositional voices through censorship, banning, detentions, and killing. During the years of the transition between 1990 and 1994, but also before, records were systematically destroyed to keep certain processes secret, and it has precisely been part of the TRC’s mandate to investigate these malpractices. Moreover, does not the fundamental TRC concept of making amnesty conditional on truth revelation rest on the conviction that simple forgetting will no longer do as a way to deal with the past? Would the leaders of the TRC be that insincere when they cite Kundera and claim to struggle against oblivion? It is undesirable to consider the problem of transitional justice exclusively in terms of a conflict between remembering and forgetting. A more productive starting point, it seems to me, is created by Heidi Grunebaum-Ralph, who claims that the TRC’s relation to the past should be analyzed as one that actively creates an opposition between ‘proper’ and ‘improper’ forms of remembrance.

In this chapter I will therefore first argue that the current field of transitional justice is primarily the arena for a conflict between two differing ways of remembering that manifest opposite temporal features and that are often, respectively, referred to as ‘history’ and ‘memory.’ The TRC, I will claim, engages in a historical discourse in order to have it restore or impose irreversible historical time and (re)enforce the modernist delineation between past and present that is threatened by a (particular) memory that resists chronology and refuses to let the past go. In the second part of this chapter I will focus on a group of victims and survivors that strongly criticizes what it calls the ‘unfinished business of the TRC.’ The Khulumani Support Group was originally created to facilitate collaboration with the truth commission, but over the years it has become increasingly critical of the TRC’s legacy. Interestingly, Khulumani both implicitly and explicitly questions the politics of time underlying the TRC, and, in doing so, it develops a chronosphy that bears remarkable resemblances with that of the Maderes de Plaza de Mayo. Before proceeding, however, I will first briefly sketch the background of transitional justice and negotiated revolution in South Africa against which the TRC has to be understood.

PLACING THE TRC IN THE CONTEXT OF SOUTH AFRICA’S NEGOTIATED REVOLUTION

On 10 May 1994, South Africa was the scene for one of the most significant political events of the late twentieth century. After decades of political struggle against the internationally despised Apartheid system, Nelson Mandela was inaugurated as the first president of the democratic South Africa. The event was remarkable because it disproved an almost generalized fatalist thinking about the eventual outcome of the struggle over Apartheid that was pervasive both in the country and abroad. Mandela had done what was thought impossible: With his relentless advocacy of reconciliation and forgiveness, he seemed to have managed to make South Africans break with their past and get the country out of its spiral of violence.

However, the break with the past that so magically took place in the realm of the symbolic would prove to be far more difficult to realize in the ‘real’ South Africa where millions of lives were lived. The task of national reconstruction faced by the ANC-led democratic government was enormous, and it seemed a virtually impossible challenge for a movement that had no experience in governing and was given only a minimal time for preparation. Given the circumstances, the new government booked some remarkable successes in health care, housing projects, electrification
schemes, and extending the network of water supplies in the first years after the transition. Still, the government has not always been able to meet the expectations of change and progress that live in the South African population, and its neo-liberal policies have failed to deliver the promised improvements to the average standard of living. Moreover, many analysts claim that, despite the formal political changes, a great deal of a more informal ‘residual apartheid’ persists in the ‘new South Africa,’ and that the break with the past has never completely been made.

Below I want to focus on one specific aspect of this problematical relationship to the past: the redress of historical injustices and the miserable fate of numerous victims and survivors of Apartheid violence and atrocity. The particulars and peculiarities of transitional justice in South Africa, like in most other transitional countries, are related to the nature of the regime that perpetrated the historical injustices but also to the specific way in which it ended. What took place in South Africa was not a clear-cut victory of the liberation movement over Apartheid but a ‘negotiated revolution’ or a ‘negotiated settlement.’ The transition to democracy was the result of a painful process of compromise, and the actual transition was far removed from the dreams that most liberation activists once harbored. Let us therefore take a brief look at the history of the ‘rise’ and ‘fall’ of Apartheid.

Although obviously there had been racist and discriminatory laws before, Apartheid as a formal legal system took place in the years between 1948 and 1994, when the National Party (NP)—the political embodiment of white Afrikaner nationalism—retained control of government. Starting from 1948, Apartheid was constructed in a seemingly endless series of acts that legally defined and codified racial segregation and discrimination. Some of the earliest legislation scrupulously divided South Africans by race—resulting in the categories of white, colored, Indian, and native or African—and outlawed sexual contact and intermarriages in an attempt to preserve racial purity. A little later the separation logic was extended to all spheres of social life, resulting in separate public transport, bars, cinemas, sports facilities, etc.

The rise of the racist Apartheid system raised lots of protest of course. Despite harsh repression, a massive upsurge of popular protest took place in the 1950s. Most of the protest was organized by the ANC, which already had been founded in 1912, and later also by the Pan-Africanist Congress (PAC), which broke away from the ANC in 1959. In the early 1950s, the ANC in alliance with the South African Communist Party launched the ‘Defiance Campaign,’ which mobilized people for boycotts, strikes, stay-aways, and civil disobedience. A few years later the ANC made contact with a series of other organizations that resisted Apartheid in order to launch the National Congress of the People, which in 1955 adopted the ‘Freedom Charter’ that demanded a non-racial South Africa that would belong to everyone living in it.
that this was not a realistic option. In a lecture delivered at the University 
the key to the future. 35 Asmal admitted that ‘Our road of change through 
egotiations is inconsistent with the idea of a Nuremberg-type trial of those 
Germany, and he warned that the past had to be taken seriously as it holds 
ing the past, referring to countries like Argentina, Chile, Russia, and East 

amnesties created an opening that would later allow for the establishment 
of the TRC. First, however, a lot of thinking and lobbying were required. In 
amid the negotiations as long as they did not block or permanently defer the future installation of non-racial democratic rule. One of the compromises proposed by Slovo was a ‘sunset’ clause, which would provide compulsory power-sharing for a fixed number of years. 32 Slovo also tried to solve another roadblock in the negotiation process, one related to the issue of transitional justice. De Klerk’s National Party was absolutely clear about the fact that it would only accept a settlement that 

in the past, referring to countries like Argentina, Chile, Russia, and East 

of conflict, however, and all negotiations on the subject failed, so that it 

of the army, police, and secret services. This was unacceptable for the libera­

third, it had to make recommendations about appropriate reparations for 

mixture of National Unity and Reconciliation Act,’ which was issued by the 

nation building. In order to encourage reconciliation, the TRC promoted a ‘restorative’ justice that had to foreground the interests and testimonies of the ‘victims.’ 39 To that end, the Human Rights Violations Committee between 1996 and 1998 gathered almost 23,000 statements and set up a series of highly visible victim hearings all over the country. Much of the TRC’s campaign to win the hearts of the victims and convince them of the need for forgiveness was, however, frustrated by the fact that the same institution also had to grant amnesties.
THE TRC AND THE PROBLEM OF THE HAUNTING PAST

Speaking in his personal capacity but claiming to reflect the dominant opinion within the ANC leadership, constitutional judge Albie Sachs, during a symposium in preparation for the TRC, expressed the great expectations about the commission in one powerful sentence: "It is the creation of a nation." However, as several commentators have noted, the idea of a direct positive link between the revelation of historical truth and the establishment of national reconciliation is far from self-evident. Although a long tradition conjoins historiography with nation building, the subject of this historiography has most often been an ancient and glorious past that evokes a mythic unity or a common origin. In South Africa, by contrast, as one commentator remarks, history was experienced by the population as even more divided than the segregated society in which they lived. Instead of uniting people, history was used as a tool to divide members of society. In the aftermath of Apartheid, the past remains full of atrocities, shameful, and divisive.

From a nation building perspective, South Africa does not seem to be confronted with a lack of memory but primarily suffers from what Charles Maier has termed a 'surfeit of memory,' which continually threatens to regenerate old hatreds. The South African negotiated revolution, according to Erik Doxtader, only succeeded because, in the earliest instance, the negotiators agreed temporarily to by-pass the memories of the conflict. The negotiators initially defined the concept of reconciliation in terms of amnesty and amnesia. Much more the need to forget the past than the need to forgive, reconciliation was a form of invention that required negotiators to bracket history. This, of course, makes the subsequent coupling of reconciliation and historical truth, once the negotiation phase was over, even more awkward.

As Doxtader notes, Mandela himself initially defined reconciliation as a state of affairs in which the 'injustices and grievances of the past would be buried and forgotten and a fresh start made,' and it took him some years to revise this belief and to reconcile himself to the idea that the past could not be left behind. The TRC's turn to history, therefore, can hardly be explained by referring merely to a desire to conserve the memories of the past.

Neither can the commission, in contrast to its official rhetoric, be explained completely by simply referring to its fact-revealing capacity. The truth revealed in the final report of the TRC has disappointed many; despite the claims made by the commissioners, it is hard to see why a similar narrative and acknowledgment of history could not be produced in the context of a tribunal that at the end of the day would also be able to punish the perpetrators. Moreover, as the commissioners themselves admitted, juridical and political constraints prevented the commission from naming most perpetrators or accomplices and from fully describing the events in which they were involved. As a result, the revelations of the TRC's official reports appeared bland in comparison to the information previously recorded in the press, in books, and elsewhere. Referring to the words of Wole Soyinka, it could be argued that the TRC's reports took on the form of a 'procedural articulation of the known,' which did little more than acknowledge officially what might be called public secrets.

Neither did the specific methodology or epistemology of academic history seem of great interest to the TRC, which on the one hand often used a strictly positivist language and on the other hand sometimes stretched its concept of truth in order to include personal, social, healing, and restorative truths, which are generally alien to professional historians.

No single historian was appointed commissioner or held a leading function in the TRC, and many professional historians initially saw the TRC as a dubious, even dangerous, enterprise. The historians who did work for the TRC mostly belonged to the research department, and some members of this team recount that the 'historical analysis' that they favored led to tensions and conflicts with other departments that were populated with lawyers who advocated a more positivist and empiricist approach. After fewer than six months, the historians in the commission came to see that their dream of writing a 'radical new history' for South Africa would never become reality.

Largely as a result of the many legal requirements built into the Act regarding evidence—prior-warning notices, the making of findings, and the granting of amnesty, the TRC gradually came to assume the position that it was essentially a state-directed investigative commission rather than an exercise in writing or rewriting history. [ ... ] Reluctantly, the researchers accepted the view that the reports of such commissions generally do not contain fine historical or legal analysis and do not satisfy the academic eye, which judges them to be poor history or poor law, or both. The subsequent complaint from some academic quarters that the report was lacking in legal, sociological or historical analysis was not unexpected.

The TRC thus clearly also did not turn to history for its refined methodology. No, none of that made the TRC so passionately embrace history as a way to attain national unity and reconciliation. What the truth commission was so attracted to was the irreversible time of history and its stress on the absence or distance of the past. Although the commission draws much of its legitimacy from positing the idea of remembrance as a form of alternative justice, the 'sting' must be taken out of memory before it can contribute to forgiveness and national reconciliation, and this 'sting' in the first place is situated in memory's evocation of the irrevocable.

Desmond Tutu, indeed, refers to the past's 'uncanny habit of returning to haunt one' and the fact that it 'refuses to lay down quietly' as important arguments in favor of the truth commission. According to the archbishop, the commission was
IRREVERSIBLE TIME OF HISTORY. ‘DISTANCE,’ 
AND THE PRODUCTION OF THE OLD

If the formula of the truth commission, then, has any political function in this context, it is first and foremost to help create a new beginning and a break with the past at a moment when forgetting no longer seems fit for this job. ‘[The] favoured approach of benign neglect in relation to the legacy of Apartheid,’ Kader Asmal writes, ‘is certain to guarantee the survival of the past as an intruder in what ought to be a brighter future. […] We cannot just [say] that the past “is over.” The past will never be over unless we move deliberately and systematically to end it.’

In relation to these needs, historical discourse is used primarily in a performative way in an attempt to ‘distance’ the past and reenforce or impose a break between past and present. The TRC’s turn to history, one could argue, forms part of a broader politics of time in which the ‘new’ South Africa tries to expel the haunting past by actively defining what belongs to its (juridical, political, social, cultural, etc.) present and what does not; by defining what is actual, or ‘timely’ and what must be considered inactual, anachronistic, or old.

This active juxtaposition of the past and the present (or the future), and the old and the new, already can be discerned in the performative language that was used in the postscript to the interim constitution of 1993, which arranged the amnesty and created the space for the future TRC. It is therefore interesting to take a closer look at its exact wording:

This Constitution provides a historic bridge between the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights, democracy and peaceful co-existence and development opportunities for all South Africans, irrespective of colour, race, class, belief or sex. The pursuit of national unity, the well-being of all South African citizens and peace, require reconciliation between the people of South Africa and the reconstruction of society. The adoption of this Constitution lays the secure foundation for the people of South Africa to transcend the division and strife of the past, which generated gross violations of human rights, the transgression of humanitarian principles in violent conflicts and a legacy of hatred, tear, guilt and revenge. These can now be addressed on the basis that there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for ubuntu but not for victimisation. In order to advance such reconciliation and reconstruction, amnesty shall be granted in respect of acts, omissions and ofences associated with political objectives and committed in the course of the conflicts of the past. To this end, Parliament under this Constitution shall adopt a law determining a ‘firm cut-off date, which shall be a date after 8 October 1990 and before 6 December 1993, and providing for the mechanisms, criteria and procedures, including tribunals, if any, through which such amnesty shall be dealt with at any time after the law has been passed. With this Constitution and these commitments we, the people of South Africa, open a new chapter in the history of our country.

Interestingly, the passage starts out with the ambiguous metaphor of a ‘historic bridge.’ As Frank Ankersmit remarks, the problematic metaphor of a bridge at the same time refers to a notion of closeness and a notion of distance, a gap or a divide. Things do not become much clearer when the text goes on by referring to itself as constituting a ‘secure foundation […] to transcend […] a legacy of hatred, tear, guilt and revenge.’ In the middle of one of the most violent periods of South African history—more people are claimed to have died in the struggle over Apartheid between 1990 and 1994 than in the thirty years before—it is, of course, hard to be unambiguous when speaking about the ‘division and strife of the past.’ From the perspective of the irreversible time of history, the reference to the ‘firm cut-off date’ is essential, but its imprecision demarcation does not clear things up. The matter is important because the very idea of amnesty, the raison d’être of the postscript, is conditional on the ‘pastsness’ of the described events—very few would agree on granting amnesty for crimes that are still taking place. Then again, it was exactly this amnesty that was needed to make the division and strife ‘of the past.’ In one of the final lines of the interim constitution—only to be followed by the lyrics of the new national hymn—the matter is finally put straight, but it takes something of a magic formula to do so. In a highly performative wording that speaks of the ‘People of South Africa’ in the first person plural, a new chapter in the
history of South Africa is opened and all that came before is stamped past. Amnesties can now be granted and the South Africans can start forgiving.

More than merely involving the problem of amnesty, the idea of a historical break between past and present is essential to the national identity of the new South Africa. South African identity, as Richard Wilson remarks, is constructed on a 'discontinuous historicity.' Unlike some nationalist vision of the past in, say, Britain or France, he writes, 'the new South African nation is not naturalized by reference to its ancientness, but in its affirming of the uniqueness of the present.' Although most nations create their national identity by contrasting themselves to other nations, Wilson argues, 'the most significant site of otherness for the new South Africa has not been other nations, it has been itself.' The 'new' South Africa is indeed quite unique when it opens the preamble to its 'final' constitution of 1996 with a reference to its own violent past: 'We, the people of South Africa, Recognise the injustices of our past; Honour those who suffered for justice and freedom in our land. . .' Again, despite the expression of loyalty, it seems that the reference to the injustices of the past primarily states that these injustices are not present (the past as an absence or anti-presence), that they do not belong to the present of the new South Africa. From this perspective, it is not insignificant to note that the TRC, during its work and when drawing its final report, was highly preoccupied with chronology and periodization. As one commentator remarks, the TRC soon began with the construction of a new 'national time-line':

The use of calendar time and spatial coordinates as 'global' signs was with the Commission from the very beginning. [ ... ] For the first time, incidents such as the Sharpeville massacre, the Soweto uprising, the Church Street bomb, the Trojan Horse incident, the Bisho killings, the St James' Church massacre and so on, were given formal acknowledgement, placed alongside each other and organised chronologically so that they covered the period of the Commission's mandate and the territory of the South African nation-state.

The construction of this new national time-line evidently is of great value. However, the TRC's final report never really seems to transcend the level of chronology, which of course is a rather poor organizing principle. A large part of the first volume of the report is dedicated to a chronology of Apartheid legislation in which a long series of Acts is listed with reference to the date of commencement and the date on which they were repealed, seemingly reassuring that Apartheid is really past and gone. The findings on the regional profiles of the human rights violations described in the extensive third volume of the report are each organized following a strict chronology that is broken up in sequences dated 1960-1975, 1976-1982, 1983-1989, and 1990-1994. In the second volume that offers a national overview of the violations by the Apartheid state inside and outside South Africa, by the liberation movements

A strict separation of past and present can indeed easily be used to get rid of the legacy of the past and to dodge historical responsibility. This is, for example, illustrated in a statement submitted to the TRC by F. W. de Klerk in name of the National Party. De Klerk proposes a four-phase periodization of Apartheid rule and exonerates his party from historical debt by stressing that a distinction should be made between the 'old' and the 'new' National Party:

"We the Victims and Survivors Declare the Past to be in the Present"
were black, coloured or Indian South Africans. Neither they, nor our younger white supporters, can or should be associated in any way with the apartheid policies of the past.\(^6\)

Moreover, as I mentioned in the introduction, while drawing on a historical discourse might aid truth commissions in reaching the closure they seek, help them (re)enforce modernist time consciousness, and sustain the project of simultaneity, it can also produce ‘allochronistic’ effects; for example, symbolically allocating into another time those who refuse to participate in the process of reconciliation or nation building. Because forgiveness and reconciliation are considered defining features of the present, those unwilling to forgive or reconcile cannot be considered as fully simultaneous or contemporaneous with the rest of the nation—as fully belonging to the ‘new’ South Africa. Relying on the allochronistic potential of historical discourse, the TRC tends to stamp both non-cooperative perpetrators and rancorous victims as living anachronisms, locked into the past and impeding the future progress of the nation. This mechanism is at work, for example, in Desmond Tutu’s famous expression that there is ‘no future without forgiveness.’ The formula is powerful because it implicitly accuses those unwilling to forgive of obstructing not just one specific future, but the future in general—as if they were threatening to bring time itself to a standstill. Kader Asmal, too, hoped that those whom he saw living in a neurotic world of oblivion, forgetting both time and place, would be forced into the contemporaneous present by the truth commission and by the ‘proper historical consciousness’ if promoted. After the dam-burst of the TRC, he argues, only ‘ahistoric hermits’ could still deny the new reality, ‘looking backwards at ghosts, unaware of the excorciis so decisively under way.’\(^7\) An example of a remarkably rhetorical allochronism is found in the following words of Asmal:

Exactly where (and when) are those few people living who still carry the old South African flag to sporting events in the new South Africa? Where (and when) are those pilots of our national airline living, still oblivious that the old H F Verwoerd dam in the middle of the country, a landmark they are fond of pointing out to passengers, is now called the Gariep in honour of the area’s inhabitants. Where (and when) are those people living who proclaim grandly their property rights over land and water taken from blacks at fire-sale prices after violent forced removals? What time are some of us living?\(^8\)

RESISTING IRREVERSIBLE HISTORICAL TIME: THE KHULUMANI SUPPORT GROUP

Despite the fact that the South African constitution recognizes the injustices of the past and honors those who suffered for justice and freedom, the issue of (individual) reparations seemed to be of no real concern for the democratic government in the years following the end of Apartheid. The continuing requests for help and recognition by victims and survivors of Apartheid violence were almost completely disregarded by the ANC leadership, which did not (or no longer) consider the gloomy legacy of historical injustice as a priority.\(^9\) The recommendations for reparation made by the TRC were largely ignored. The government repeatedly showed contempt for the request of individual monetary redress, indicating that it preferred collective reparations.\(^10\) It was only after considerable pressure from inside and outside of South Africa that President Mbeki, in 2003, announced that there would be a ‘once-off’ grant of R30,000 for individuals who were listed as victims by the TRC. Only a small number of victims were recognized by the TRC, however, and even they were disappointed by the sum of money, which was much less than the one promised before.\(^11\) So although the new democratic government as a successor regime has formally recognized its responsibilities in the righting of old wrongs, most of the victims have never received any monetary or material compensation.

Even more distressing than the reparations issue is the state of the prosecutions in South Africa today. The idea underlying the TRC’s arrangement of selective amnesties in exchange for truth was that all those who did not come forward to the commission would later be prosecuted individually. To this end, a special unit was established in the ‘National Directorate of Public Prosecutions’ shortly after the handover of the TRC’s 1998 report.\(^12\) Almost no prosecutions were started, however, and the few court cases on high-level perpetrators of Apartheid atrocities have had a sad history of failure. Although the ANC-led government officially stayed loyal to its original rejection of a general ‘blanket’ amnesty, several new rounds of partial amnesties have been organized since the end of the activities of the TRC.\(^13\) Also it can be asked whether the almost complete absence of prosecutions does not in effect come down to a situation of de facto impunity and blanket amnesty. In addition to these problems of amnesty and reparations, many victims and survivors stress that the TRC has not revealed the full truth, and they have, for example, begun to ask for more attention for the numerous people who disappeared during Apartheid.

Victims and survivors criticize the government’s lack of engagement toward what they call the ‘unfinished business’ of the TRC. One of the most important voices of protest comes from the Khulumani Support Group, the only post-Apartheid social movement in South Africa to represent victims and survivors of Apartheid violence on a national level.\(^14\) Khulumani—isiZulu for ‘Speaking out’—was originally created in 1995 to facilitate the participation of victims and survivors to the TRC process and, just like the truth commission, was based on the idea that speaking about the past would help to heal traumas.\(^15\) The support group helped to inform people about the TRC and organized statement takings in local communities; later in the
TRC process, it became instrumental in debriefing and supporting victims before and after they testified; and overall it played an important role in legitimizing the commission.64 In the first years of its organizational life, Khulumani formed part of the 'Trauma Centre for Survivors of Violence and Torture' in Cape Town, but in September 2000 it struck out on its own after some tensions with the staff of professional therapists.65 As an autonomous organization, Khulumani started to radicalize its criticism of the government, and the group developed new perspectives on the politics of memory. The organization also became increasingly disappointed about the TRC and its outcomes. The therapeutic accent of the early period was gradually replaced by a more political approach, and the issue of victim and community reparations has become more prominent.66 Khulumani formally approves of the idea of national reconciliation but argues that this only can be a long-term project and that it has no priority for its members.67 The group maintains that the question of reconciliation is premature and states that asking victims to heal and to reconcile is 'asking too much, too early.' 'Healing' remains one of Khulumani's stated objectives, but the organization has become increasingly critical of the fact that the victims and survivors are asked to heal their traumas in function of nation building.68

Interestingly, Khulumani's critique challenges the irreversible time of history and especially the stress on an absent or distant past, and this happens in a way that, despite some important differences—such as Khulumani's embrace of material reparations and its formal approval of reconciliation in the long run—closely resembles the resistance of the Madres de Plaza de Mayo. As Christopher Colvin explains, Khulumani members refuse 'closure' or 'recovery' until the government fulfills its promises. In contrast to the 'therapeutic mode of historiography,' they focus on victims who are still suffering and have not yet recovered.

History-as-therapy assumes, as trauma therapy does, that the trauma is over and that it is the task of the therapist, or historian, to convince the patient or the nation that the trauma is over. For Khulumani, however, crafting the history of the struggle means writing a history about a struggle that is not over. Time has passed but the suffering and the struggle continues. [...] For these victims, the idea that the past was a period of oppression and the present is a new and re-deemed moment of freedom is an illusion, a premature verdict on a not yet finished phase of history's unfolding.69

Khulumani indeed questions the absolute break between past and present that is so basic in the political constellation of the 'new' South Africa. As they express their critique, 'While government has stated publicly that the past has been buried, the country and its citizens continue to live with the consequences of apartheid.'70 The organization acknowledges and praises the fact that South Africa has become a democratic country but argues that the fate of victims and survivors and the never-implemented recommendations of the TRC constitute a debt for the nation.71 In order to remind the government of this fact, Khulumani started to organize highly visible protest actions. In its communications on these actions, Khulumani has developed a discourse that stresses the fact that Apartheid's historical injustices are not yet past, argues that the mere passage of time will not solve matters, and denies the notion of a distance between present and past. By failing to embrace the full scope of reparations, Khulumani argues, the South African government promotes 'a model of transitional justice that incorporates "unfinished business."'72 The support group warns 'that it is folly to think that the demand for accountability will fade with time. The demands of victims have to be addressed. The past does not bury the past.'73 On the occasion of the 60th anniversary of the liberation of Auschwitz in 2003, Khulumani posed the question of how Apartheid would be remembered 60 years after its downfall:

we are still trying to locate the remains of some of our children, abducted and burnt to death [...] we are still trying to rebuild our lives out of the apartheid-ravaged and poverty-stricken homelands [...] we are still wondering how our pain, suffering and loss was given a symbolic monetary value of a once-off R30,000 reparations payment [...] we are still [...] It is time to answer these questions and to act on them, so that in 2054, our children, their children, and their children's children will not only remember our suffering and say 'never again' but will no longer themselves be dealing with the consequences of apartheid.74

The idea that a preoccupation with the past does not oppose a future orientation but that instead it is needed for the future generations is a recurring leitmotiv. Hinting at a popular expression in the 'new South Africa' that refers to the young generations as the ones that are born free, Khulumani states that the government has betrayed its 'Born Frees.' Although the government gave amnesties to perpetrators, the Khulumani members assure that 'there is no "amnesty" from the potential effect of unresolved family trauma on our members' babies and children.' Therefore, Khulumani calls on all South Africans to 'accept that the past is not yet past.'75 The organization bitterly criticizes the often-heard cry to 'move on from our apartheid history' because without redressing this further diminishes the role that victims and survivors played in helping bring democracy.76 South Africa cannot pretend,' they argue, 'that the "past is past," that business can carry on with "business as usual" [...]77 Commenting on its legal struggle against corporate complicity with Apartheid, Khulumani articulates its most radical critique on irreversible historical time. In a passage that strangely mirrors the performative language of the postscript to the 1993 constitution that once enabled the amnesty arrangement by declaring the chapter of the past to be closed, the group states that:
Victims and survivors declare that that past is in the present and that the only means of preventing the recurrence of human rights violations through the collusion of multinational corporations with illegitimate political regimes, is through enforcing the constitutional right of citizens to seek legal redress in any competent court.  

Keeping the same tone and after repeating that the time has come to hold perpetrators to account, Khulumani gives a major blow to the politics of time that underpin the therapeutic and reconciliatory discourse that has been enforced on victims and survivors:

It is not perpetrators who should be announcing that it is time to move on from the horrors of a past that continues to live in the present. It is victims who should announce that time. (Legum) Victims and survivors should be supported by their government in such an important endeavour.

CONCLUSION

Although one should honor the many positive evolutions, the recent history of South Africa painfully demonstrates how the dream of breaking with the past and starting all over again is an ideal that is very hard to put into practice. Whereas Apartheid formally came to an end on the day of the inauguration of the government led by Mandela, a more substantial break with the legacy of Apartheid was, and still is, a long-term project. In a context where people until recently denied each other's humanity due to Apartheid, shared no common history due to state censorship and manipulation, and even shared no common national territory due to the establishment of formally independent homelands, one of the few convincing arguments for the necessity of national reconciliation had to be situated in the idea that both friend and foe are contemporaries—that willingly or unwillingly they have to share same present. Regrettably, it is exactly this idea of contemporaneity or simultaneity that often is threatened in places where memory of offense for big parts of the population tends to create an irrevocable experience of time.

It is in this context of the need for a project of national simultaneity that I propose to situate the TRC's 'historical' turn. However, although I think that the importance of the performative potential of historical discourse is all too often neglected, my focus on performativity is not meant to downplay the importance of historical truth or the need for official acknowledgment. In addition, it is important to stress that although certain phrases and wordings might suggest otherwise, I do not want to insinuate that the staff of the TRC consciously turned to a historical discourse for its performative potential or knowingly engaged in a politics of time in order to restore the modern sense of a break between past and present and declare uncooperative victims to be out of time. Although I think that discursive performativity and politics of time can have real consequences that can be both desirable and undesirable, this performativity is more about effects than it is about intentions.

I hope to have demonstrated that it is precisely as a reaction to this performative use of historical discourse that the discourse of the Khulumani Support Group has to be understood. Several of the slogans and expressions used by Khulumani show that they have a clear understanding of the politics of time. Although they never use this exact terminology, it seems that they comprehend very well how the stress on irreversible historical time—on the temporal distance or on the absence of the past—tends to produce the political effect of letting bygones be bygones and of (indirectly) facilitating the reign of impunity. Khulumani's political strategy is based on a notion of irrevocable time. Although the group until now did not develop a straightforwardly spectral language such as the one used by the Madres de Plaza de Mayo, the group is still relatively young and its discourse could well evolve in that direction.
INTRODUCTION

Sierra Leone takes a relatively unique place in the transitional justice universe because in addressing its eleven years of civil war, it developed a 'two-track' approach in which a truth commission and a war tribunal operated alongside each other. The Sierra Leonean Truth and Reconciliation Commission (SLTRC) was active between 2002 and 2004, but the initiative for the commission was already taken during the Lomé peace negotiations in 1999, where it originally had to function as a counterweight to a controversial blanket amnesty. It was only later, after one of the parties in the conflict violated the peace treaty in 2000, that the blanket amnesty was partly revised and that, with the help of the United Nations, a Special Court for Sierra Leone was established that, just like the SLTRC, would start to operate in 2002. Up to 2010, the tribunal only indicted thirteen perpetrators who bore 'the greatest responsibility.' It seems improbable that more than ten of them will ever stand trial before the operations of the court will be suspended, so it is likely that the great majority of perpetrators will never face any criminal justice. Nevertheless, the mere existence of the Special Court has rendered it more difficult for the SLTRC to convincingly claim that truth telling constitutes a full-fledged form of justice. As a result, the idea of restorative justice, although certainly present, has been less prominent than it has been in the South African TRC. Except for this somewhat less pronounced justice claim and the fact that amnesty was not made conditional on truth revelation, the SLTRC was strongly inspired by the South African example. With a possibly even greater conviction than that of their South African colleagues, the members of the Sierra Leonean commission posited the therapeutic and reconciliatory effects of historical truth telling. Like the South African TRC, the SLTRC was presided over by a religious leader (the Methodist bishop Joseph Humper) and was permeated by a religiously inspired language that spoke about the need for forgiveness, catharsis, and healing.

Closely resembling the South African case, the link between historical truth and nation building—which is understood to be self-evident but is never really explained by the truth commission and its supporters—is in fact ambiguous and quite problematic. Despite its stress on the importance of creating an impartial historical record and often repeated slogan that urges people to 'forgive but not forget,' the SLTRC manifests many aspects that are commonly associated more with forgetting than with remembering. Moreover, Tim Kelsall has argued that the commissioners’ attempts to elicit the truth from the perpetrators largely failed. In the face of this relative ineffectiveness in revealing historical facts (at least in the public hearings), Kelsall argues that the importance of the commission in relation to its aim of creating reconciliation should be situated not in its truth production but in its ceremonial or ritual dimensions.

In an attempt to explain the often puzzling turn to history in the Sierra Leonean context of transitional justice, I will elaborate on the thesis that I formulated in the foregoing chapter. The use of a historical discourse in the SLTRC again primarily must be related to an attempt to distance the painful past and, in that way, to restore or impose a modernist break between past and present. The Sierra Leonean elites, as we will see, manifest a highly pronounced ‘will to modernity'; they loudly proclaim their pursuit of progress and their ambition to 'move the country forwards,' away from the 'darkened' past. Stressing the ritual dimension in the work of the SLTRC, following the claims of Tim Kelsall, I will argue that the performative use of historical discourse can be analyzed as a kind of 'exorcism' of the haunting past. Much like in the two foregoing cases, there has been considerable (local) resistance to the activities of the truth commission in Sierra Leone. Despite the great differences in the motivation of the resistance in Sierra Leone and that in Argentina and South Africa, I will once more try to show that this resistance can be related to a different consciousness of time that can be interpreted as irrevocable, rather than irreversible.

FROM CONFLICT TO FRAGILE PEACE: SITUATING THE TRUTH AND RECONCILIATION COMMISSION

The start of the ‘long decade’ of bloody conflict in Sierra Leone is commonly dated to 23 March 1991. Decades of bad governance, corruption,
and a seemingly contradictory combination of the state’s total presence and its concurrent total erosion created a situation in which Sierra Leone was extremely vulnerable to attacks from both inside and outside the country. In March 1991, a group of armed rebels calling itself the Revolutionary United Front (RUF) entered the country along the Sierra Leone–Liberian border. Their stated aim was to overthrow the authoritarian government of President Joseph Momoh and his All Peoples Congress (APC) that had ruled uninterrupted since the late 1960s. Although the invaders probably numbered no more than a hundred, they successfully challenged the disorganized Sierra Leone Army (SLA). In just a few months, the rebels took control of about one fifth of the country’s territory. Initially, the rebels received some popular support, but that soon changed when they started behaving brutally, abused local women, and carried out indiscriminate violence against civilians. Still, the thin veil of idealist ideology that the rebels deployed to legitimize their invasion and the idea of joining a band of ‘freedom fighters’ attracted some youths. Other youngsters were forcibly conscripted into the RUF. The rebels were not the only ones to use child soldiers, however, and youth conscription together with the widespread use of terror techniques, including mutilations and amputations, became one of the most notorious aspects of the conflict in Sierra Leone.  

After a year of fighting, the APC government faced a fatal challenge that came not from the rebels but from its own army. On 29 April 1992, a small group of young soldiers led by officers Valentine Strasser and Julius Maada Bio started to mutiny. Terrified by the soldiers approaching the presidential palace, President Momoh fled (allegedly disguised as a woman), on which the mutineers, mostly against their own expectations, found themselves in charge of the country. The mutineering officers created a National Provisional Ruling Council (NPRC) chaired by Valentine Strasser, who promised that he would soon end the war and return the country to constitutional rule. Initially Strasser enjoyed great domestic popularity, and his enlightened rhetoric temporarily even assured him support from the international community. Moreover, his NPRC was quite fortunate on the battlefield, where it partly succeeded in pushing back the RUF. For a while it seemed that the army would be able to defeat the rebels, but that hope turned out to be in vain. Adapting itself to the military defeats in the open field, the RUF retreated into the bush, where it initiated a hit-and-run style of warfare. Far from bringing the country closer to peace, this transformation of the RUF by late 1993 heralded the beginning of a second, even more brutal phase of guerilla warfare that spread the conflict all over the country.  

In the ongoing struggle, the undisciplined government forces also started to commit atrocities, whose main victims were, once again, civilians. The tragic position of the civilian population, simultaneously harassed by the rebels and the army, led to the creation of civil defense groups that added a new dimension of complexity to the conflict. At first the civil defense groups only protected their own communities. Later they developed into the well-armed and organized Civil Defense Force that became a de facto arm of the state and that in its turn became implicated in grave human rights abuses, which sometimes were ethnically inspired. In addition to mobilizing civil militias, the government also tried to make up for the nearly collapsing national army by deploying mercenaries. All of the foregoing constituted a complex and extremely brutal conflict that seemed endlessly prolonged by the incomes that the different parties extracted from the (illegal) sale of diamonds. Some of the first rays of hope for the population came in 1996 when Valentine Strasser, pressured by civil society groups in Freetown, kept his promise to organize democratic elections. The elections took place in two rounds between February and March 1996 and (after a probably fraudulent result) delivered Ahmad Tejan Kabbah of the Sierra Leone People’s Party as the new president. Around the same period, another ray of hope was provided when the military stalemate drove government and rebels to the negotiating table. On 30 November 1996, in the Ivory Coast capital of Abidjan, both parties signed a peace agreement that arranged for a blanket amnesty and promised an immediate end to the conflict. Tragically, the population’s euphoria about the newly gained peace would be of short duration. Soon tensions ran high again, and the real intentions of the RUF became clear when its leader, Foday Sankoh, was arrested 2 March 1997 on his way to meet an arms dealer in Nigeria. Also in 1997, Sierra Leone was the stage for a new military coup, in which mutineers forced the government to flee and installed the Armed Forces Revolutionary Council (AFRC). The coup would prove to be relatively short-lived but would be one of the most violent phases of the civil war. The AFRC invited the RUF to share power, and together they created a situation of lawlessness, structural breakdown, and total terror. It was only with the help of the mainly Nigerian-staffed Cease Fire Monitoring Group (ECOMOG) that Freetown could be liberated and the government of President Kabbah reinstated. Although the military stalemate continued and large parts of the country remained in the hands of the RUF–AFRC coalition, Kabbah almost immediately initiated a trial for treason against the leaders of the coup, including Sankoh, who was subsequently condemned to death. Partly in reaction to the prosecution of their leader, the RUF plunged the country into a new campaign of terror that it aptly named ‘operation no living thing.’ In January 1999, terror came to an apotheosis when RUF–AFRC forces managed to enter and pillage Freetown once more. It took a siege of more than six weeks before ECOMOG forces (who, like all parties to the conflict, themselves started to commit atrocities) were able to recapture the destroyed town. Despite the retreat of the RUF–AFRC coalition from the capital, the military stalemate remained unbroken. It was in this context that President Kabbah, pressured by the UN and the ECOMOG, asked the still-imprisoned RUF leader, Sankoh, to take part in new peace talks hosted by the government of Togo in its capital Lomé. Prior to the negotiations, a conference was organized in which the political
elite consulted traditional leaders and civil society groups to discuss the matter of transitional justice. It soon became clear that Sierra Leone, as Priscilla Hayner puts it, ‘presented “a worst-case” context for trying to preserve international standards of justice while negotiating peace.’ 10 As a consequence, most were convinced that peace could only be obtained if the negotiators agreed with the RUF’s demand for a blanket amnesty.11 Consequently, the idea of prosecuting perpetrators or creating a war tribunal was never really considered by any of the negotiating parties.12 The human rights community nevertheless formulated three basic demands that had to be met by the negotiations: first, it asked for the active involvement of civil society in the peace process; second, it demanded that the peace agreement contain clear provisions for the protection and promotion of human rights; and third, it rejected any agreement that would grant power sharing to the rebels prior to general elections.13 Further, it asked for the establishment of a Truth, Justice, and Reconciliation Commission and lobbied for the adaptation of the amnesty arrangement so as to make it conditional on collaboration with the truth commission.14

When the Lomé Peace Accord was eventually signed on 7 July 1999, only some of the demands of the human rights community were met. The rebels had clearly not been bothered very much by the idea of a truth commission, so this request made it into the final accord.15 To the dismay of the human rights activists, however, the word justice was left out of the name of the commission, the peace agreement did provide for power sharing in the period before the scheduled general elections, and, in addition to that, the amnesty arrangement was not made conditional on truth telling.16

Although the population of Sierra Leone was mostly dismayed about the idea of power sharing, it was the blanket amnesty that gave the Lomé Peace Accord a bad reputation internationally. Only shortly before the signing of the Lomé Accord, the UN spoke out against blanket amnesties, and this policy gave the UN representative Francis Okelo great difficulty. At the last moment, during the actual signing ceremony, Okelo, without informing any of the other parties, decided to add the following note to the copy of the agreement that was signed by the UN:

The United Nations holds the understanding that the amnesty and pardon in Article IX of the agreement shall not apply to international crimes and other serious violations of international humanitarian law.17

Shortly after the signing of the Lomé Peace Accord, the UN set up a peace mission in Sierra Leone and started with a disarmament and demobilization program.18 Yet, nothing was done with Okelo’s annex to the peace agreement. The first steps in the direction of the creation of a Special Court were only taken after the rebels in May 2000 violated the conditions of the peace accord by resuming hostilities.19 Arguing that the breaching of the agreements annulled the amnesty provisions, President Kabbah addressed the UN with a formal request for the establishment of a tribunal. When the UN agreed, the legal foundation for the Special Court was created.

Although the Lomé agreement foresaw the creation of the Truth and Reconciliation Commission within a period of ninety days after its signing, the resurgence of hostilities considerably delayed the establishment of the commission. The practical legal design for the commission was elaborated in the form of the Truth and Reconciliation Commission Act approved by parliament in November 2000. Shortly after the passing of the Act, a series of projects was set up in preparation for the commission. However, the truth commission actually started operating only late in 2002, around the same period as the Special Court.20 Much like the Special Court, the SLTRC was a hybrid institution, partly national and partly international. The UN played a major role in the establishment of the commission, and its hybrid character was reflected in the composition of the team of commissioners that included four Sierra Leoneans appointed by the president and three international members selected by the United Nations High Commissioner for Human Rights.21 The commission subdivided its work into three subsequent phases that focused on one principal task. During the first phase, taking about four months, a team of statement-takers gathered more than 8,000 testimonies from victims, witnesses, and perpetrators. As a kind of preview, in January 2003, the commission released a preliminary analysis of the first 1,300 testimonies that already identified 3,000 victims.22 The second phase of the (public and closed) hearings began in April 2003 and ended in early August of that same year. Although the commission was unable to extend its activities to all regions of the country due to political instability, several hearings were held in Freetown and in most of the districts of Sierra Leone.23 After the final hearings, the commission moved into a report-writing phase that, like the other phases, was scheduled to take about four months but lasted for more than a year. On 5 October 2004, the commission finally presented its report to the president, but it took until well into 2005 before the report found its way to the national and international public.24

**THE SPECIAL COURT AND THE TRC: ‘TIME OF JURISDICTION’ VS. ‘TIME OF HISTORY’**

Like most truth commissions, the truth commission of Sierra Leone was originally set up to function as an alternative instead of a complement to criminal justice. As its commissioners stress, the two institutions were not created as part of a grand design.25 The possibility of setting up a war tribunal was, as we have seen, indeed, never seriously contemplated at the time of the peace negotiations in Lomé when the decision to establish a commission was taken. Sierra Leone was not the first country where a truth commission worked parallel with criminal justice efforts, but the Sierra
Leonean case clearly illustrates the difficulties and potential pitfalls that can arise in such a situation. Despite considerable efforts—by the United Nations, leading legal experts, and NGOs—to think through the different roles and intended synergistic relationships between the truth commission and the Special Court, frictions inevitably arose. During the preparation phase, the truth commission was confronted with a disappointing fundraising, which it interpreted as indicating an indifference to its mission or a greater ‘donor enthusiasm’ for the Special Court. As ex-commissioner William Schabas describes the sentiment that lived under the commissioners: ‘Possibly donors saw the Commission as the compromised offspring of the Lome Agreement, with its distasteful amnesty, something with which the court was untainted.’ Besides the tensions surrounding the issue of getting finances from the same pool of donors, the two institutions also competed for trained personnel, which was scarce after the brain drain that plagued Sierra Leone for so long.

Most of all, however, the commissioners of the SLTRC feared that confusion about the autonomous functioning of the two institutions would deter perpetrators from witnessing to the commission. Therefore, the personnel of both institutions and national and international policy makers alike stressed repeatedly that the commission and the court had different mandates. On the one hand, it was stated that the truth commission had no punitive mission and that it only aimed at truth seeking, catharsis, and reconciliation; on the other hand, it was communicated that the Special Court would only prosecute those perpetrators who bore the greatest responsibility and that it would not focus on child soldiers.

In addition to this problem of popular perception, experts also foresaw a wide range of real legal problems. Most of the experts’ concern revolved around the problem of information sharing and the possibility that perpetrators’ self-incriminating testimonies given before the truth commission could be used as evidence to convict them before the Special Court. Supporters of the SLTRC asked for legal protection against the use of this self-incriminating evidence so as to facilitate confessions by perpetrators.

Eventually the main conflict between the two institutions arose over another, quite unexpected, issue, namely that of the right of detainees in the custody of the Special Court to take part in the public hearings of the truth commission. The conflict started when three indicted prisoners—including the leader of the Civil Defense Forces, Sam Hinga Norman—requested to testify in public. When the prosecutor of the Special Court rejected the request, fearing that the accused would use the public forum to propagate hate, the SLTRC started a legal struggle to reverse this decision. After passing through several legal instances, the issue ended up with the President of the Appeals Chamber, Judge Geoffrey Robertson, who ruled that the detainees could not testify in public but would be allowed to testify by written statements. In a reasoning strongly contested by the commissioners of the truth commission, Judge Robertson argued that the fragile equilibrium in the country raised security concerns. Also, the judge feared that the SLTRC’s public hearings, which were to be held in the building of the court, would resemble or even parody a real court case:

A man in custody awaiting trial on very serious charges is to be paraded, in the very court where that trial will shortly be held, before a Bishop rather than a presiding judge [. . .] The event will have the appearance of a trial, at least the appearance of a sort of trial familiar with centuries past.

Furthermore, he argued that the commission was only denied a public hearing, ‘an event more conducive to its reconciliation work (which cannot apply to indictees who plead not guilty) than its business of constructing an historical record.’ Moreover, the judge declared that the Special Court had primacy over the truth commission and that it was better suited to achieve reconciliation because only the court had the power to deliver justice:

Within the fallible parameters of human justice, with its fundamentals of due process, transparency and defence rights, we are charged to do our best to end the impunity that powerful perpetrators would otherwise enjoy. This much is owed to the memory of murdered victims, to maimed survivors and to those who grieve for them. It is a duty we share with another body, the Truth and Reconciliation Commission set up by the Sierra Leone government. We shall work together to uncover the truth, although the Court alone has the power to deliver the justice that is a prerequisite for reconciliation.

Agitated by this verdict, the commissioners dedicate the bulk of a chapter in the SLTRC’s final report to a critical review of the judge’s reasoning, which they consider to be ‘rigid’ and ‘out of step with current notions of transitional justice.’ They complain that Judge Robertson caricatured the functioning of the commission and argue that he saw reconciliation as merely consisting of acts of confession and forgiveness while moreover rigidly opposing the commission’s reconciliation and truth telling exercises. Robertson’s decision, according to the commissioners, rested on little more than a ‘misconstrued territorial concern.’

The commissioners’ feeling that the ‘restorative justice’ and even the ‘truth telling’ they advocated were not always taken seriously by legalists and policy makers seems justified. President Kabbah, for example, in an address at the start of the public hearings of the SLTRC in Freetown in April 2003, seemed to prefer talking about and promoting the Special Court, and he declared that more than revealing truth, the most important purpose of the truth commission was its therapeutic function that had to lead to national reconciliation. However, in the context of this book, it is important to
point out that the frictions between the SLTRC and the Special Court on a more basic level seem to originate in a conflict between what I described in the introduction as the 'time of history' and the 'time of jurisdiction.' To understand the different or even contrary considerations and intentions that inspired policy makers when they set up the truth commission on the one hand and the Special Court on the other, we can take a look at the respective legal texts that founded them. The 'Truth and Reconciliation Commission Act,' which in 2000 established the SLTRC, stipulates that its function:

is to create an impartial historical record of violation and abuses of human rights and international humanitarian law related to the armed conflict in Sierra Leone, from the beginning of the conflict in 1991 to the signing of the Lomé Peace Agreement; to address impunity, to respond to the needs of the victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered. 38

To fulfill this task, the commission is granted a mandate of one year with a possible extension of a further six months. In addition, the Act requires that the members of the commission be persons of 'integrity and credibility' and persons with high professional standing or competence, explicitly naming lawyers, social scientists, religious leaders, and psychologists.

Despite the remarkable absence of any reference to historians, the text repeats several times that the commissioners have to create an 'impartial historical record' and need to look into 'past violations or abuses.' In an attachment to the Act, titled 'Memorandum of Objects and Reasons,' the aim of the commission is once more formulated as:

a catharsis for constructive interchange between the victims and perpetrators of human rights violations and abuses and from this catharsis the Commission is to compile 'a clear picture of the past.' Accordingly, by clause 6, the principal function of the Commission is to create an impartial historical record of events in question as the basis for the task of preventing their recurrence. 39

The true relevance of the language of the SLTRC Act, with its repeated references to 'historical records,' 'past violations and abuses,' and 'pictures of the past,' only becomes clear when it is contrasted to the wording of the legal text that founded the Special Court. This founding statute declares that the Special Court, except for persons under the age of fifteen, shall 'have the power to prosecute persons who bear the greatest responsibility for serious violation of international humanitarian law and Sierra Leonean law.' 40 Furthermore, the document voids the amnesty granted by the Lomé Peace Agreement for all persons under the jurisdiction of the Special Court. For pragmatic reasons, so as not to overburden it, the temporal jurisdiction of the Special Court is restricted to the period starting at the symbolic date of 30 November 1996, when the Abidjan Peace Accord was signed (the government of Sierra Leone later unsuccessfully requested that the starting date be moved to the beginning of the conflict in 1991). In contrast to the truth commission, whose investigative mandate was restricted to the events between 1991 and 1999, the temporal jurisdiction of the Special Court has no finishing date. Despite the fact that both institutions were expected to focus on periods that are overlapping, the wording of the legal text that founded the Special Court makes not a single reference to terms like 'history,' 'historical,' or 'past' when discussing the gross human rights violations committed during the civil war. Clearly what the perpetrators with the 'greatest responsibility' did cannot be considered past, even if their atrocities were committed on the same chronological date as the 'past violations or abuses' committed by smaller fry that are to be passed on to the 'impartial historical record.' Despite all rhetoric about the 'addressing of impunity,' most policy makers and legalists primarily seem to have considered the truth commission, in its close relation to the amnesty arrangement, primarily as a way to impose the irreversible time of history on events that otherwise would tend to stay very much 'alive' and 'in the present.'

This unspoken interpretation of the function of the SLTRC by policy makers and legalists has not remained uncontested. The claims of the commissioners of the SLTRC about their alleged capacity to deliver (restorative) justice as a worthy alternative to 'hard' retributive justice are a clear manifestation of a reluctance to let the scope of the commission be reduced to that of the irreversible time of history. Similarly, the commissioners on several occasions express their dissatisfaction with the strict temporal limitations of their official mandate. Discussing and interpreting the imposed time-frame, the commissioners in their final report and in private reflections argue that the strict regulation only applies to a part of the commission's functions:

In other words, although the 'historical record' of the Commission is time-limited, there is nothing in section 6(1) of the founding 'Truth and Reconciliation Commission Act' to prevent the Commission from looking back prior to 1991 and forward beyond the Lomé Agreement in terms of the responsibility to address impunity, to respond to the needs of the victims, to promote healing and reconciliation and to prevent a repetition of the violations and abuses suffered. 42

In this sense, the argument continues, 'the Commission does not have any temporal jurisdiction, in contrast, for example, with the Special Court for Sierra Leone.' 43 And a little further: 'For all of these reasons, the Commission has not felt itself to be particularly constrained by the time frame set out in section 6(1). It is repeatedly stressed that the commission's gaze is not only directed backward to the past but that it also looks forward to the future. The final report of the SLTRC, in comparison to the one of the TRC in South Africa, indeed is constructed less around the notion of an absolute
break between past and present that would implicitly legitimize the post-
conflict state. In the ‘findings’ section of the final report, the commissi-
oners formulated the depressing conclusion that many of the root causes that
provoked the civil war remained unchanged in post-conflict Sierra Leone,
and that the continuing presence of political prisoners in the ‘new Sierra
Leone’ de facto came down to the persistence of the past.25 Seriously over-
estimating the break between past and present in other post-conflict societ-
ies, ex-commissioner William Schabas in retrospect claims that one of the
unique features of the SLTRC was that it ‘paradoxically’ had to construct
its ‘impartial historical record’ at a moment when the transition was still
incomplete and the conflict thus not yet fully past:

The most celebrated truth commissions have operated not only when
the conflict was over but when the transition, in a social sense, was
well underway. The South African Truth and Reconciliation Commis-
sion did not need to recommend that the causes of its country’s own
suffering, apartheid and racial discrimination, be prohibited. Similarly,
Chile’s truth commission did not have to argue that democracy was a
better alternative to dictatorship. Sierra Leone is different. The end of
the conflict was little more than a ceasefire, not a decisive victory by
one side over the other, and above all no triumph of a progressive social
vision over the perverse values and practices of the past.26

The paradox that puzzles William Schabas should of course not puzzle us.
From the perspective that we are developing in this book, the sobering insight
that ‘peace-time’ might not easily be distinguished from ‘conflict time’—that
the past persists—offers an explanation for the introduction of historical
discourse rather than contradicting it. Moreover, although the commissi-
oners’ strategic resistance against the imposed temporal frame seems to imply
an insight in the working of the irreversible time of history and the way the
latter tends to reinforce an attitude that lets ‘bygones be bygones,’ the com-
missioners at many other occasions stress and promote this very same notion
of time, speaking in terms of a ‘progressive triumph’ and an absolute break
with the past. It is to this issue that I will turn in the next paragraph.

A LONGING FOR PROGRESS AND
A WILL TO MODERNITY

The sociologist John Torpey claims that the recent worldwide ‘fever’ for
reparations and apologies has largely supplant ed the elaboration of visions
of the future in contemporary politics. The preoccupation with ‘coming
to terms with the past,’ he complains, is so pervasive that the rallying
cry ‘don’t mourn, organize’ by the traditional labor movement has been
replaced by an ‘organize to mourn.’27 Although this thesis might be true

for specific branches of the broader politics of reparation, it does not hold
for transitional justice in a country like Sierra Leone. The installation of
the truth commission in that country, similar to what I already claimed for
the case of South Africa, should be interpreted not as the manifestation of
an obsession with the past or a loss of interest in the future but rather as
a direct reaction to the failures of progress and the breakdown or absence
of a modern consciousness of time that is based on the belief in a clear
divide between past and present. Far from ‘eclipsing the visionary modes
of imagining the future,’ the TRC in Sierra Leone combined its backward-
looking gaze with a great longing for progress. This is particularly clear in
the voluntaristic project named ‘National Vision for Sierra Leone’ that was
organized by the SLTRC. According to the commission, the future Sierra
Leone could only be built if a ‘roadmap’ was ‘envisioned’ by its popula-
tion. Therefore, it launched a call for contributions, asking people to send
in essays, poems, slogans, songs, paintings, or photographs that expressed
aspirations for the future Sierra Leone. The commission claims to have
received more than 250 contributions coming from about 300 individu-
als who together represented a cross-section of the national population.28
‘Through the National Vision,’ the commissioners argue, ‘Sierra Leoneans
of all ages and backgrounds can claim their own citizenship space in the
new Sierra Leone and make their contributions to the county’s cultural and
national heritage.’29 Further, the commissioners write that, ‘Although the
TRC asked Sierra Leoneans to speak about the future, the majority of contri-
butions addressed the future by making reference to the past,’ and they
enthusiastically add that ‘the contributions amply demonstrate that Sierra
Leone can and must reach for new heights.’30

Obviously the national vision project was meant to promote and legiti-
mate the ethico-political agenda of the truth commission, and this agenda
is clearly reflected in the content of the selection of contributions that are
reproduced in the final report. The first featured piece is a stamp that
depicts the contours of the country, a crowd that marches united behind
the national flag, the logo of the SLTRC, and a little text that proclaims the fol-
dowing message: ‘It’s true the war is over—Welcome to new Sierra Leone.’
Next is an extract from a poem by some ex-RUF prisoners: ‘My Sierra
Leone, a new chapter and era,’ it opens, and a little further it continues,
‘The past must remain the past/With the past we know the present/And
combined we make the future/Now is the time to move forward.’ The poem
is followed by a reproduction of a painting that depicts a group of people
looking up toward the sun, which the commissioners themselves have pro-
vided with a little comment that says that they are looking to the future as
a bright new day and that they are proud of being Sierra Leonean. There
is even a contribution by Chairperson Bishop Joseph Humper himself: a
short essay that envisions a ‘revived Sierra Leone, born out of the ashes’
and ends with the message that ‘not a single Sierra Leonean can claim that
there is no need for him or her to confess and forgive. We are all responsible
for allowing our beloved country to slide into chaos and mayhem. Only when we have dismissed all pretence can we truly move forward. Most celebrated is a short passage from another contributor that is repeated several times throughout the final report and seems to function as the central slogan of the SLTRC: 'The inspiration is let's sprint; if we can't sprint, let's run; if we can't run, let's walk; if we also can't walk, then let's crawl; but in any way possible, let's keep on moving.'

At least as much as the longing for progress, the selection reflects another central feature of the commission's discourse: a highly pronounced 'will to modernity,' in the strong sense once eloquently articulated by Paul de Man as 'a desire to wipe out whatever came earlier, in the hope of reaching at last a point that could be called a true present, a point of origin that marks a new departure.' As Bishop Humper has put it in a speech: A decade after 'darkness descended on our country,' the commission is 'about new beginnings' and the 'construction of a new Sierra Leone.'

It is only from the perspective of this longing for progress and this will to modernity combined with a strong engagement with nation building that the stranger and more ambiguous features of the commission's work can be understood. The ambiguity of the message about the need to 'forgive but not forget' and the claims about the healing capacities of remembrance only becomes fully manifest when the formal account established in the commission's final report is contrasted with the tensions that are reflected in the transcriptions of the actual victim hearings. During these hearings, the commissioners argued that, besides the personal therapeutic gains that it would bring, the public recalling of the burdened past was a duty to the beloved country and to the progress of the nation. Time and again, testifying victims are thanked for taking part in 'this nation building process we call TRC,' congratulated for 'helping the commission to help the nation,' or called 'brave' and 'patriotic.'

Most victims, however, do not seem to have been very convinced by the commission's message about healing and reconciliation. Many of them stressed that there could be no peace without justice, and a widespread anger was vented about the suspicion that the government and the truth commission were primarily concerned with reintegrating perpetrators rather than caring for the victims. The need for financial help or material compensation obviously was the most important reason for many victims and survivors to come forward to the commission. At the end of every testimony, the commissioners were asked what they planned to do in order to change the victim's state of continuing deprivation. Generally, the commissioners react to these questions by arguing that the gain of testifying is psychological, that the commission helps to ensure that the past never returns, that its mission is to help communities rather than individuals, and that the progress of the nation is the most important.

Besides the disappointment about the SLTRC's inability or unwillingness to give material or financial assistance, the victims' testimonies also manifest a great confusion about, or even reluctance toward, the commission's project of redemptive remembrance. A considerable number of victims seem to have interpreted the mission of the SLTRC as a quest to 'forgive and forget.' Take for example the following witnesses who state that they 'know we have to forgive, forget and reconcile,' or who want to 'thank the commission because they are teaching us to forgive and forget.' Other victims, who did note that the SLTRC's official slogans in fact demanded that victims 'forgive but not forget,' repeatedly questioned the reasons for this urge to remember. As one victim puts the question straightforwardly: 'Why is it that after going through all these sufferings with all the pains in our heart, you still ask us to narrate it again?' Initially the commissioners respond to these questions by narrating a standardized answer about the necessity of cleaning festering wounds and the need to heal the nation by creating a historical record. The following rather paternalistic lines by Bishop Humper are typical and therefore illustrative:

What you are saying is the opening up of wounds. Some of you will not understand what we are doing now, but later you will. Nobody will tell you that you will ever forget about that. Many things have happened in this country. Until we know what has happened to people like you, we will continue to remain in misery in this country. It takes pain and agony and suffering when talking about it afresh. Do you have any other question?

However, at a later stage, the commissioners seem to give in, and, in contrast to the rhetoric of the media communications and the final report, they stop stressing the need to remember and instead merely urge victims to forgive and reconcile. First the commissioners stop correcting victims when they once again attribute the demand to 'forgive and forget' to the commission. Later on commissioners wish victims 'hope and courage to move forward and forget about the past,' or they state that the commission indeed asks them to 'forgive and forget.'

Interestingly, the SLTRC was highly preoccupied with the proper (re-) burial of the dead. As part of its mandate, the commission assisted some exhumations with the aim of proper reburial, visited and mapped a series of mass graves, and wrote a report on the need for memorials for the dead and disappeared. During the public hearings, the commissioners often asked whether the dead had received proper burial rites and whether any traditional ceremony still had to be performed to appease the dead. As commissioner Prof. Kamara puts it: 'So many people have died without any proper burial and something has to be done to carry out the ceremonies that would put their souls at rest and also satisfy the sensibilities of people.' The truth commission also actually took part in some rituals of closure meant to appease the dead. In visits to mass graves or places of
massacre, the commissioners often invited traditional leaders or healers to perform cleansing rituals and pour libations in order to appease wandering spirits and comfort the ancestors. Possibly pressured by a report of the NGO Manifesto '99 that confirmed that most Sierra Leoneans ‘still’ held traditional animist beliefs and were convinced that some crimes awoke the anger of the ancestors and thus asked for ritual intervention, the Truth and Reconciliation Act of 2000 indeed allowed the truth commission to seek assistance from traditional and religious leaders. While partly recognizing the potential value of traditional ‘spiritual justice’ in which perpetrators undergo cleansing and purification, the commission warned that some of the mechanisms were ‘in conflict with a culture of human rights and perpetuate a culture of violence.’

Other mechanisms are considered in harmony with the commission’s objectives. In addition to the pouring of libations, the commissioners describe the ritual covering of children’s bodies with mud and ashes that are subsequently cleansed in the river to symbolically wash them from their past.

Given the commission’s will to distance, break with, or even forget about the past, and given its direct engagement with traditional rituals aiming at the appeasement of the haunting spirits of the past, it can be argued that the discourse of history in the SLTRC primarily served to perform a sort of ‘exorcism.’

POPULAR RESISTANCE TO IRREVERSIBLE HISTORICAL TIME

Contrary to the impression created by the commissioners, the truth commission’s project of redemptive remembrance has not been welcomed unanimously. Public hearings seldom attracted the audiences that were hoped for, and often the commission had difficulties in mobilizing enough people to testify publicly. Remarkably, the reluctance to cooperate with the truth commission this time did not come primarily from unwilling perpetrators or from victims who feared that the commission was an exercise in forgetting or that the historicization of the past would facilitate impunity. Rather, it originated in the broader population, and ironically—given the commission’s pains-taking attempts to ‘appease’ the past—it was based on the fear that the commission’s truth telling would revive or conjure up the past. The anthropologist Rosalind Shaw attributes the resistance to redemptive remembrance to the local existence of alternative strategies of social recovery that involve what she calls ‘social forgetting.’ In a report written for the United States Institute of Peace, Shaw warns that the idea that truth telling has therapeutic efficacy and leads to reconciliation is based on a Western ‘culture of memory’ deriving from North American and European traditions. Talking about her experiences in the north of the country, Shaw argues that many Sierra Leoneans prefer to forget the conflict and that they show a great reluctance to discuss it publicly, fearing this will reproduce the events. As one of her respondents puts it, ‘The more you portray this kind of thing, the more you encourage it.’

Even when victims testified before the truth commission, Shaw argues, they often did so in a way that reduced as much as possible the risk that the violence could return as a part of the present. In certain parts of Sierra Leone, alternative ‘memory practices’ have developed that are incompatible with the ‘verbal remembrance’ of the SLTRC. Social forgetting, Shaw writes, ‘is a refusal to reproduce the violence by talking about it publicly. […] Social forgetting “unmakes” past violence and “remakes” ex-combatants as new social persons.’ In 2002 Shaw saw how social forgetting was used for the reintegration and healing of child and adult ex-combatants.

Interestingly, the option for social forgetting and the rejection of verbal remembrance by parts of the Sierra Leonean population are closely related to a specific conception of the relation between past and present that differs strongly from the one implied by the notion of irreversible historical time. To get a grasp of this conception of the past and to understand how it relates to the option for forgetting, we can once more focus on the ethnographic work of Shaw. In northern Sierra Leone, Shaw writes, people sometimes narrate a myth of origin that includes a cataclysmic transition from an old world to this one. This previous world was an ‘angry’ world, populated with short animal-like people and full of war, killing, abductions, and enslavement. That is why God, according to the narrators, covered that world, literally turning it upside down: ‘It was taken and turned over, […] The first things, all the bad ones, they were pressed underneath, […] The first people, those short people, they came and troubled the world. That was why God turned them over. He made a new world again.’ As Shaw states, the story separates the time of these first people from that of ourselves; it narrates a radical discontinuity through the (literal) burial of the past. The discontinuity, however, is far from complete, and this past lying underneath can sometimes turn up and emerge in the present again. People can find traces of the first world if they dig wells and latrines, or the old angry world can be conjured by violent conflicts in the present. Closely related to this past remaining present underneath and related to the tradition of ancestor worshipping, Shaw argues, memory in Sierra Leone cannot be conceived as a purely cognitive activity directed merely at storing and retrieving information; rather, it creates a relationship between oneself and the person or event remembered. Consequently, for many Sierra Leoneans, the verbal and public recollection of violent events is, contrary to what the SLTRC says, not desirable because it connects the violence to the person remembering and risks rendering it present again. Once again, then, although for opposite reasons than the ones discussed in the previous chapters, the resistance against (aspects of) the truth commission’s work is primarily directed against the irreversible time of history and inspired by a view that does not hold the past to be entirely absent or distant.
Preliminary Conclusion

What Are Desaparecidos and Disturbed Ancestral Spirits Trying to Tell Us About History?

In order to accept the irreparable, he has become a historian of the present.

P. Petit on H. Rousso

History’s goal and ambition is not to exalt but to annihilate what has in reality taken place.

P. Nora

The recent ‘historical turn’ in the context of transitional justice at first glance seems to carry with it the promise of a greater ethical mandate for history. Moreover, the practical engagement of historical discourse in post-conflict contexts seems to bridge the old gap between a detached academic ‘history’ and the more committed ways of relating to the past that are commonly referred to as ‘memory.’ In reality things turn out differently.

Let us reconsider some of our findings. In the previous chapters I have argued that the rather ambiguous ‘use’ and ‘abuse’ of historical discourses, in the field of transitional justice, can (at least partially) be understood from the perspective of a politics of time. While I do not want to suggest that commissioners consciously engage in this politics of time (as if it were a philosophical conspiracy) and while I am aware of the risk of oversimplification, I think it can be argued that truth commissions primarily turn to history in order to impose the irreversible time of history on events that are generally (still) considered to belong to the time of jurisdiction or on contexts where a ‘consciousness of catastrophe’ has torn down the faith in the progressing, erasing, or healing powers of time. ‘Proper historical consciousness’ and the stress on chronology have to ‘distance’ the painful events that took place during the conflict and turn them into a matter of the past, clearly differentiated from the present. In the context of transitional politics, history does not primarily provide historical continuity but is, rather, used to provoke a sense of historical discontinuity. While use of historical discourse at first glance seems to be directed at the historical
past itself, its major aim, in fact, is the construction of a 'simultaneous' or 'contemporaneous' present freed from the haunting past. In more abstract terms, it can be said that historical discourse is introduced in the context of transitional justice in order to transform the irreversible past into an irreversible one.

Several reasons can be summed up in order to answer the question of why exactly there is such a strong need for this introduction of the irreversible time of history and for historical discontinuity in post-conflict contexts. Revolutions, Bruce Ackerman stresses much like Agamben, first and foremost cut time in two, breaking off a Before from a Now, and the same, I have argued above, counts for negotiated revolutions or peace settlements. The stress on historical discontinuity can help successor states to claim a new identity and clear themselves from historical 'debts,' so as to enable them to focus on the present and the future. If 'new nations' so numerously start digging into their shameful histories of conflict and atrocity today, it is primarily to stress that these histories are past and do not belong to the nation's (political) present. Moreover, the mere existence of 'deviant' temporal orientations and different forms of remembering could be considered as a potential threat to the 'project of simultaneity,' on which, Benedict Anderson has argued, nation building is based. Although it is hard to assess their effectiveness, truth commissions with the help of a historical discourse attempt to contribute to the creation of what one could call a 'civic simultaneity/contemporaneity' by affecting people's temporal orientations and by publicly proclaiming what belongs to the nation's (political, social, cultural, legal, etc.) present and what must be considered past.

Most important, however, the very demand for forgiveness, and the promise of non-repetition (e.g. expressions such as 'never again'—'nunca más') on which the project of national reconciliation is founded, is based on the idea of historical irreversibility. In the absence of this idea of irreversible time—when trust in the distancing capacities of time have broken down or when crimes and atrocities are not (yet) considered to be past and gone—arguments for forgiveness become far more questionable and morally inopportune. Why? Because very few are willing to forgive evil deeds that are still going on and because the promise of non-repetition only can be interpreted as deeply cynical if crime and atrocity are experienced as still 'in the present' or not yet over.

In order to understand exactly how a historical discourse can 'work' in dividing past from present and in declaring people's experiences to be past, it is useful to look at the different ways in which past and present are generally conceptualized. Most of the difficulties in understanding the idea of the past being 'alive' in the present, according to Preston King, rest on a certain confusion about what we mean by past and present. In order to categorize the different meanings we attribute to these correlative but mutually exclusive notions, King distinguishes between a 'chronological time,' signifying an abstract temporal sequence, and a 'substantive time,' referring to a concrete eventful sequence. Relying on chronological time, two senses of the present can be discerned, each defined by its duration: the 'instantaneous present' and the 'extended present.' Both presents are boxed in between past and future and have a purely chronological character. But the first defines itself as the smallest possible instant dividing past and present (the moment, the point-like 'now'), while the second refers to a more extended period of time (e.g. a day, a year, a century) whose limits are arbitrarily chosen but give the present some body or temporal depth. Because of the meaninglessness and arbitrarily chronological character of these presences and corresponding pasts, historians often use a more substantive frame of reference based on criteria that are themselves not temporal. The first of these substantive notions is the 'unfolding present.' As long as a chosen event (negotiations, depression, war, etc.) is unfolding, it demarcates a present; when the event is conceived as completed, the time in which it has unfolded is called the past. King remarks that this is the only sense in which we can say that a particular past is 'dead' or 'over and done with.' He immediately warns, however, that any process deemed completed always contains other sub-processes that are incomplete. Therefore, it is very difficult to preclude any actual past from being part of, working in, or having influence on this unfolding present.

In addition to the three presents already described (the instantaneous, extended, and unfolding), King mentions a fourth, which he calls the 'neoteric present.' Drawing a parallel to the dialectics of fashion, he notes that we often distinguish between events that occur in the present but are experienced as 'ancient,' 'conventional,' or 'traditional' and those events we perceive to be distinctively characteristic of the present, seen as 'novel,' 'innovative,' or 'modern.' Historical periodization, seemingly dependent on chronological time, according to King, is first and foremost an exercise in applying the dialectics of substantial notions of time. While every particular notion of the present excludes its own correlative past (e.g. unfashionable Goth kids constituting a neoteric past cannot be part of the neoteric present, which is all about wearing fashionable pink), this does not hold for non-correlative senses of the past (e.g. the unfashionable Goth kids belonging to the neoteric past are an undeniable part of the extended chronological present called 2011). A present thus can be penetrated by non-correlative senses of the past that in a 'substantive sense stay alive in that present. King explains, 'The past is not present. But no present is entirely divorced from or uninfluenced by the past. The past is not chronologically present. But there is no escaping the fact that much of it is substantially so.'

By defending this notion of the interpenetration of the past and the present, Preston King relativizes their absolute divide. He also enables us to understand how historical discourse, in the context of transitional justice, actively supports the transition to a new nationhood by enforcing a symbolic break between present and past. We could say that this discourse gets
its exorcising and allochronistic capacities by mixing substantive notions of time with a naturalized chronological sense of time that has a strangely impalpable character and is hard to question. The active juxtaposing of the present and the past, the new and the old or the actual and the inactual—in fact involving claims about substantive time—is disguised by a ‘veil’ of naturalized chronological time. The discourse of history already ‘works’ by claiming that certain phenomena belong to its epistemological realm or object. In positing certain events as past, and in differentiating them from the present, the irreversible time of history in fact actively exorcises the haunting past, at least as much as merely describing or analyzing it. This can explain the oddly obsessive way in which truth commissions often refer to atrocities as ‘crimes of the past,’ even if they happened very recently, sometimes just before the establishment of the commission itself, and are in general not experienced as past at all. The description of crimes as belonging to the past in a chronological sense provokes the connotation that they are ‘past’ in the substantial sense of ‘passed,’ ‘dead,’ or ‘over and done with.’ Yet this is often more wish than reality.

The function of historical discourse in the field of transitional justice could then be described by evoking Derrida’s figure of the coroner who certifies death in order to inflict it, ‘declare the death only in order to put to death.’ This phenomenon does not seem to be unique for transitional justice. Michel de Certeau noted a similar tendency when he described modern history as a form of sepulcher, promising the dead a proper funeral in the form of a written discourse but demanding that they stay numb: ‘writing speaks of the past only in order to inter it.’ ‘Thus,’ he aptly noted, ‘it can be said that writing makes the dead so that the living can exist elsewhere [ ... ] A society furnishes itself with a present time by virtue of historical writing.’

Creating a space for the living can, of course, hardly be called a bad thing. Is there not a long intellectual tradition in the West that associates the very idea of enlightenment and even rationality with the insight that the living should free themselves from the authority of both dead ancestors and dead traditions? Moreover, what else than mere pathology can the haunting past be from a clinical point of view? Still, does not this same enlightened reasoning all too easily adopt a forward-looking gaze that often results in the reign of impunity? Is this not often the case in relation to the transitional justice dilemma? Did people such as F. W. De Klerk, Augusto Pinochet, and scores of army generals not all too suddenly turn into the greatest defenders of this rational solution? Or, to state it a little more bluntly, does not the irreversible time of history, with its stress on the absence or distance of the past, inherently benefit perpetrators? Indeed, as Matthias Fritsch has argued, such logic can easily be used to legitimatize totalitarian policies in which the reference to a better future can justify suffering in the past and in the present. Moreover, as I have argued in the introduction and in the chapter on the South African TRC, the contribution of the irreversible time of history to the project of nation building by creating a sense of civic contemporaneity comes with serious side effects: despite or maybe because of its part in the project of simultaneity, it tends to become ‘allochronistic.’ Therefore, it indeed can be asked whether the ‘historical turn’ in the field of transitional justice always serves an ethical cause.

It is precisely from this perspective that the fairly strong resistance against the work of truth commissions should be understood. In each of the three cases that we analyzed, the protest against, or uneasiness with, the approach of the commissions seemed to revolve around their stress on irreversible historical time and, more exactly, around the notions of ‘temporal distance’ and of an absent past. Victims speak with a different voice to the past. In order to understand this, it is important to recognize that remembrance, more than just being about historical truth and the recollection of facts, also has ethical dimensions and therefore should be considered a ‘moral practice.’ In contrast to the ‘language of exorcism’ that characterizes the TRC’s historical discourse, the ‘memory of offence’ nurtured by victims and survivors often speaks a ‘language of fidelity.’ This fidelity, indeed, frequently expresses itself in terms of the denial of absence or distance. Instead of dispelling the ghosts of the past by (re)enforcing the divide between past and present and turning the ‘persistence’ or ‘proximity’ of the irreducible into the safe ‘absence’ of the irreversible, memory of offence ignores the ‘hierarchies of time,’ refuses to let the atrocious past go, and keeps the irreproachable in all its frightening closeness.

It is in this context of resistance against the irreversible time of history that the spectral language of desaparecidos, disturbed ancestral spirits, and returning dead has to be understood. Ghosts and returning ancestors are essentially about the past, and more precisely about the irreversible past and its ambiguous ‘presence’ in the present. As argued in the chapter on Argentina, the spectral figure of the desaparecidos primarily has to be seen against the background of the Madres’ rejection of irreversible historical time and their construction of an alternative concept of time that can be identified as irreparable. Similarly, in Sierra Leone, the reluctance toward the work of the truth commission betrays a conception of the past that strongly contrasts with the notions of the absent and distant past—although, unlike the Madres, this resistance aims at a social forgetting based on fear of enraging ancestral spirits and the return of the dead. Already before the outbreak of the civil war, Rosalind Shaw found out that certain ritual practices involving spirits and witchcraft in Sierra Leone have to be interpreted as forms of memory. More specifically, she claims, these ritual practices remembered the Atlantic slave trade and the terror it brought to the populations of West Africa. Quite similar to what is happening with the legacy of the recent civil conflict, the Atlantic slave trade and the subsequent internal slave trade were not remembered verbally but in a less discursive way were elaborated as practical memories in a ritual form. The Slave trade, Shaw argues, is ‘forgotten as history but remembered as spirits.’ Shaw shows how the historical processes associated
with the coming of the Atlantic slave trade are reflected in a transformation of local spirits from predominantly benign and protective beings into threatening haunting entities that resemble the disturbing presence of slave traders. Also, she argues, the current techniques for ritual protection against sorcery or spirit attacks closely resemble the protective strategies that were once used to counter the actual attacks by the slave traders who long ago roamed the landscape of Sierra Leone.  

The belief in ghosts, spirits, and witchcraft is of course not exclusively found in Sierra Leone. In the West, ghosts have been returning at least since antiquity, often demanding justice and always subverting irreversible time. Recently, an upsurge of the spectral can be observed in several parts of the world, and many commentators argue that instead of being a remnant of old and dying traditions, this phenomenon is here to stay. Although the pre-occupation with ghosts or spirits is not restricted to post-conflict contexts, several scholars indicate the existence of a close link between this pre-occupation and the legacies of violent pasts in many places in the world. One of the most notorious examples is that of Mozambique, where despite, or rather because of, a blanket amnesty and state-imposed forgetting, dead soldiers are reported to have been returning ever since the end of the brutal civil war. These dead soldiers mostly return to the realm of the living in the form of so-called Magamba spirits, and they do so to fight for justice or to revenge themselves. Although the government of Mozambique adheres to a modernization discourse and considers magical practices as things of the past that must be superseded, scholars have argued that spirit possession and exorcism in fact play a crucial role in the handling of that past and in the processes of healing, cleansing, and social reconciliation.  

Similarly, the American anthropologist Erik Mueggler, in a village in rural Southwest China, encountered rituals of exorcism that he interpreted as being part of a 'subversive strategy of time by telling ghost stories.' Once again, the figure of the specter related to memories of violence: this time, those of the victims fallen during the Great Leap famine and the Cultural Revolution. Although the belief in ancestral spirits is of course very old, Mueggler argues that in the villages he studied there has been an upsurge of wild ghosts during the last decades, and interestingly he states that the coming of these ghosts should be considered to be a direct reaction to the specific vision of time that has been a cornerstone in the socialist policy of the central state in China. Bearing some remarkable resemblances to the Argentine case I discussed above, Mueggler interprets the figure of the specter as part of a strategy, 'to defy official rhetoric about time as a linear road or path, and the selective freedom from responsibility for past violence that this rhetoric implied.'
5 A Hard Time Thinking the Irrevocable
Why It Is So Difficult to Understand the Haunting Past

By the same token, when the premodern vanishes, when the peasantry shrinks to a picturesque remnant, when suburbs replace the villages and modernity reigns triumphant and homogeneous over all space, then the very sense of an alternate temporality disappears as well [ . . . ]

F. Jameson

INTRODUCTION

Early in the twentieth century, Georg Simmel explicitly raised the question of what it means for something to be considered 'historical.' After having listed some criteria that are necessary but insufficient to call something so, Simmel argued that the answer first and foremost has to be sought in the possibility of exact temporal location. In line with this reasoning, Simmel was able to define the historical succinctly in the following expression: 'A given aspect of reality qualifies as historical when we know how to fix it at a certain position within our temporal system.' At first sight this seems to be a rather trivial truism or, at best, a matter of merely methodological concern, but in fact it has something interesting to it. First, in contrast to the common view that simply equates 'history' with 'the past' or 'past reality,' the carefully chosen expression 'a given aspect of reality' and the posing of the question itself imply that there are (or can be) dimensions of reality that are not (or cannot be) recognized as historical. In addition to that, Simmel's definition also shows that a concept of time, or a 'temporal system,' more than being merely an analytical or ordering framework can function as a filter or sieve that sheds light on certain parts of reality and obscures the existence of other parts.

In this chapter I will start from this insight in the 'filtering' function of concepts of time or 'temporal systems' in order to attempt to answer the question of why, despite the clear fact that it is widespread and of great importance, it is so hard to take seriously the notion of the irrevocable
or haunting past from the perspective of academic historiography and of modern (Western) historical thinking in general. Academic historiography and certainly broader modern historical thinking are far too fragmented and diverse to attribute a single unified chronosopny or temporal system to them. Accordingly I will not attempt to describe such an overarching modern concept of historical time. Rather I will discuss a number of disparate but related conceptualizations of history and of time that are widespread and very influential in academic historiography and modern historical thought and of which I believe they compel us to think of the past as irreversible and restrain us from fully taking into account the irrevocable. Starting from an analytical rather than a strictly historical perspective, I will focus on (1) the adoption of an absolute, empty, and homogenous time; (2) the influence of historicism and (3) modernist conceptualizations of history; and (4) the tendency to treat history as an entirely secular matter.

ABSOLUTE, EMPTY, AND HOMOGENOUS TIME

In his ‘Theses on the Philosophy of History,’ Walter Benjamin famously fulminated against the common habit of historians to work with an ‘empty and homogeneous time’ and to fill this time up with a mass of facts that are threaded together like the ‘beads of a rosary.’ The widespread belief in the possibility of a universal and continuous chronological ordering of all historical facts indeed reveals a dependency on a linear concept of time that functions like an abstract container that exists as an empty and homogeneous entity prior to, and independent from, the events and facts bestowed on it. According to Giorgio Agamben, the modern concept of historical time results from the secularization of the rectilinear and irreversible time of Christianity (influenced by Judaism) that has been sanded from its notion of an approaching end and of any meaning except for that of a structured process in terms of before and after. There probably is some truth to this when it comes to the issue of linearity. Christianity, it is often argued, broke with the cyclical theories of time that (at least on a philosophical level) were influential in Greek antiquity because it depended on a narrative of spiritual progress and because the idea of an endless cyclical return of events denied the significance of unique events such as the coming of Christ. However, although it may offer a (partial) explanation for the prevalence of linear representations of time, the influence of Christianity alone cannot account for its conceptualization as empty and homogenous.

More directly, the idea of an empty and homogenous time—that infinitely extends forward and backward from an arbitrary point, is universally applicable, and is believed to be thematically and interpretatively neutral—has to be related to the more recent philosophical discussions that led early modern scientists to posit the existence of an absolute mathematical time that passes independently from physical movement or subjective experience. The discussion about whether time has an autonomous existence or whether it depends on the more fundamental existence of earthly and celestial movement has a long history, with important thinkers fiercely supporting each of the two positions. Plato and Aristotle, for example, differed strongly on this issue, respectively defending an absolute or at least an autonomously existing concept of time and a more relative notion of time. During the seventeenth century, however, the work of some prominent scholars, including René Descartes and Isaac Barrow, decisively moved the debate toward the idea that time is absolute and exists on its own, a position that would remain almost uncontested until the early twentieth century, when it was refuted by Einstein’s theories of relativity. The most influential formulation of this absolute time came from the hand of Isaac Newton, who in his ‘Philosophiae Naturalis Principia Mathematica’ (first published in 1687) famously spoke about an ‘Absolute, true, mathematical time, that of itself, and from its own nature, flows equably without relation to anything external.’

Although as an abstract mathematical time it is reversible, several scholars claim that Newton’s conceptualization of time has been of major importance for the genesis of modern historical thinking and modern historical chronosopny. Newtonian time, Donald Wilcox argues, conceptually substantiates the objectivistic and universalistic ambitions of modern chronological reasoning because it posits itself as more fundamental than any relative or subjective time and because it claims to encompass all of space. As Philip Turetzky formulates it, ‘In the Newtonian system, each indivisible moment of duration exists everywhere, while the whole of space exists at each moment.’ In addition, the stress on the atomic nature of time—resulting from Newton’s calculus that conceived of time as a sum of infinitely small but discrete units—conceptually supports the common view that represents the historical process as an endless succession of events. Rather than being merely conceptual, however, Donald Wilcox claims the bonds between the modern dating system and Newtonian time are also historical. Just like Newton’s conception of absolute time, the BC/AD dating system came into existence during the seventeenth century, when it was pioneered by, among others, the Jesuit scholar Domenicus Petavius. In fact, Newton himself, in one of the chronological studies he wrote, was among the first to use the BC/AD system that would only become widespread in the eighteenth century.

It is important to stress that the modern system of absolute dating demanded a lot of effort and a long period to develop and that its emergence was far from self-evident. Before Newton, dating systems were not absolute, and, lacking a concept of absolute time, scholars generally had no sense of abstract stretches of chronological time (like centuries or decades) that could contain and characterize a group of events occurring within them. As Wilcox puts it, ‘Dates in [pre-Newtonian] time were tied to specific
themes, events, and moral lessons, and they gave a meaning and shape of their own to the events they dated. [...] For historians before Newton the time frame did not include a group of events; a group of events contained a time frame. Consequently, historians working before the advent of absolute time mostly used relative dating systems and created a wide variety of differing 'episodic' chronologies adapted to the events that were being described. New dating systems were created when the development of new historical identities required the synchronization of events that would not have been considered temporally related in earlier chronologies. In Greek antiquity, for example, chronology often referred to the historical life of a polis or the events of a certain battle, and dating systems only grew more encompassing with the organization of the Olympic games, which conceptually synchronized the lives of the participating city-states.

In intellectual terms, the rise of both absolute time and absolute dating can therefore, according to Philip Turetzky, be described as the product of the development of new mathematical techniques and a gradual loosening of the ties between time and change or motion. The idea that time is more fundamental than motion, he claims, is essentially modern. The broader socio-cultural roots of the abstraction of time, however, can be traced back to factors already extant in the Middle Ages. A first important step toward the experience of abstract time was taken already when Benedictine monasteries started to divide the day into (canonical) hours and started to organize life according to schedules based on abstract temporal entities instead of natural events (such as noon and sunset). A second and closely related influence on the gradual development of the notion of abstract time came from the creation and dissemination of the mechanical clock. The incentive to develop the mechanical clock probably also came from the medieval monasteries, and the English word clock is etymologically related to the Medieval Latin word clocca and the French word cloche, signifying 'bell.' Bells played a central role in the regulation of public life in Medieval societies. Because mechanical clocks were the first devices that enabled human-kind to mark equal, abstract, and discrete units of time with precision, and because they were able to do so independently from the movement of the celestial bodies, it is no coincidence, according to Philip Turetzky, that the notion of abstract uniform time developed in the same historical period as the mechanical clock. Moreover, Turetzky writes, mechanical clocks facilitate precise determinations both of what time is and of how much time has passed in a given period. This encourages the tendency to use spatial metaphors referring to lengths of time etc. Third, the gradual rise of abstract time can be related to the rise of a money economy and to a change in labor arrangements during the fourteenth century, when employees in the textile industry began to pay workers according to the time they worked rather than by piece. Except for the difficult and gradual genesis of the idea that time passes 'independently' of the events it measures, Newton's idea that time flows 'equably' also broke with most earlier popular experiences of time. Despite the invention of the mechanical clock, time for most people long remained (and remains) inhomogenous. In many cultures, strict (often religiously inspired) regulations existed (and still exist) concerning what can and cannot be done on certain days, indicating that time was/is often experienced as uneven in quality. At least since the Romans and certainly in the Middle Ages, popular superstition, for example, stressed the uneven character of time by claiming the existence of lucky and unlucky days.

It is the process of homogenization, together with the process of abstraction described above, that makes it possible for historians to describe historical time as an endless linear continuum of passed historical presents. Referring to the words of the French theorist Jean-François Lyotard, we could speak about the creation of a 'presented time' (instead of a merely 'presenting' time), which moves from time experienced as a 'now' [jet] to a more detached time conceived as 'this time' [dieses Mal], in which it is presupposed that 'one time' [einmal] is equivalent to 'that time' [das andere Mal].

HISTORICISM

A second way of conceptualizing history and temporality that is widespread and that can make it hard to recognize the irrevocable is the so-called 'historicist' one. I hesitate to use the term 'historicism,' however, because it is notorious for its complexity and for the number of different or even contradictory meanings ascribed to it. Let me therefore first explain the specific meaning that I have in mind.

A quick survey of the literature referring to the word 'historicism' immediately reveals at least six different uses, some of which are the exact opposite of each other. Starting with the use that is the furthest removed from what I have in mind, historicism can refer to a protestant Christian eschatology that states that the fulfillment of certain biblical prophecies (those of the book of Daniel and the book of Revelation) literally takes place on earth throughout history until today, in contrast to those who situate the fulfillment of these prophecies in the future. Second, there is the particular meaning developed by the philosopher Karl Popper in his influential work 'The Poverty of Historicism.' Here historicism refers to holistic and teleological theories (most notably branches of Hegelianism and Marxism) that pretend to be able to predict the future on the basis of sets of inescapable historical laws and that Popper criticized as inherently tending toward totalitarianism. Popper's use of the word 'historicism' has been criticized as idiosyncratic because it does not seem to have any connection at all with the more conventional uses of the term. Yet, as Georg Iggers notes, the Soviet ideologists whom Popper attacked did themselves seem to use the word 'historicism' in this way. Third, the expression 'new
historicism' refers to a branch of literary criticism that was developed in the 1980s under the influence of the critic Stephen Greenblatt and that argues that literary texts always must be considered as a product of their historical context. Fourth, historicism can refer to the historical school that developed in Germany during the nineteenth century following the pioneering work of Leopold von Ranke. This 'German historicism,' then, signifies the rise of a critical historical methodology based on historical facts and contrasts with previous "uncritical" forms of historiography that are thought to have been closer to myth. Fifth, historicism can refer to the philosophical position of an anti-Enlightenment 'critical movement' that reacted against the rationalist thought that dominated the eighteenth century.25 Thinkers such as Vico, Herder, and Dilthey largely rejected the application of Enlightenment rationalism to the domain of history, argued that every product of human intellect had to be interpreted in its historical context, and refuted the use of historical laws modeled after the laws of physics. This meaning of the term historicism, thus, stands in opposition to the one attached to it by Popper. Sixth and closely related to the foregoing use, historicism can refer to the rise of a broader worldview that sees the entire world as a product of historical change and that denies the existence of unchanging essences. In this worldview, time and temporality are shifted toward the very center of social life, so as to make historical and mutable even the norms and values that previously had been believed to be 'of all times.' Friedrich Nietzsche, indeed, referred to this idea that the world is subjected to a constant process of becoming (instead of simply being) to claim the relativity of all values, and Ernst Troeltsch in this context famously spoke about the 'crisis of historicism.'29 When I speak about historicism, I am referring to these last two related meanings of the term.

These two meanings were brilliantly articulated by the sociologist Karl Mannheim, who in 1924 wrote that the historicist principle had not only developed into an 'invisible hand' that steered the cultural sciences with an extraordinary force but also had permeated everyday thought. To Mannheim, historicism was both a 'new theoretical superstructure' that replaced the previous 'doctrine of the supra-temporality of Reason' and a corresponding broader worldview ('Weltanschauung'). Both scientific position and worldview attributed an increased role to time and temporality and fully recognized the dynamic dimensions of life. However, Mannheim warns, historicism does not automatically result from the writing or recording of history. Since Herodotus, he writes, history has been recorded in lots of ways—as a plain chronicle of fact, as legend, as an edifying object of meditation, as a spiritual picture book, as rhetoric, as a work of art—and historicism only comes about when history is written from the 'historistic Weltanschauung.'31 In Mannheim's words, 'it is not historicity which brought us historicism, but the historic process through which we lived has turned us into historicists.'32 Although historicism itself is a product of history and going through a dynamic process of change, it is deep rooted and widespread, according to Mannheim, who was writing in the 1920s. Its systematic place corresponds to that of the "metaphysics" of earlier times.33 About historicism's relation to these earlier times, Mannheim is clear: '[it] came into being after the religiously determined medieval picture of the world had disintegrated and when the subsequent Enlightenment, with its dominant idea of a supra-temporal Reason, had destroyed itself.'34

The historicist worldview thus breaks with the preceding rationalist worldview primarily because of its different conception of historical change. To understand what is new about the historicist way of understanding historical change, we can turn to some insights of Frank Ankersmit. Ankersmit, much like Mannheim, describes historicism as 'the result of a historicization of the ahistoric conception of social and political reality that was adopted by eighteenth-century natural-law philosophy.'35 To be sure, the eighteenth-century rationalist worldview did not exclude the possibility of change, nor even of radical change, but according to Ankersmit it always attempted to identify an unchanging substance underlying change, and moreover it always tended to attribute change to external causal factors. This worldview conceived reality as made up of entities that essentially remain the same over the course of time: It contained a notion of the universe consisting of things like mountains, rivers, stones, chairs, or pieces of organic material that retain their essences even while acquiring or losing certain contingent properties in the course of their histories. Ankersmit speaks about a 'substantialism' that predisposes us to use a language of cause and effect. The substantialist ontology and the purely causalistic language, however, according to Ankersmit, soon fall prey to their own contradictory dialectics because no strict line can ever be drawn between the substance of an object and its contingent properties that change over time. Because of this blurry limit between the essential and the contingent, it is hard to retain the idea of an unchanging substance that is external to the chain of cause and effect—in Ankersmit's words, there is 'a permanent and persistent urge to invite causal language to invade the domain of the substance.'36 Enlightenment historiography, Ankersmit claims, only was able to solve its own paradoxes and explain 'substantial' historical change (change permeating into the substance/essence of things) by falling back on literary techniques and rhetoric. Gibbon's famous 'Decline and Fall of the Roman Empire,' which describes the history of the Roman empire from the perspective of an essentially unchanging subject but nevertheless struggles with the question of its fall, which it does not want to attribute to merely external factors, serves as Ankersmit's prime example of both this paradox and its rhetorical evasion. Historicism, in contrast to the Enlightenment view of history, should, then, primarily be seen as a denial of unchanging essences or as a historicization of substance. As Ankersmit puts it, 'For the historicists historical change could not be restricted to what is merely peripheral; indeed, "substantial" change was seen as the true domain of historical research.'37
Ankersmit’s thesis has been criticized on historiographical grounds by Georg Iggers, who disagrees with the sharp distinction drawn between the ‘ontological realism’ of Enlightenment historiography and the historical outlook of classical historicism. According to Iggers, a close examination of Gibbon’s ‘Decline and Fall’ shows that Gibbon did take into account internal changes in the Roman empire; in addition to that, he argues, classical historicists such as Ranke and Droysen sometimes assumed that the subject of their study preserved its identity over time. Ranke, for example, treated states as substances, or even persons, which despite partial changes remained essentially the same throughout their histories.

Igers’ critique serves as a good warning that historical reality never unambiguously fits analytical schemes, but Ankersmit’s insight, nevertheless, seems valuable and valid to me. In an argumentation quite similar to Ankersmit’s, the philosopher Nathan Rothentreich explains the historicist position as the rejection of any trans-historical ‘substratum’ underlying history: ‘In other words, the substratum is never a subject whose existence transcends the process of events, […] we are not entitled to assume a factor that does not become, and which exists independently as a substratum for becoming.’ And, as Giorgio Agamben writes, the central idea governing the nineteenth-century concept of history was that of ‘process.’ The tendency to historicize substance and to see change everywhere became an important characteristic of most Western intellectual projects ever since. The nature of things, it is often said, has to be situated in the history of their becoming. Although historicism originally started as a way to defend branches of the human sciences against the philosophy of natural law, the historicist stress on mutability and temporality in the twentieth century invaded even the sphere of the natural sciences. Historicism, moreover, underlies some of the most influential philosophical projects of our time. Think, for example, of Richard Rorty’s radical historicism that promises to ‘treat everything—our language, our conscience, our community—as a product of time and chance.’ Think of Foucault’s claim that in ‘effective’ history there are no ‘constants’ or that: ‘Nothing in man—not even his body—is sufficiently stable to serve as basis for self-recognition or for understanding other man.’ Think of the tireless efforts by the American philosopher Joseph Margolis to prove that nothing remains invariant in history. Or, think of David Roberts who can tellingly title his overview of the thought of some of the most influential critical thinkers of the nineteenth and twentieth century, ‘Nothing but History.’

MODERNISM

A third conceptualization of time and history that is widespread and that renders it difficult to take seriously, the irrevocable, is the one that perceives history as bringing genuine historical novelty and that believes that this novelty justifies a strict qualitative division of the temporal dimensions of past, present, and future. I will call these closely related beliefs ‘modern’ or ‘modernist.’ Admittedly, my use of the term ‘modern’ is based on a rather specific meaning, but nevertheless it is in line with the insights of some prominent scholars working on the subject. By associating modernity with the belief in historical novelty and in the possibility of a radical break with the past, I interpret this concept in a qualitative rather than a chronological sense. Whereas the modern social experience has historical roots and became dominant in the specific span of chronological time that (in English) is called modernity, and to which it is, thus, empirically or organically related, it should not be equated with this chronological period because its dissemination has not been, and is not, universal (not everybody living today experiences in a modern way) and because some thinkers could possibly have had modern social or cultural experiences long before the modern epoch.

Using the label modern in this qualitative sense to describe a characteristic of discourse on history might seem a little strange at first sight. The literary critic Paul de Man, for example, once declared that, ‘Among the various synonyms that come to mind as possible opposites for “modernity” […] none is more fruitful than “history”.’ For de Man, modernity, in the first place, must be associated with ‘radical renewal’ or even forgetting: It is an obsession with a tabula rasa, with new beginnings. In the field of esthetics, the term ‘modernity’ originally indeed referred to artistic creations that broke with any orientation on the past or on tradition. When Charles Baudelaire in 1863 first used the word modernité in his essay ‘Le Peintre de la vie moderne,’ he associated it with the truly new, the ephemeral newness of the present, on which the modern artist had to focus, disassociating it from the overvaluation of the eternal and the old evident in classical aesthetics. A similar understanding of modern experience as a continuously recapitulated break with the past, and bent on a socio-cultural orientation toward the future or the new, has been defended by Jürgen Habermas. Habermas claims that the concept of modernity ‘expresses the conviction that the future has already begun: it is the epoch that lives for the future, that opens itself up to the novelty of the future.’ Modernity, he writes, for its socio-cultural orientation refuses to borrow any models supplied by other epochs, and instead it tries to create its normativity out of itself. Because it defines itself by its openness toward the future, the modern world constantly has to redefine its own epochal beginning with each moment that gives birth to the new. It is therefore characteristic for the time consciousness of modernity to set off ‘the most recent [neuesten] period from the modern [neue] age.’ In Habermas’ words, ‘A present that understands itself from the horizon of the modern age as the actuality of the most recent period has to recapitulate the break brought about with the past as a continuous renewal.’

In summary, the modern experience with its love for the future and its rejection of the old seems more an opposite to history than a suitable candidate
for describing a feature that is widespread in academic historiography and current Western historical consciousness. Nevertheless, the German intellectual historian Reinhart Koselleck has argued that the modern ‘opening up’ of the future and the related idea of progress have been of crucial importance in the genesis of the currently dominant Western concept of history. For Koselleck, modernity [Neuzeit] primarily has to be understood as a new experience of time, literally a ‘new time’ [neue Zeit]. \(^{50}\) In order to explain this new experience of historical time, he introduces the abstract analytical concepts of ‘space of experience’ [Erfahrungsraum] and ‘horizon of expectation’ [Erwartungshorizont]. These two concepts according to Koselleck can be used to analyze all kinds of socio-culturally determined conceptions of time and historicity because they take on a ‘meta-historical’ status: Every human being, independent of whether (s)he even recognizes the existence of past and future as separate temporal dimensions, has some experience or memory about what has happened and certain expectations or hope about what will happen. Despite or, better, thanks to this high degree of generality, every conception of time or historicity can be defined by the specific way it interrelates a space of experience and a horizon of expectation. Moreover, the tension between the two in their ever-changing patterns—a space of experience changes each time a new expectation is fulfilled or negated, and a changed space of experience in its turn can give rise to a new horizon of expectation—offers a phenomenological explanation for the experience of historical time.

According to Koselleck, the space of experience and the horizon of expectation of most people up to the eighteenth century were closely knit together and sometimes almost coincided. With up to 80 percent of the population cultivating the land, Europe until approximately 200 years ago was a ‘peasant society’ that lived within the cycle of nature. Disregarding changes in the structure of social organization, fluctuations on the market, and monetary fluctuations, Koselleck claims, the everyday world mainly depended on what nature brought. The skills to manipulate or defend against nature were passed on from generation to generation, and technological innovations existed but generally took so long to become established that they seldom really created an experience of rupture that conflicted with previous experiences. In urban life, too, strict guild regulations ensured that everything remained more or less the way it was. Koselleck admits that this picture is oversimplified, but it nevertheless serves to make his point that:

The expectations cultivated in this peasant-artisan world (and no other expectations could be cultivated) subsisted entirely on the experiences of their predecessors, experiences that in turn became those of their successors. If anything changed, then it changed so slowly and over so long a time that the breach separating previous experience and an expectation to be newly disclosed did not undermine the traditional world. \(^{52}\)

Of course, this cannot be said to be true for all strata of society in the same way: In the world of politics and the intellectual world, certain events (for example, the crusades, the discovery of the new world, the Copernican revolution) broke up existing experiential space and created new expectations. Generally, however, according to Koselleck, it was widely believed until the early modern period that the future could not bring anything fundamentally new: The Solomonic wisdom of nisi novum sub sole was equally valid in the world of peasants and of politics, even though individual cases might bring surprises. \(^{53}\) Because it set an immovable limit to the horizon of expectation and bound the future to the past, the Christian doctrine of the Final Days had a great influence on this disbelief in historical novelty: ‘Until the expected end of the world, sinful human beings (as seen from a Christian perspective) would not change; until then, the nature of man (as seen from a humanist perspective) would remain the same.’\(^{54}\) If expectations did go beyond previous experience, they usually were not related to this world but instead to the Hereafter and the apocalyptic End of the World.\(^{44}\)

All of this, according to Koselleck, changed in the second half of the eighteenth century. At that moment, technological innovations and the effects of what later would be called ‘progress’ resulted in an increasing break between space of experience and horizon of expectation. Koselleck considers this break to be the basis of modern time consciousness with its stress on the dimensions of novelty, irreversibility, and unicity. He speaks about a process of temporalization [Verzeitlichung]: ‘Time does not just remain the form in which all histories take place, but time itself gains a historical quality. Consequently, history no longer takes place in time, but rather through time. Time is metaphorically dynamized into a force of history itself.’\(^{55}\) Commenting on the institution of the new calendar after the French Revolution, Koselleck states that what is really new about modernity is ‘the idea of being able to begin history anew by accounting for it in terms of a calendar.’\(^{56}\)

This, of course, had repercussions for the conception of the past. On the one hand, the rise of new expectations about the future resulted in a changed valence of the study of the past, which no longer convincingly could be legitimized as offering vital lessons for present or future life. The once so influential ‘Historia Magistra Vitae’ topos slowly dissolved because, as Koselleck puts it, ‘It became a rule that all previous experience might not count against the possible otherness of the future. [...] History, processualized and temporalized to constant singularity, could no longer be taught in an exemplatory fashion.’\(^{57}\) On the other hand, it was exactly the ‘discovery’ of progress that brought with it the ‘discovery’ of the historical world: ‘The historical and the progressive views of the world have a common origin. They complement one another like the faces of Janus. If the new time is offering something new all the time, the different past has to be discovered and recognized, that is to say, its strangeness which increases with the passing of years.’\(^{54}\) This ‘discovery’ of the historical world evidently has
implications for the formation of academic historiography and historical methodology. It was only with the qualitative separation of the past from the present and the future that history could become a science:

Since then it has been necessary to develop special methods that teach us to recognize the different character of the past. Since then it has been possible that the truth of history changes with changing time, or, to be more exact, that historical truth can become outdated. Since then historical method has also meant having to define a point of view from which conclusions can be drawn. Since then an eyewitness is no longer the authentic principal witness of an event; he will be questioned in the light of changing and advanced perspectives that are applied to the past.59

The 'discovery' of the historical world, however, involves much more than simply these matters of critical method. In fact, Koselleck argues, the very concept of history as a collective singular was only constituted toward the end of the eighteenth century. The idea of history as a unified process and the related axiom of historical uniqueness and individuality only came into existence after the idea of progress opened up the future and people came to believe they could 'make' history. Until the eighteenth century, Koselleck argues, past and present were enclosed in a common historical plane, and people had no notion of 'history' as a unified epistemological object. Many spheres that today are considered to possess an innate historical character were treated in terms of other premises, and there was no common denominator for all those histories—res gestae, pragnata, and vitae—which have all been collected and stamped 'history.' As Koselleck explains:

If anyone had said before 1780 that he studies history, he would have at once been asked by his interlocutor: Which history? History of what? Imperial history, or the history of theological doctrine, or perhaps the history of France? As said earlier, history could only be conceived together with an associated subject that underwent change or upon which change occurred.60

Of course one should take care of following Koselleck too far in his often very schematic presentations, and a certain skepticism toward his analysis is appropriate. The Medievalist Kathleen Davis, for example, rightly criticizes Koselleck for the stasis or 'attemporal paralysis' that he attributes to the Middle Ages and the often strongly binarized and linear way in which he separates the Medieval from the modern.61 Davis speaks about a 'foundational exclusion of "medieval" time,' and she argues that this positing of a timeless Middle Ages is part of a politics of periodization that backs up philosophical and political claims about the sovereignty and legitimacy of modernity.62 In line with this criticism of Koselleck's binary logic, one also could question whether the dominant modern historical worldview is not much more a 'plant of slow growth'63 rather than a product of a relatively short and concise epochal 'revolution' as Koselleck seems to believe. One could doubt whether phenomena such as profoundly changing experiences of time and history can be pinpointed to a decade. It might be safer to take the dates mentioned by Koselleck to be primarily symbolic or to choose a less precise chronological delineation, like Lynn Hunt, who argues that the concept of time most commonly used by academic historians took hold in stages between the end of the eighteenth and the middle of the nineteenth century.64 Nevertheless, Koselleck's idea of a 'Sattelzeit'—a turning point around the end of the eighteenth and the beginning of the nineteenth century in which the conceptions of time and history fundamentally change—finds confirmation in the recent work of several other thinkers. The French historian François Hartog, for example, similarly situates the watershed between what he calls the modern and the pre-modern regime of historicity [regime d'historicité] around the end of the eighteenth century.65 Just like Koselleck, Hartog situates the particularity of the prevailing modern régime d'historicité in the qualitative separation of past and present and in an increased attention to the passing of time. Hartog describes the mounting of this modern concept of historicity by referring to the introduction of the formula autres temps, autres moeurs—"other times, other manners"—and he adds that in the modern regime of historicity, the past is generally considered to be 'passé.' In order to illustrate the relatively swift succession of one regime of historicity by the other, Hartog refers to the writings of Chateaubriand, which according to him historically have to be located precisely on the breaking point, with some of the early essays still submerged mostly in the 'old' regime and some of the later essays already belonging in part to the 'new' vision on historicity. Chateaubriand's thinking, according to Hartog, in large measure falls in between two regimes of historicity. The topos historia magistra vitae, for example, had already become unconvincing for Chateaubriand, whereas he was not yet able to completely break with it. Although his work is permeated by the experience of temporal acceleration and the idea of historical process, Chateaubriand did not yet stress the separation of past and present that characterizes the scientific historiography of the nineteenth century. For him, Hartog argues, the past was still to be situated in the present, and the undead are still haunting the living.66

The American historian Peter Fritzsche, too, states that around 1800, 'something quite new' developed in both elite and popular conceptions of time and history all over Europe.67 The French Revolution and the subsequent Napoleonic wars gave rise to a widespread perception of historical discontinuity and transformation or, as Fritzsche puts it, a 'restless iteration of the new.'68 Much like Koselleck and Hartog, Fritzsche stresses that the experience of radical change and historical novelty led to the destruction of the exemplary status of history as teacher of life as well as to the 'discovery' of, or even obsession with, the 'new past.' The popular discovery of the 'strangeness' of the past and the new sensitivity to the omnipresence of historical 'loss' in the decades following the French Revolution revealed
themselves in a strongly increased interest for ruins, material relics, and souvenirs of the past. These ruins and relics no longer merely stood for decay and death, as was the case during most of the eighteenth century, but also came to signify different lives and even subjectivities that once existed in another historical plane and were now absent. Interestingly, Fritzsche also remarks that the perception of a break between past and present brought with it a new sense of contemporaneity and of the synchronicity of time to the population of Europe, this despite the simultaneous development of the idea of national differences and the exclusion of the non-West.

SECULARISM

A fourth approach to historical time that is widespread in academic historiography and historical consciousness in the West, and that renders it difficult to recognize the irrevocable past, is that of secularism. The question of whether modern historical thinking and modernity in general are genuinely secular in nature or whether they are merely superficially secularized versions of an older and more authentic religious vision of history has been the stake of heated debates among philosophers and intellectual historians. The most influential voices in this 'secularization debate' undoubtedly come from Karl Löwith, who in 1949 posited the 'derivative' status of modern historical thought and philosophy of history and from Hans Blumenberg who in the early 1960s reacted to Löwith by defending the autonomy, authenticity, and secularity of modernity.

However, once again I have to start with a disclaimer and say that I will not enter the Löwith/Blumenberg debate here, but that I will refer to a very specific interpretation of the concept of secularity. I am inspired by the Canadian philosopher Charles Taylor's claim that 'secular' does not primarily mean 'not tied to religion' but more fundamentally refers to 'a certain kind of time.' The use of the term secular, Taylor explains, is derived from 'saeculum,' a century or age. The use of the term secular that is common today—in which it is contrasted to religion or stands as one part of the opposition secular/regular clergy—draws on that original meaning in a specific way: 'People who are in the saeculum, are embedded in ordinary time, they are living the life of ordinary time; as against those turned away from this in order to live closer to eternity.' Secular, thus, refers to ordinary time, or that which is related to ordinary/profane time, as opposed to that which concerns the affairs of eternity.

Now, to understand what is 'secular' or at least 'secularizing' about modern approaches to historical time, we have to contrast these to pre-modern or non-modern notions of time. Before the advent of the modernist worldview, Taylor argues, people generally perceived time as multilayered or multidimensional. Ordinary time, in pre-modern understandings, always existed in relation to what Taylor calls 'higher times,' by which it was 'surrounded' or 'penetrated' and which gathered it together or held it in place. Taylor remarks that one arguably could also simply refer to this 'organizing field for ordinary time' by the philosophically and theologically more common term 'eternity,' but he defends his choice for the expression 'higher times' by explaining that (a) pre-modern thinkers conceived of more than one kind of eternity, and (b) these 'eternities' did not exhaust the phenomenon of higher times.

Taylor gives three examples of higher times that came into existence at different historical moments but that, for most of Western history, existed side by side in a complex mixture. The first and best known example can be found in the philosophy of Plato, who saw worldly sub-lunar reality as a mere reflection of the 'really real' full being that had an unchanging and eternal status. For him, and his later European inheritors, ordinary time was merely a moving and imperfect image of eternity, which at once explains why higher times are higher. Although this Greek notion of eternity remained influential in Western thought, another idea of eternity developed in Christianity. The Bible's message about a universe that was created by God and functioned according to his plan implied that what happened in time was very real and really mattered. As Taylor explains, 'God enters into drama in time. The Incarnation, the Crucifixion, happened in time, and so what occurs here can no longer be seen as less than fully real.' Mainly influenced by the thought of Augustine, Latin Christendom, therefore, came to conceive eternity as 'gathered time.' Instead of starting from the Greek idea of 'objective' time related to processes and movement, Augustine famously reflected on the idea of a 'lived' time. According to him the dimensions of past and future are gathered into a continuous whole or instant in the human mind. Extrapolating on this human feature, Augustine held that God had the capacity to gather all of time into one instant, so that all of time was simultaneously present to him in a kind of nunc stans. In other words, God's instant as eternity. To these two examples of higher times Taylor adds a third one that he calls a 'time of origins.' Unlike the two notions of eternity described above, this later higher time was not developed by theologians or philosophers but originates in folk tradition, not only in Europe but almost everywhere. The time of origins is a Great Time, an illud tempus, in which the world was created and the order of things established. Although situated in a remote past, this time of origins cannot be grasped meaningfully in secular or chronological time because it can re-appear or be re-approached and, therefore, never can be considered really past. As Taylor writes, 'The Great time is thus behind us, but it is also in a sense above us. It is what happened at the beginning, but it is also the great Exemplar, which we can be closer to or farther away from as we move through history.'

Since the Enlightenment, these higher times have increasingly lost influence and have been expelled or incorporated by a linear chronological time that does not leave much room for the idea of other times. It is this long process of rejection of higher times and of positing of time as purely profane, eventually resulting in a 'radically purged' time consciousness,
that, according to Taylor, underlies 'secularization' in its many different social forms. The enshrinement of 'secular time' as a unique and absolute time frame, which increasingly comes to function as a precious resource that should not be wasted, is also closely related to processes of disenchantment and disciplination. According to Taylor, therefore, secular time, more than any other aspect of modernity, deserves Max Weber's description of a *stabilhutes Gebäuse* ('iron cage'). Moreover, it was only by the exclusion of higher times and their replacement by secular time that the modern notions of absolute simultaneity and chronological transitive logic could be posited. As Taylor remarks, 'As long as secular time is interwoven with various kinds of higher time, there is no guarantee that all events can be placed in unambiguous relations of simultaneity and succession.'

According to Taylor, the 'strong transitivity rule'—that if A is before B and B before C, then A is before C, or in a quantified version, that if A is long before B, and B long before C, then A is very long before C—underlying modern chronological reasoning, did not always hold in societies (the medieval European, for example) that saw ordinary time as interrupted by higher times that could bend, warp, or even re-order it. Even events that were far apart in ordinary time were often conceived as closely linked. As Taylor explains, referring to the relation of prefiguring—fulfilling that was believed to exist between the sacrifice of Isaac and the Crucifixion of Christ:

These two events were linked through their immediate contiguous places in the divine plan. They are drawn close to identity in eternity, even though they are centuries (that is, 'aeons' or 'saecula') apart. In God’s time there is a sort of simultaneity of sacrifice and Crucifixion. Similarly, Good Friday 1998 is closer in a way to the original day of the Crucifixion than mid-summer’s day 1997. Once events are situated in relation to more than one kind of time, the issue of time-placing becomes quite transformed.

A thesis similar to the one of Charles Taylor is found in the work of Sylviane Agacinski, who argues that the modern Western worldview primarily results from what she calls 'the retreat of the eternal.' In order to demonstrate what is so particular about modernist time consciousness, Agacinski also contrasts it with the Platonic and Neoplatonic traditions, which build their philosophies around an idea of eternity. Without having lost all desire for what lasts, modernity came to stress temporal passage and started to describe the world primarily in terms of the ephemeral instead of the permanent or eternal. Just like Taylor, Agacinski argues that modernity, by ontologically cutting the ties with the eternal, not only opens thought to temporality and history but also immediately breaks with the divine or at least with the ancient idea of the divine.

**FORMULATING THE MAIN COMPLAINT**

Criticizing the notion of absolute, empty, and homogenous time, the historian account of historical change, modernist belief in a strict divide between past and present, and the secularizing rejection of 'higher times' is not something that one should do light-heartedly. Taken together these elements constitute a chronosophy that embodies great critical potential. Doubtlessly it was primarily this chronosophy that made intellectuals such as Karl Mannheim and Hans-Georg Gadamer speak so admiringly about modern historical consciousness, respectively calling it an 'intellectual force of extraordinary significance, [...] the very basis on which we construct our observations of the socio-cultrual reality,' and 'very likely the most important revolution [...] of the modern epoch.' For Richard Rorty, historicism holds the promise of humanity's intellectual emancipation: 'This historicist turn has helped free us, gradually but steadily, from theology and metaphysics, from the temptation to look for an escape from time and chance.' In an argument that resembles Taylor's thesis on secularization, Rorty states that radical historicism could bring us to a point 'where we no longer worship anything, where we treat nothing as a quasi divinity.'

Moreover, as Wilcox remarks, the rise of the concept of an absolute time that exists as a kind of abstract container independent of the events that are gathered in it has been crucial for the development of the idea of a global simultaneity. This concept enables modern thinkers to synchronize events and people on a massive scale without necessarily demonstrating the existence of any concrete historical relations. The Newtonian axiom that all of space exists at the same instant of time could well be considered an important source of what Elisabeth Deeds Ermarth calls history's 'One World Hypothesis.'

The idea that historical reality occurs through an endless series of discrete instants enabled historians to create the modern critical historical methodology, which largely depends on the hypothesis that major historical events and processes are made up of smaller events that can be found directly in the primary sources. As Wilcox explains, 'The continuous and universal qualities of Newton's time and space have made it possible for historians—as well as the natural scientists—to view the basic components of reality not as processes or organic wholes but as a series of discrete events that can be placed on a single time line and at a single point in space.' In addition to that, the mounting of a critical historical stance was related to the homogenization of time because this homogenization, as Bernard Williams argues, provoked the demand that remote, 'legendary' events be explained in the same manner as events that happened just yesterday. Moreover, that same homogenization of time together with its universification, according to Lynn Hunt, has great historiographic importance because it creates the possibility for historical revision. Without the notion that all natural events are equally part of time and that everyone's
time has the same 'ontological weight,' she claims, there would be no history of African Americans or of the environment today.99

However, although embodying great critical potential, the elements described in this chapter together also make up a chronosophy that is not in touch with important parts of the experience of historical agents and that severely restricts us in recognizing the full complexity of historical reality—most notably in recognizing the persistence of the 'haunting' or irrevocable past. The notion of an empty and homogenous time, the stress on constant and generalized change, the belief in a strict divide between past and present, and the belief that all experience can be situated in a single 'secular' time, all of this has led many modern thinkers to treat the notions of past and present as mutually exclusive and to reduce the past to the 'absent' or the 'distant.' Without maintaining any 'désir d'éternité' or, being an atheist, upholding any nostalgia for a religious or enchanted world, I agree with Charles Taylor when he claims that what from an Enlightened point of view seems a 'purged' chronosophy is actually an impoverished one.

Despite their clear intellectual advantages, the notion of an absolute, empty, and homogenous time and the chronological reasoning that is based on it can hardly account for the plurality of 'lived' or 'subjective' notions of time and cannot integrate temporal experiences that are non-linear or 'non-contemporaneous.' Due to its universalist ambitions, absolute, empty, and homogenous time actually not only manifests an incapacity to integrate different experiences of time but also a straightforward intolerance to other temporalities. In relation to Charles Taylor's secularization thesis, it can be argued that the rejection of higher times in a sense ended up in the posititing of absolute, empty, and homogenous time as the highest time of all. The 'intolerant' or even 'imperialist' character of this notion of time has since long been proclaimed and criticized by scholars working in the fields of subaltern and post-colonial studies. People such as Dipesh Chakrabarty, Ashis Nandy, and Sanjay Seth, for example, have repeatedly stated that many non-Western experiences cannot be integrated into academic historiography due to the latter's chronosophy.90

When it comes to the conceptual incapacity to take seriously the phenomenon of the irrevocable, more specifically, the most obvious explanation is that the notions of absolute secular time, of historicist change, and of a strict delimitation between past and present simply turn the idea of a persistent past into a logical inconsistency. In fact, modern historicist chronosophy carries with it a clear analytical bias toward the 'event' and renders it difficult to conceive of the (ontological) reality of any form of persistence. Evidence of this difficulty can, for example, be found in the fierce discussions about the virtual or actual status of social structures, which often come down to a discussion on the nature of historical time.91

Today, generations keep passing, but the idea of historical progress for lots of people is no longer convincing. For large parts of the world's population, a realistic horizon of expectation still or again closely resembles or even coincides with an often tragic space of experience. It has become clear that the idea of progress belongs to a specific and finite historical context, and in the absence of this progress it is not unthinkable to put it in Rusen's terminology, that present Lebenswelten no longer distinguish themselves that easily from passed ones. In this context, we have to deny history altogether to many people and societies as long as we continue to negate the irrevocable or the persistent past and narrowly understand 'history' as identical to qualitative 'change' or 'novelty.' Even if it was only for this consideration, we need to rethink historical time and look for the possibility of an alternative chronosophy.
6 Searching for Other Times
Some Critiques of the Absent and Distant Past

INTRODUCTION

In the preceding chapter, I attempted to demonstrate that the genesis of absolute, empty, and homogenous time, the historicist account of historical change, the modernist stress on the disjuncture of past and present, and the secularizing rejection of higher times add up to a chronosophy that is not only an intellectual tour de force that provoked a new way of seeing the world but also, and at least as much, an ingenious 'way of not-seeing' parts of that world. This chronosophy, I have claimed, allows us to see only a 'living' present that is fully present and a 'dead' past that is fully absent or distant, obscuring all that cannot be neatly categorized as either purely past or purely present, attached to an exact temporal location in a linear chronology or fit into the historicist model of change.

Luckily, however, the above chronosophy, although widespread and influential, has never held absolute sway over academic historiography and broader historical thought in the West. Ever since its rise, but most notably since the first half of the twentieth century, several aspects of the described chronosophy have, in fact, been contested by thinkers who mostly formed a part of its tradition, often only wanted to modify it, and invariably held ingenious views of historical reality. Some thinkers have challenged the notion of a singular empty and homogenous time, others have rejected the idea of perfect chronological synchronicity, and still others have questioned the absolute break between past and present; several have been frustrated in some way or another by the representation of the past as irreversibly absent or distant.

In the hope of encountering an alternative chronosophy that is more inclusive than the one discussed in the previous chapter—i.e. that enables us to see the irrepressible and that less easily lends itself for exorcist and allocrionist purposes—the next two chapters will discuss a selection of five inspiring and atypical critical conceptual reflections on time and history. In this chapter I will first discuss the chronosophical reflections by two historians: Fernand Braudel, who famously posited the existence of different temporal layers or durées; and R. G. Collingwood, whose theory of 're-enactment' includes an interesting rethinking of the relations between past and present. Second, I will focus on two Marxist philosophers, Ernst Bloch and Louis Althusser, both of whom, despite their differences, have raised similar questions about the idea of historical contemporaneity and the singularity of historical time. The next chapter will then be dedicated entirely to the thoughts of Jacques Derrida and, more precisely, to his theory of 'spectrality' or 'hauntology' and his statements about the 'non-contemporaneity of the present with itself.' For each of the thinkers and critiques treated, I will offer a short discussion of the extent to which they offer a viable basis to theorize the irrepressible. I chose to devote an entire chapter to the philosophy of Derrida because he offers the most radical deconstruction of commonsense notions of (historical) time and because his alternative 'spectral' concept of time, in my opinion, serves as a good intellectual basis from which we can begin to conceive the more inclusive historical perspective that we look for.

Of course, one could object that the search for an alternative notion of historical time should focus more on theories of time that during the last century have been developed in the exact sciences, or instead that the search for an alternative chronosophy should draw its inspiration from the multitude of non-Western (or pre-modern) concepts of time. In reaction to the first objection, it can be stated that the natural sciences will not bring much relief. Several thinkers have convincingly argued that historical time cannot be equated with, or reduced to, natural time or cosmic time, and even if one wants to break with the idea of an absolutely contemporaneous present, one cannot rely on relativistic physics because this discipline has no notion of a lived present. The second objection cannot simply be rejected: Inspiration for an alternative chronosophy could indeed be drawn from several contexts. Although I would certainly not want that alternative chronosophy to be 'prehistorical,' inspiration could, for example, doubtlessly be drawn from ancient conceptions of time or what Mircea Eliade has called 'archaic ontology.' And although Western approaches to time have spread almost everywhere, non-Western cultures could similarly be an invaluable source of inspiration in our search for a more inclusive chronosophy.

Nevertheless, focusing on the 'internal' critiques that developed within or at the margins of the historiographic tradition in the twentieth century and in the West has advantages. I believe that Derrida is right when he argues that each deconstruction of a metaphysical system has to start from within that system itself. Also the 'internal' focus confronts us with a series of critical reflections that are presented in a terminology and developed in an intellectual context that has direct and easily recognizable relevance for the academic historiographical practice. Moreover, although there of course have been other thinkers within the Western tradition who have engaged in critical reflections on historical time, the five thinkers who are discussed in the next two chapters, because of their great diversity, offer a good overview of the different sorts of frustrations that arose around...
the absent or distant past during the twentieth century and the alternative approaches to historical time that have been formulated.

TWO HISTORIANS: BRAUDEL AND COLLINGWOOD

Fernand Braudel

Let us start this overview by taking a look at the undoubtedly best known attempt to rethink historical time: Fernand Braudel’s thesis that history contains a plurality of times. Braudel first elaborated this idea in his dissertation ‘La méditerranée et le monde méditerranéen à l’époque de Philippe II,’ originally published in 1949. In the preface to this masterpiece, he announced that he wanted to organize his discussion of the history of the Mediterranean world in the fifteenth and sixteenth centuries around three different times, which he, respectively, called geographical time, social time, and individual time. A focus on geographical time had to make possible an inquiry into a history that is hardly changing or even ‘almost timeless.’ It had to recount the history of man in relation to his surroundings—mountains, plains, and coasts, but also climates, seasons, and most notably the inland sea—a history whose passage is almost imperceptible, ever-recurring cycles. The focus on social time served to uncover a history that passes at ‘slow but perceptible rhythms.’ Braudel uses this notion to treat the history of economies, states, societies, and civilizations. Individual time, finally, brings with it a focus on a more ‘traditional’ history, ‘of brief, rapid, nervous fluctuations.’ This is a history of political events, which discusses not man in general but men in particular. Braudel admits that this temporal level is the most exciting and the richest in human interest, but he warns that it is also the most perilous. Historians who let themselves be guided only by the beacon of this individual time and are oblivious of the deeper currents of history will unavoidably get a distorted view and will find themselves transported into a world missing a dimension, a world that is ‘blind’ or even ‘bizarre.’ Braudel, however, reassures his readers that the perilous world of the histoire événementielle is ‘one whose spells and enchantments we shall have exorcised by making sure first to chart those underlying currents, often noiseless, whose direction only can be discerned by watching them over long periods of time.’

The ideas about historical time that remain mostly on a practical level in La Méditerranée were later, during the late 1950s, formulated more explicitly in a series of polemical articles. It is in one of these articles that Braudel first introduces the French term longue durée and starts to speak about a longue durée, moyenne durée, and courte durée. Again Braudel is clear about his preference for the longest time span. He repeats that ‘the short time span is the most capricious and the most delusive of all,’ and that it is beloved primarily by the ‘historians of yore.’ For these historians of yesterday, a day or a year might seem useful gauges, but for up-to-date historians, a change in traditional historical time has to take place. Several historians, he approvingly remarks, already have discovered the moyenne durée. However, he laments that very few focus on the longue durée, which he sees at work everywhere in history. To name an example of such a longue durée, Braudel refers to the existence of geographical constraints:

For centuries, man has been a prisoner of climate, of vegetation, of the animal population, of a particular agriculture, of a whole slowly established balance from which he cannot escape without the risk of everything’s being upset. Look at the position held by the movement of flocks in the lives of mountain people, the permanence of certain sectors of maritime life, rooted in the favorable conditions wrought by particular coastal configurations, look at the way the sites of cities endure, the persistence of routes and trade, and all the amazing fixity of the geographical setting of civilizations.

Besides geological and biological realities, Braudel discerns similar ‘elements of permanence or survival’ in mentalities and cultural affairs. Admittedly, it is not an easy task for the historical profession to adapt to the longue durée, and the historian who wants to do so has to be ready to change his style, his attitudes, and his entire way of thinking so as to adapt to a new conception of social reality. Still, at this stage, and only at this stage, Braudel adds, ‘it is proper to free oneself from the demanding time scheme of history, to get out of it and return later with a fresh view, burdened with other anxieties and other questions.’

It is clear that the conceptions of history and temporality that Braudel expresses are on several points fairly atypical for an academic historian. For Braudel, history is clearly not the constantly changing reality that it is very often believed to be. Instead of conceiving of history as a process full of historical novelty and loss, Braudel primarily sees endless repetitions and stable structures that stubbornly endure for long times. Because of his focus on the ‘almost timeless’ realities of the longue durée, he even does not seem to believe in the absolute divide between past and present. Braudel is not impressed by the often- presumed otherness or strangeness of the past; for him the present is at least as strange as much of the past: ‘history does not consist only in differences, in the unique and the novel—whatever will not impressed by the often—presumed otherness or strangeness of the past; for him the present is at least as strange as much of the past: ‘history does not consist only in differences, in the unique and the novel—whatever will not happen twice. Besides, the novel is never entirely new. It goes hand in hand with the recurrent and the regular.’ Moreover, the present cannot be fully comprehended either unless we conceive it from a certain distance and as a composite of different forces and influences. As he formulates it: ‘Each “actuality” brings together movements of different origins, of a different rhythm: the time of today, alternately dates from yesterday, the day before yesterday, and all former times.’ Consequently, the notion past for Braudel does not seem to have a resonance of absence or distance. His idea
of a plurality of times, however, seems to break most notably with the reliance on a time that is singular and flows equably. Indeed, when asked at a ripe age to reflect on his most important contribution to historiography he answered, 'My great problem, the only problem I had to resolve, was to show that time moves at different speeds'.

The answer to the question of why Braudel came to use these distinctive concepts of history and temporality or where exactly his particular notion of the past came from can take different directions. One could refer to the subject of study that so profoundly caught Braudel's attention. The study of a subject as complex and extensive as the Mediterranean demanded an adapted approach, but in the preface to his dissertation, Braudel expressed his conviction that the sea, as one can still see it and admire it today, is the best document about its own past existence that can be imagined. Similarly, in an autobiographical reflection written much later, he recounts his decision to write a history of the Mediterranean as something that ripened during his long stay in Algiers, where he daily saw 'this sea' and where he got impressive views of it from the low-flying hydroplanes. The continuous presence of the sea, and of other features of the Mediterranean landscape, thus somehow came to signify the persistence of the past into the present. The autobiographical piece also provides another, even more personal, explanation for the development of Braudel's atypical concept of history and his preference for the *longue durée* more specifically: They could be seen as an existential response to the tragic times of the Second World War, which Braudel spent as a prisoner of war in Germany. The German radio and newspapers but also the news from London on the clandestine receivers constantly poured in information on vexing occurrences that the captives wanted to outdistance, reject, or even deny. The best way to do away with these occurrences for Braudel was to believe that history was written on a much more profound level:

Choosing a long-time scale to observe from was choosing the position of God the Father himself as a refuge. Far removed from our persons and our daily misery, history was being made, shifting slowly, as slowly as the ancient life of the Mediterranean, whose perdurability and majestic immobility has so often moved me. So it was that I consciously set forth in search of a historical language—the most profound I could grasp or invent—in order to present unchanging (or at least very slowly changing) conditions which stubbornly assert themselves over and over again.

Except for the influence of the Mediterranean as a particular subject of study, and the personal factor just mentioned, Braudel's choice for the *longue durée*, of course, also can be related to the context of the French *Annales* school. The program of historiographical renewal set up around the *Annales* journal, established in 1929 by Lucien Febvre and Marc Bloch, in the first place took the shape of a critique of the prevailing political history and the 'great men' perspective. The rejection of the idea that history is made by a small elite of great individuals was, of course, not that new and was shared by other intellectual currents at the time, but the original contribution of the *Annales* pioneers, as Paul Ricoeur remarks, is to be situated in the idea that the individual and the event have to be surpassed concurrently. By favoring the *longue durée* over the shorter time spans of the *histoire événementielle*, Braudel was thus indeed the faithful inheritor of the original historiographical program of the *Annales* that he always claimed to be. Braudel also was loyal to that original program when, during the 1950s, he argued that the different human and social sciences had to pull down the disciplinary fences and hedges that separated them in order to form one field of study. History and the other human and social sciences, he believed, share a potential 'common market' because they all should focus on the 'plurality of time' and become aware of the 'dialectics of duration.' Because the social sciences often work with notions like social structure and often even suffer a 'horror of the event,' historians can only facilitate the interdisciplinary integration of their profession if they recognize that the past is more than just a mass of facts and that this mass does not make up all of reality or all of the 'depth of history.'

In the context of these interdisciplinary exchanges, we get to see another face of Braudel and his chronosophy. In two articles that discuss the relation between history and the social sciences, Braudel complains that the social sciences from their side tend to evade historical explanation. According to Braudel, this happens in two almost contradictory ways: On the one hand, some social studies are ahistorical because they take into account only the most 'actual' occurrences and look only into the most recent past, whereas other social studies are ahistorical because they transcend time altogether and pretend to be able to identify timeless structures. Once confronted with the ahistorical aspects of the social sciences, Braudel therefore starts criticizing not only the tendency to reduce reality to a succession of events but also the tendency to work with what he conceives to be a too long time span—a *trop longue durée*. In the struggle against this *trop longue durée*, Braudel reinvokes the time of historians, and it reenters in the singular and as a universal. In fact, Braudel writes, the passage of time imposes itself on all the human sciences, but these other human sciences all too often ignore it. The time sense of historians, he concludes, in the end can never be that of sociologists or philosophers because historians never allow themselves to stand outside the 'time of the world,' which is irreversible and flows at the rhythm of the earth's rotation. We now read that the different *durées* are interdependent and that it is not so much time that is created by our minds but the way we break it up: At the end of the historian's labors, all the fragments of time reuni. The *longue durée*, the conjuncture, and the event cannot without difficulty be fitted together because they are all measured on the same 'scale.' For the historian,' Braudel writes, 'everything begins and ends with time, a mathematical, godlike time, a notion easily mocked, external to men, "exogenous," as economists would say, pushing men, forcing them, and painting their own individual times the same color: it is, indeed, the imperious time of the world.'
This reliance on an external, mathematical, and even 'godlike' time in order to shield history from the more 'liberal' chronosophies of other human and social sciences is an understandable but problematic move. It begs for some serious questioning. What can be the status of Braudel's three times in the face of this later 'imperious time of the world,' which clearly tends to function as an abstract container time? How can the geographical, the social, and the individual times of Braudel ever properly be called different 'times' if they all can be measured on the same scale? And most important, what to make of Braudel's critiques of the notions of time and temporality that we described in the previous chapter, if he is so swift in realigning with these notions on the first friction with the chronosophies of other disciplines? Paul Ricoeur has rightly remarked that there is a 'surprising lack of rigor' in Braudel's expressions about the plurality of times: 'Braudel not only speaks of short time and long time, that is of quantitative differences, but also of rapid and slow time. Absolutely speaking, speed does not apply to intervals of time but to movements traversing time.'

Despite his lifelong interest in the different temporal layers of historical reality, Braudel showed little interest in explaining the relation or interaction among these layers. In fact, he never came much further than a repeated reference to the 'dialectics of duration.' This lack of explicitation made Braudel's ideas on time a fertile object of speculation for all kinds of commentators, and it left him beloved notion of the longue durée in a very vulnerable state. Maybe we just expected too much. Braudel was, after all, a purebred historian, and his reflections on historical time were primarily meant to be practical and methodological, rather than philosophical. Maybe we were mistaken to interpret Braudel's distinctions among a geographical, a social, and an individual time, or the different durées, as comprising a theory of historical time rather than merely being 'distinction[s] within historical time,' as Lennart Lundmark claims. Braudel's ambiguous position cannot provide us with the starting point for the alternative chronosophy that I hoped to find. As long as it ultimately reinforces an external time that synchronizes and pushes forward everything like a godly hand, Braudel's chronosophy cannot be used to explain the irrevocable past. Still, Braudel was sincerely and profoundly troubled by the irreversible time of history, with its stress on the absence or distance of the past. Although he never really managed to entirely break with it, his repeated attempts to do so legitimize his inclusion in this short overview.

**Collingwood**

For a second critique of the absent past, I turn to the British historian, philosopher, and archaeologist R. G. Collingwood and his theory of reenactment, i.e. the theory that historians know the historical past by critically rethinking or reenacting it in their own minds. The concept of reenactment is without doubt the best known but also the least understood part of Collingwood's philosophy of history. Many readers misinterpret the writings on reenactment as merely methodological remarks explaining how historians work or should work when studying the past. William Dray argues that the theory of reenactment involves much more profound conceptual issues and must be seen primarily as an epistemological reflection on how historical knowledge is possible. Dray is right about the epistemological aspects of the theory of reenactment, but a close reading reveals that this theory also is related to a profound rethinking of the notions past, history, and temporality. For Collingwood, the historical past cannot be dead or absent; as he puts it, 'As so re-enactable, [the historical past] is not something that has finished happening.' Needless to say, it is this aspect of the theory of reenactment that I am most interested in here. Before focusing on this alternative conception of historical time, however, let me take a moment to discuss the theory of reenactment a little more elaborately and explain why it forced Collingwood to break with more traditional concepts of historical time.

Collingwood indeed starts his discussion of reenactment by raising an epistemological question. How, he asks, can historians have knowledge about the past given the fact that the past no longer actually exists and thus can never be studied empirically by perception? The historical past, Collingwood's answer goes, only can be known when the historian reenacts it in his own mind. In order to do so, the historian first has to distinguish between the 'outside' and the 'inside' of historical events. The outside of an event, Collingwood explains, includes all that can be described in terms of 'bodies' and 'movements': 'the passage of Caesar, accompanied by certain men, across a river called the Rubicon at one date, or another.' The inside of events, in contrast, refers to that which only can be described in terms of thought: 'Caesar's defiance of Republican law, or the clash of constitutional policy between himself and his assassins.' The historian, then, should never focus on one of these sides of the event while excluding the other: 'He is interested in the crossing of the Rubicon only in its relation to Republican law, and in the spilling of Caesar's blood only in its relation to a constitutional conflict.' Historical events should always be considered in their completeness, they have to be 'penetrated' so that the underlying thought can be discovered and 'rethought.' In order to make the above a little more concrete, let me reproduce an example given by Collingwood himself: the example of an imaginary historian who is reading a certain edict of an emperor in the 'Theodosian Code':

Merely reading the words and being able to translate them does not amount to knowing their historical significance. In order to do that he must envisage the situation with which the emperor was trying to deal, and he must see for himself, just as if the emperor's situation were his own, how such a situation might be dealt with; he must see the possible alternatives, and the reasons for choosing one rather than another; and thus he must go through the process which the emperor went through in deciding on the particular course. Thus he is re-enacting in his own
mind the experience of the emperor; and only in so far as he does this has he any historical knowledge, as distinct from a merely philological knowledge, of the meaning of the edict.33

Of course, one could question the value of the entire idea of reenactment by pointing to its clear limitations in situations where it is applied to events that do not express a thought and thus do not seem to have an 'inside.' In reaction to this criticism, Collingwood, however, answers that the real object of history is the 'res gestae,' the realm of human actions, and that all human action involves thought in the broadest sense. Indeed, he states that 'all history is the history of thought.'34 Collingwood is more worried about two other possible objections to his theory.35 One could argue, on the one hand, that the reenactment of a past thought is impossible by claiming that in history nothing can happen twice. By referring to an all-encompassing historical change or to the 'numerical' difference of different chronological positions, one could argue that the relation between a reenacted thought and the original one is merely a relation of resemblance. 'How,' one could ask, 'can the historian call the dead to life by scientific research?'36 On the other hand, one could embrace the idea that an experience or thought can be identically repeated but argue that this reenactment, insofar as the experience is concerned, literally results in the immediate identity between the historian and the historical actor he tries to understand. This would effectively mean that the object (the past) would simply be incorporated in the subject (the historian), so that the resulting knowledge would not be of the past at all but of the present. This, Collingwood argues, would resemble Benedetto Croce's notorious idea that all history is contemporary history.

The theory of reenactment thus confronts Collingwood with a double problem: On the one hand, he must show that some element of the past can survive in order to make plausible his idea of reenactment, and thus deny the absolute absence or distance of the past. However, in order to make plausible the idea that reenactment can be used to attain knowledge of the past, he must draw a clear line between past and present, on the other hand, and must deny the full presence of that past. Throughout his work, Collingwood develops several arguments in order to steer a middle course between a total absence of the past and its total presence, but on the most fundamental level, his solution involves no less than a radical rethinking of the concepts of time and history themselves.

The easiest way to get a first insight into Collingwood's vision of time is to focus on a text written in 1926 and given the disconcertingly straightforward title 'Some Perplexities About Time: With an Attempted Solution.'37 In this article, Collingwood argues that the 'ordinary' conception of time is 'somewhat unstable,' and he explicitly rejects the notion of an abstract empty time, the idea of a temporal pointillism, and what he calls the 'straight line' theory of time. He rejects the tendency of historians to 'spatialize' time and fall to the illusion that the past, although not present to us at the moment, still exists at a distance: This would be to take literally the fairy tale about the place where all the old moons are kept. We may regard the past as a necessary pre-condition of the present, Collingwood asserts, but it has no actual (as opposed to ideal) existence. Still if we recognized only the reality of the present and denied all reality to the past (and the future), there could be no knowledge at all of the past, and the present, 'reduced to a mathematical point,' would vanish completely. 'The terms of our problem, therefore,' he writes, 'demand that in some sense we should restore to the past and future their actuality; in order that the present may not be exhausted of all its content.'38 Collingwood's proposed solution is found in a complex reasoning that distinguishes 'being' from 'existing,' contrasts 'actual' being with 'ideal' being, and concludes that, 'We do call the past, as such, into being by recollecting and by thinking historically; but we do this by disentangling it out of the present in which it actually exists, transformed, and re-transforming it in thought into what it was.'39

Both the problem and the solution proposed in the article are clearly foreshadowing the 'double problem' of reenactment, and Jan van der Dussen rightly remarks that the reflections on time not only were written shortly before Collingwood first started to lecture on the philosophy of history but also may have triggered some of the discussions in these lectures.40 Still, the Perplexities article is written in a highly abstract language and is an early text in which Collingwood's ideas on history are not yet fully mature. A clearer insight into Collingwood's concept of history can be given by texts of a later date, in which he attempts to define the specificity of the discipline of history in relation to the natural sciences.

For Hegel, Collingwood writes, the delineation of the proper object of historical knowledge was simple because he still believed that the 'transience of specific forms' was an exclusive characteristic of human life, and thus he could simply posit that nature has no history.41 However, Collingwood argues, this view of nature is overthrown by the theory of evolution. The evolutionary conception of nature, which started in biology and geology, he writes, has been radicalized by philosophers such as Bergson, Alexander, and Whitehead, who take time seriously and posit the 'historicity of things.'42 The findings of the latter philosophers at first seem to abolish the clear divide between natural process and historical process and seem to resolve nature into history. But can this be true? Is the being of nature indeed a historical being?

No, Collingwood states, Hegel's thesis on the ahistoricity of nature remains, although for other reasons than he imagined, just as true as on the day it was first posited. What Alexander and Whitehead call historicity can at best be called 'pseudo-historicity.' The confusion about the alleged historicity of nature rests on the misconception that reduces historicity to 'change' or 'timefulness.' Real history, however, according to Collingwood, can never be reduced to mere 'temporal sequence' or to the mere succession of events. In contrast to natural processes, in which the past 'dies' when it is replaced by the present, a part of the past survives into the present in historical processes. To put it in Collingwood's somewhat old-fashioned but nevertheless straightforward philosophical language:
Nature is the realm of change, Spirit is the realm of becoming. The life of the spirit is a history; i.e., not a process in which everything comes to be and passes away, but a process in which the past is conserved as an element in the present. The past is not merely a pre-condition of the present but a condition of it. Whereas in nature the past was necessary in order that the present may now exist (e.g., there must have been an egg that there may now be a hen) the past being thus left behind when the present comes into being, in history, so far as this is real history and not mere time-sequence, the past conserves itself in the present and the present could not be there unless it did.45

All too often, Collingwood complains, people talk about history as if it were the same thing as transience, saying that something is of ‘merely historical interest’ to express the idea that it has ‘passed away.’ He admits that he himself in the past has described history as the narration of ‘events that have finished happening,’ but that in reality this is not the case.44 In contrast to the dead past of nature, the historical past is a ‘living’ or ‘surviving’ past. In a historical series just like in a natural series, there is chronological succession, but in contrast to the latter there is no ‘ceasing to be,’ Collingwood argues. The historical past can survive in the present because it involves human thought, and while acts of thought happen at definite times, Collingwood asserts, part of thought stands outside of time. Once something is embodied, it perishes: but in its ideality (as disembodied form).47

The eternal, in history, has this peculiarity, that it begins in time. The historical is eternal as in aeternum, not as ex aeterno. Historical being triumphs over time in the sense that it becomes eternal: but it becomes eternal not in its actuality (as embodied form), for here, because embodied, it perishes; but in its ideality (as disembodied form).47

Nobody, I presume, will deny that Collingwood’s theory of re-enactment and the related notions of eternal objects and a surviving past constitute a quite radical departure from the notion of the absent past. Nevertheless, there are some aspects of Collingwood’s philosophical reflections that make them less attractive as a basis for theorizing the irrevocable past. First, it can be questioned whether it actually makes sense to speak about an ‘eternity in time.’ What can eternity mean if not ‘not bound by time’ or even ‘not in time’? The idea has a mystical ring to it, and it indeed leads Collingwood to make some rather obscure statements. Take the following example: ‘The condition of [the past] being thus knowable is that it lives on in ourselves. We can know the Norman Conquest because, being its heirs, we have it in our minds (in our political consciousness) as an integral element.’48

Second, there is the issue of philosophical idealism. Collingwood’s reflections on time and history are profoundly embedded in a purebred (neo)idealistic philosophy. As Collingwood puts it himself:

the survival of the past in the present, like the existence of secondary qualities, is something that really happens in the world, but does not happen except when the world reaches the level of mind in its evolutionary process. Till then, it is a mere virtuality: the past is as it were killed by a natural death—it dies fighting—it discovers how to triumph over Time and makes itself immortal by becoming Mind or creating Mind as its preserver.49

To be sure, Collingwood’s idealism is ingenious: It generally stretches the realm of the ideal only to the spheres of human thought. Still, the connection to human thought and consciousness makes Collingwood’s thinking rather restrictive. It is to be doubted whether the phenomenon of the irrevocable can be properly understood from within this intellectual framework. The
haunting past as we identified it in the cases of Argentina, South Africa, and Sierra Leone can hardly be compared to the categories of thought and knowledge (e.g. a right-angled triangle, the Roman constitution), which Collingwood refers to in order to illustrate his theory of reenactment, and the former's persistence consequently cannot simply be modeled on the eternity of the latter 'ideal objects.' In general, the claim that 'all history is the history of thought' only can be maintained if the notion of the historical is strictly delimited. If we follow Collingwood, we therefore risk ending up with a more exclusive view of historical reality instead of a more inclusive one. Much more can be written about Collingwood's chronosophy—let alone about his broader philosophy of history whose richness cannot be given its due here—but the features just summed up indicate that the theory of reenactment will not likely deliver the alternative chronosophy that we look for.

TWO MARXISTS: ERNST BLOCH AND LOUIS ALTHUSSER

The next two alternative chronosophies that I will discuss are situated in the field of Marxist social and political analysis. This Marxist presence in our search for alternative notions of historical time should not surprise because Marxism has always engaged deeply in the analysis of historical processes and in problems related to the philosophy of history. Although this may sound strange, one of Marxism's most difficult intellectual problems, as Oskar Negt rightly remarks, has been the development of an adequate materialist conception of history: Often Marxist historical analysis has been cast in a Hegelian frame, which treats history as an inflexible sequence of epochs that replace or 'sublate' each other in a singular and univocal dialectical process. The chronosophies of Ernst Bloch and Louis Althusser that I am about to discuss both are the result of a mainly internal critique aiming to purify Marxism from this Hegelian notion of dialectics and replace it with a more sophisticated understanding of history. However, because of the close bonds between aspects of Hegelian philosophy and mainstream Western historical thought, Bloch and Althusser's reflections are of direct relevance for both academic historiography and historical thinking in general.

Ernst Bloch

The German-born philosopher Ernst Bloch was a rather singular thinker within the Marxist tradition. Although for most of his long life (1885–1977) a faithful supporter of Leninism and the Russian Revolution, Bloch developed a highly idiosyncratic philosophy and could hardly be called an orthodox Marxist. On the most fundamental level, Bloch's differences with orthodox Marxism revolved around two points: first its philosophy of history, and second its closely related notion of 'totality.' Although he himself believed in the eventual coming of socialism, Bloch rejected the evolutionarist beliefs of orthodox Marxists who thought that this coming of socialism was guaranteed by a set of stringent historical laws that determine the succession of different historical stages. In addition, Bloch also criticized orthodox Marxism for holding an impoverished notion of the social whole, in which everything was reduced to the singular dimension of economical production. According to Bloch, there were more primal realities than economics and politics, and he complained that many Marxists left no place for the utopian, the mysterious, or the hidden because they saw reality as a fully immanent, homogenous, and concrete totality.

These criticisms of evolutionarism and of the reduction of reality to a set of socio-economic essences come together in one of Bloch's most important philosophical concepts: that of Ungleichzeitigkeit, or 'non-contemporaneity.' In a more or less implicit form, this notion has returned throughout most of Bloch's intellectual career. Already in his first important philosophical work 'The Spirit of Utopia' (published in 1918), the concept was set to work in defense of the utopian energy of art. The true artist, according to Bloch, produces a utopian surplus because (s)he is 'out of season' [unzeitgemäss] and in his/her genius transcends the contemporaneity that commonly unites people. In the middle of the 1920s, the notion of non-contemporaneity implicitly figured in a polemic between Bloch and his fellow Marxist Georg Lukács, Bloch criticized Lukács for holding a reductive notion of historical reality and for neglecting the utopian potential inherent in the 'polyrhythmic' nature of history. Much later, in the 1960s, Bloch drew on the notion of non-contemporaneity to criticize the unilinear and 'time-fetishistic' ideology of progress. His most explicit theorization of non-contemporaneity, however, is to be found in his book Erbschaft dieser Zeit [Heritage of Our Times], published in Zurich in 1935, in which he established an analysis of the rise of German fascism that strongly differed from most orthodox Marxist analyses at the time.

Heritage of Our Times, as Anson Rabinbach remarks, is organized around two heterodox questions: first, could it be true that in a country like Germany there exist profound social contradictions in addition to the one between labor and capital or proletariat and bourgeoisie? And, second, could it be said that the left has facilitated its own defeat by neglecting these other contradictions and leaving their anti-capitalist force to the fascists? Bloch answers both questions with a whole-hearted 'yes!' According to him, German society in the 1920s and early 1930s was subject to a multitude of social contradictions that constituted a 'dialectically useful “inheritance”' that was gratefully usurped by fascism but remained unclaimed by Marxism.

These insights, however, required a major rethinking of the orthodox Marxist conceptions of time and history. To understand the rise of fascism, it must be recognized that there is such a thing as genuine historical non-contemporaneity. As Bloch claims:
History is no entity advancing along a single line, in which capitalism for instance, as the final stage, has resolved all the previous ones; but it is a polyrhythmic and multi-spatial entity, with enough unmastered and as yet by no means revealed and resolved corners. Today not even the economic substructures in these corners, i.e., the obsolete forms of production and exchange, have passed away, let alone their ideological superstructures, let alone the genuine contents of not yet defined Irratio.60

In line with this thesis, Bloch states that, “Not all people exist in the same Now. They do so only externally, through the fact that they can be seen today. But they are thereby not yet living at the same time with others.”61 Depending on where one is situated and depending on what class one belongs to, people can live in different times: ‘Older times than the modern ones continue to have an effect in older strata [. . .] Various years in general beat in the one which is just being counted and prevails.’62 Bloch reports the existence of at least three large non-contemporaneous groups in interbellum Germany, all attracted to the extreme right. First there is the youth, whose ‘hollow being-young’ is not entirely present. Bloch admits that there is no youth as such, and that it differs from class to class and period to period, but he claims that youngsters in their longing to escape the reified present often are more attracted to the reactionary right than to the progressive left: ‘Youth which is not in step with the barren Now more easily goes back than passes through the today in order to reach the tomorrow.’63 Another non-contemporaneous group is that of the peasantry, which still lives and acts almost exactly like their ancestors did centuries ago. ‘Economically and ideologically,’ Bloch writes, ‘the peasants, in the midst of the nimble capitalist century, have an older position.’64 As long as the time difference between the city and the country is not effaced, Bloch claims, this group too will not associate itself with the workers and primarily will be attracted to the ‘romantic’ right. The third non-contemporaneous group is that of the impoverished middle class, which is nostalgic about the pre-war period when it was better off. The strange revolutionary nostalgia of this insecure group, Bloch complains, ‘places figures in the midst of the city which have not been seen for centuries,’ and once again, he asserts, this non-contemporaneity draws toward fascism. As he describes this tragic process:

Older sorts of being thus recur precisely in urban terms, an older way of thinking and older images of hate as well, like that of Jewish asury as exploitation per se. The breaking of ‘feudal tenancy’ is believed in as if the economy were at around the year 1500, superstructures which seemed revolutionized long ago come revolving back again and come to a standstill in today’s world as whole medieval townscapes. Here is the Tavern of Nordic Blood, there the castle of the Hitler-duke, there the Church of the German Reich, an earthy Church in which even city folk feel themselves to be a fruit of the German soil and worship the soil as holy, as a Confession of German heroes and German history.65

Although some of the features described above could be called mere backwardness or false non-contemporaneity, Bloch argues that attention must be paid to real, genuine non-contemporaneity. To understand why non-contemporaneity can be so politically explosive, it must be understood that there are in fact two kinds of non-contemporaneity: an objective and a subjective one. Objective non-contemporaneity refers to the remnants of earlier, pre-capitalist, times, or sub- and superstructures that survive in the present. Subjective non-contemporaneity, in contrast, refers to a ‘non-desire for the Now’ that, after having existed for a long time as mere embitterment, can turn into an accumulated rage. This subjective rage is especially dangerous if it meets or activates objectively non-contemporaneous contradictions. Instead of misinterpreting fascism as a mere superstructural expression of the last and moribund stage of monopoly capitalism, Bloch therefore launches an urgent call to pay attention to non-contemporaneous contradictions and mobilize them against capitalism and fascism: ‘The task is to release those elements even of the non-contemporaneous contradiction which are capable of aversion and transformation, namely those hostile to capitalism, homeless in it, and to remount them for functioning in a different connection.’66 The proletariat has to form a ‘triple alliance’ with the impoverished peasants and the impoverished middle classes—both under proletarian hegemony of course. In order for the non-contemporaneous contradictions to be mastered and a triple alliance to be formed, however, the often simplistic Marxist notion of dialectics has to be replaced by a more complex notion of a multi-layered or polyrhythmic dialectics that recognizes the fact that previous historical stages are never completely ‘resolved’ in more recent ones and that aspects of the past can survive into the present.

Louis Althusser

It would be hard to think of any Marxist intellectual who was more opposite to Ernst Bloch in style and thought than the Algerian-born French philosopher Louis Althusser (1918–1990). However, just like Bloch, Althusser criticized simplistic notions of dialectics and reductionist notions of social totality, which he similarly related to notions of time. Hegel’s concepts of dialectics and time are the main object of Althusser’s critique.

All too often, Althusser complains, it is thought that Marxism resulted from an inversion of Hegelianism, that Hegel’s idealism so to speak placed reality on its head, and that Marx’s materialism placed it on its feet again. This ambiguous idea of ‘inverting Hegel,’ according to Althusser, is problematic, particularly if it is applied to the notion of dialectics. In
fact, Althusser asserts, a genuinely Marxist notion of dialectics, more than merely inverting Hegel’s dialectic, is radically different in nature.67

From Marxist revolutionary experience, Althusser writes, it is known that one cannot speak about a single, general social ‘contradiction.’ Instead, a vast accumulation of heterogeneous social contradictions come to play ‘in the same court’ in all societies. For Althusser, Marxist analysis therefore shows that the history of social formations is principally ‘overdetermined.’68 Hegelian dialectic, in contrast, does not include such a notion of overdetermination and works with a simple concept of contradiction. According to Althusser, this contradiction can take its simple shape only because it is based on Hegel’s even more simplistic thoughts about the essential unity of historical periods. Hegel, he complains, reduces the infinite diversity of historical societies by positing the existence of simple spiritual unity or totality.69

Just like Bloch, Althusser turns his critique of the simplistic and ‘un-Marxist’ notions of dialectics and totality into a critique of historical time. Once again Hegel is the main object of critique. Hegelian time has two essential characteristics: its ‘homogeneous continuity’ and its ‘contemporaneity,’ which underlies the notion of a historical present.70 The second aspect is most fundamental and functions as a condition of possibility for the first one. The notion of the contemporaneity of time, according to Althusser, is rooted in a ‘metaphysical freezing’ of the temporal continuum. This intellectual operation, where one makes a vertical incision at a moment in time to reveal a historical present, he calls an ‘essential section’ [coupe d’essence]. Althusser argues that this essential section is only thinkable in combination with a particular conception of social totality—one ‘in which all the elements of the whole are given in a co-presence’—and that as such it is highly ideological.71 The ideological character of Hegel’s concept of time worries Althusser mostly because Hegel borrowed it from a ‘vulgar empiricism’ that still underlies the work of most historians and social scientists.

One of the clearest manifestations of this problematic conception of history, Althusser claims, can be found in the widespread distinction between the ‘synchronic’ and the ‘diachronic.’

Because a truly Marxist conception of social totality should not be confused with the Hegelian idea of a unified ‘spiritual’ whole, so too, according to Althusser, a Marxist notion of historical time should be distinguished from a Hegelian one.72 In line with the phenomenon of overdetermination, Marxist totality is a complex ‘structured whole,’ which is made up of ‘relatively autonomous levels’ and which cannot be reduced to the primacy of a centre. This has significant theoretical consequences. Most important, the existence of this structured totality can no longer be grasped with the commonsensical notions of a historical present or contemporaneity. In fact, Althusser radically breaks with the notion of a singular continuous and homogenous time and instead posits a plurality of times:

It is no longer possible to think the process of the development of the different levels of the whole in the same historical time. Each of these different ‘levels’ does not have the same type of historical existence. On the contrary, we have to assign to each level a peculiar time, relatively autonomous and hence relatively independent, even in its dependence, of the ‘times’ of other levels. We can and must say: for each mode of production there is a peculiar time and history, punctuated in a specific way by the development of the productive forces; the relations of production have their peculiar time and history, punctuated in a specific way; the political superstructure has its own history . . . ; philosophy has its own time and history . . . ; aesthetic productions have their own time and history . . . ; scientific formations have their own time and history, etc.73

With this rejection of historical contemporaneity, the synchrony/diachrony opposition, of course, dissolves as well. Something of this opposition remains, to be sure, insofar as it is understood to be the reflection of a mere ‘epistemological operation’ that attempts to think the complex articulation of different temporalities. Yet, the notion of synchrony should not be confused with the temporal or historical presence of a real object.74 Because the notion of diachrony is built on the notion of synchrony, similar conclusions must be reached:

Diachrony is reduced to the sequence of events (à l’événementiel), and to the effects of this sequence of events on the structure of the synchronic. [. . .] Once synchrony has been correctly located, diachrony loses its ‘concrete’ sense and nothing is left of it either but its epistemological use, on condition that it undergoes a theoretical conversion and is considered in its true sense as a category not of the concrete but of knowing.75

After the rejection of the contemporaneity and homogenous continuity of time, and after the dissolution of the synchrony/diachrony opposition, it needs to be concluded, Althusser argues, that one cannot speak of a singular History but instead must speak of an irreducible series of histoires or ‘Structures of historicity.’76 Here then we are confronted with a chronosophy that breaks with the past/present dichotomy and seems to enable us to think about the persistence of the past into the present. That is clearly how Althusser himself thinks about his critique. Marxist political practice, he argues, is often confronted with the survival of the past: ‘There can be no doubt that these survivals exist—they cling tenaciously to life.’ Although the term survival is often used, the phenomenon itself, Althusser complains, remains virtually uninvestigated. The phenomenon deserves better than its conceptual fate in Hegelianism, where it is treated as mere ‘supersession’—the ‘maintenance-of-what-has-been-negated-in-its-very-negation.’ According to Althusser, one
look suffices to see that the survival of the ‘superseded’ (aufgehoben) past in Hegel is reduced to a simple modality of memory and that as such it is a ‘pre-digested’ past that never really forms an obstacle or a threat.

Marx’s notion of supersession, Althusser argues, clearly was different from that held by Hegel because ‘his past was no shade, not even an “objective” shade—it is a terribly positive and active structured reality, just as cold, hunger and the night are for his poor worker.’ The reality of survival, according to Althusser, again has to be related to overdetermination, which explains that a revolution in the structure of a society does not immediately modify the existing superstructures of that society or that revolutions may even ensure survivals or the reactivation of ‘older elements.’ As he remarks in a poetic mood: In history, superstructures ‘are never seen to step respectfully aside when their work is done or, when the Time comes [. . .] to scatter before His Majesty the Economy as he strides along the royal road of the Dialectic.’ In fact, he argues, the entire logic of supersession has to be given up if one wants to understand the phenomenon of survival, but even then, he admits, a lot of theoretical work remains to be done.

When it comes to his theoretical critique, Althusser proves to be well aware of most of the potential pitfalls that stopped some of his predecessors in their tracks. Once one has rejected the ideological model of a continuous time that can be dissected into contemporaneous historical presents, he explains, it is important not to substitute it for another ideological time. Therefore, one has to resist the temptation to relate the plurality of different times to a single ideological ‘base time’ or to install a kind of ‘reference time’ against which the dislocation of other times is then measured. This is exactly what, according to Althusser, went wrong with the chronosophic reflections of some of the Annales historians—Lucien Febvre, Ernest Labrousse, and most notably Fernand Braudel. They correctly observed that there are different times in history, but they were ‘tempted to relate these varieties, as so many variants measurable by their duration, to ordinary time itself, to the ideological time continuum we have discussed.’ If this ideological reference time is reintroduced, it will soon become irresistible to treat the dislocation of different times as forms of backwardness or forwardness in time.

Regrettably, Althusser’s own philosophy is not without ambiguities on this very issue. Despite his stress on overdetermination and the plurality of times, Althusser claims that these times are only ‘relatively’ autonomous after all, and that their coexistence is fixed in the ‘last instance’ by the ‘level’ or ‘instance’ of the economy. Martin Jay explains this strange philosophical move as an attempt to head off charges of non-Marxist pluralism that might otherwise result from his theory of overdetermination. But even despite the fact that he adds the qualification that ‘the lonely hour of the “last instance” never comes,’ Althusser’s relapse into economic determinism raises serious questions about his theory of differential time.

If, despite its ‘structured complexity,’ there is such a thing as a center or essence to the social whole after all, the reintroduction of an (economic) ‘base time’ or ‘reference time’ cannot be fenced off. To be sure, the reintroduction of such an economic reference time does not necessarily render Althusser’s chronosophy inconsistent because it cannot be equated with Hegelian ideological time as a homogenous series of contemporaneous presents. Nevertheless, it is hard to see how one could keep this reference time from measuring all temporal dislocations in terms of forwardness or backwardness—and thus from becoming al哮chronic.

The same problem arises in an even higher degree in the chronosophy of Ernst Bloch, on which, for explanatory reasons, I postponed my critique. Bloch, too, despite all his rhetoric about a multilayered and polyrhythmic dialectics, cannot resist the reductionist seduction. Despite his recognition that a plurality of weighty social antagonisms can function alongside the one between proletarians and bourgeois, the weight of the former, for Bloch, can never equal that of the latter. The remnants of reductionist political ontology are clearly reflected in Bloch’s chronosophy, which, we should now mention, also includes, except for the objective and subjective non-contemporaneous, the categories of the objective and subjective contemporaneous. Non-contemporaneous contradictions have a utopian and revolutionary force, Bloch writes, ‘but the subjectively non-contemporaneous contradiction would never be so sharp, nor the objectively non-contemporaneous one so visible, if an objectively contemporaneous one did not exist, namely that posited and growing in and with modern capitalism itself.’ On the basis of this notion of the objectively contemporaneous, Bloch is able to claim that communist language ‘is in fact totally contemporaneous and precisely orientated to the most advanced economy.’ Despite the positive views of the non-contemporaneous that Bloch initially held, and despite his warnings not to confuse the non-contemporaneous with mere backwardness, it is hard to ignore the fact that this idea of backwardness is the main association in the ‘last instance.’

Bloch’s chronosophical reflections indeed are remembered primarily in the form of the short and paradoxical expression stating the ‘non-contemporaneity of the contemporaneous’ [Ungleichzeitigkeit des Gleichzeitigen], an expression that begs the questions of which of the two terms should be stressed and how they can ever exist alongside each other. Here it might be good to stop for a moment and take a look at an important critique and warning that the anthropologist Johannes Fabian has expressed about the notion of a non-contemporaneity of the contemporaneous or, in his words, a ‘denial of coevalness.’ In his groundbreaking book *Time and the Other,* Fabian convincingly demonstrates how anthropology uses a politics of time to constitute its object of research—the other. According to him, time in anthropological discourse almost invariably has been used to separate the observer from the observed. In anthropology, he writes, there is a persistent and systematic tendency to place the referent(s) of anthropology
in a Time other than the present of the producer of anthropological discourse.9 The use of a series of temporal 'distancing devices' produces a negative global result because it tends to represent the spatial distribution of humanity as an evolutionary sequence in time so that all cultures that do not belong to the West come to be seen as archaic or 'behind' in time. In short,' he writes, 'geopolitics has its ideological foundations in chronopolitics.' Although Fabian recognizes the potentially emancipatory dimensions of the appropriation of different times, he thus primarily stresses that the denial of coevalness can function as a condition of domination. Moreover, he claims that the 'allochronistic' capacity of anthropological discourse is directly related to its origin in a seemingly 'neutral' intellectual construction of naturalized and spatialized time.

Fabian’s critique serves as a weighty warning against any unconditional acceptance of, or too great an enthusiasm for, the notions of non-contemporaneity or differential time. Still, much of the potentially negative political and ethical effects of the idea of non-contemporaneity can be neutralized if this idea is embraced and if its intellectual consequences are consistently taken to their conclusion. In reaction to Fabian, one could argue that instead of denying the real non-contemporaneity between the West and the non-West, the supposed contemporaneity of the West with itself has to be questioned and criticized. Althusser is right when he remarks that differences in temporality cannot be thought of in terms of backwardness or forwardness if there is no ideological reference time or base time. What we need and what is mostly lacking in the alternative chronosophies discussed in this chapter, therefore, is an explicit deconstruction of any notion of a time that acts as a container time and pretends to be the measure of all other times. Who can we better turn to for this type of deconstruction job than the French philosopher Jacques Derrida?

INTRODUCTION

In a contribution to a book titled Post-structuralism and the Question of History, Geoff Bennington writes that ‘it would not be difficult to construct an argument showing that deconstruction insofar as it insists on the necessary non-coincidence of the present with itself, is in fact in some senses the most historical of discourses imaginable.’ This claim may sound strange to many historians. Deconstruction often has been criticized as anti-historical, and its effects have been widely feared as a major threat to the integrity of the historical discipline. In Richard J. Evans’ well-known In Defense of History, for example, Jacques Derrida, along with some others, prominently figures as one of the villains and arch-deceivers who are out on a mission to destroy history. Of course, Derrida’s deconstruction does challenge some deeply embedded presuppositions of academic historiography, and Derrida has always been clear about his criticism of certain metaphysical aspects ingrained in history. Nevertheless, Bennington’s claim makes sense, and in this chapter I will argue that Derrida’s work can be an important source of inspiration for a more inclusive historical discourse that is capable of addressing the problem of the irrevocable and that does not tend toward allochronism. Derrida’s work often stresses his interest in history, and especially in his later work he discusses a series of topics (including those of memory, inheritance, mourning, and spectrality) that are of great interest to historians. In this chapter, I will mainly focus on Derrida’s relatively late work, Specters of Marx, The State of the Debt, the Work of Mourning, and the New International (published in 1994), which has as its main theme ‘the persistence of a present past or the return of the dead which the worldwide work of mourning cannot get rid of.’ In addition, I will relate this theme of the haunting past—or in Derrida’s words ‘spectral’ past—to the reflections on (historical) time that can already be found in some of Derrida’s earliest work, including ‘Speech and Phenomena,’ ‘Of Grammatology,’ and the essays ‘Differance’ and ‘Ousia and Gramme.’
SPECTERS OF MARX

Specters of Marx takes a special place in the oeuvre of Derrida. Many commentators have interpreted this book as a turning point in Derrida’s work, characterizing the start of a “later” intellectual phase in which Derrida increasingly explicitly addressed ethical and political issues. In addition to that, Specters of Marx embodies a long-expected discussion on the relationship between deconstruction and Marxism, a topic that Derrida had promised to elaborate on more than two decades earlier. The book resulted from two lectures that Derrida gave on the occasion of a congress titled “Whither Marxism?” that was organized at the University of California at Riverside in April 1993 and raised the question of the political fate of Marxism at the end of the twentieth century. Derrida’s discussion of the Marxist legacy did not remain unnoticed in Marxist and radical left-wing circles. Besides hostile reactions, which were to be expected, the publication of Specters of Marx provoked a profound intellectual debate and prompted the publication of a series of wide-ranging comments by prominent thinkers. The book, however, covers much broader ranges of topics than focusing exclusively on the subject of Marxism. Instead of merely narrating about the specters of Marx, Derrida reflects on a whole series of specters, representing Marx and Marxism that, according to Derrida, today still more-than-ever haunt international politics despite the repeated declarations of the death of Marxism and communism, neo-liberalism has not succeeded in exorcising all of Marx’s ghosts.

Let us start with a short discussion of the specters that Derrida says he first thought of when choosing the title Specters of Marx: the specters of Marx and Marxism that, according to Derrida, today still more-than-ever haunt international politics despite the attempted exorcisms staged by neo-liberalism. Derrida denounces the flush of victory that took over the West after the collapse of the Berlin Wall and the implosion of the Eastern Block. He strongly criticizes the installment of a worldwide neo-capitalist hegemony and the new “dogmatics” that came with it. About the dominant neo-liberal discourse and its “anti-Marxist conjuration,” he writes that it:

often has the manic, jubilatory, and incantatory form that Freud assigned to the so-called triumphant phase of mourning work. The incantation repeats and ritualizes itself, it holds forth and holds to formulas, like any animistic magic. To the rhythm of a cadenced march, it proclaims: Marx is dead, communism is dead, very dead, and along with it its hopes, its discourse, its theories, and its practices. It says: long live capitalism, long live the market, here’s to the survival of economic and political liberalism!1

Derrida focuses especially on the discourse of the political philosopher Francis Fukuyama, whose work, The End of History and the Last Man, he critically rejects as an anti-Marxist neo-evangelistic “gospel” that lacks a convincing theory of historical events. 2

In reaction to the messianistic rhetoric about the victory of liberal democracy and the end of history, Derrida cries out that, “Never have violence, inequality, exclusion, famine, and thus economic oppression affected as many human beings as it ever has in the history of the earth and of humanity!”3 We get to read an exceptionally straightforward political Derrida, who permits himself to name the “plagues of the new world order” in what he calls a “ten-word telegram.” Among other things, he lists the unemployment caused by the deregulation of new markets, the massive exclusion of homeless citizens and exiles from democratic life, the inability to master the contradictions of freedom, the aggravation of foreign debts, the arms industry and trade, the spread of nuclear weapons, and the increase in inter-ethnic wars. In this context, Derrida argues, Marx’s heritage at the end of the twentieth century remains as important as it ever was despite the collapse of communism in the Eastern bloc. Provided that one takes into account their “irreducible historicity,” he claims, few texts in the philosophical tradition, perhaps even none, contain lessons that are more important today than the ones of the ‘Manifesto’ and some of the other great works of Marx.

Despite the repeated declarations of the death of Marxism and communism, neo-liberalism has not succeeded in exorcising all of Marx’s ghosts. In fact, Derrida claims, the painstaking repression of Marx’s ghosts by the hegemonic powers only confirms the phenomenon of haunting: “Haunting belongs to the structure of every hegemony.”4 Far from being dead and gone, the specter of communism, today as a revenant, still haunts the dominant powers as effectively as it did in the middle of the nineteenth century, when it was still to come, merely announced by name in the first sentence of the ‘Manifesto’: ‘A specter is haunting Europe—the specter of communism.’

This brings us to the second group of specters on which Derrida focuses: those that roam Marx’s writings and, from time to time, come to haunt Marx himself. Throughout his entire oeuvre, Marx had a great fondness for spectral language, and in an original textual interpretation, Derrida shows his readers that it is impossible to understand the many facets of Marx’s thought without reflecting on the philosophical function of this language. Besides das Gespenst des Kommunismus featured in the ‘Manifesto’, specters already appeared in Marx’s 1841 dissertation, ‘The Difference in the Philosophy of Nature of Democritus and Epicurus,’ only to reappear in much larger crowds in ‘German Ideology’ and ‘The Eighteenth Brumaire of Louis Bonaparte.’

In the latter work, Derrida demonstrates, Marx never stops conjuring and exorcising because he needs the ghostly figure in order to sort out the complex issue of revolutionary inheritance—the tendency of revolutions to follow the example of, and refer back to, older revolutions—by distinguishing between the productive spirit (Geist) of the revolution and its anachronistic and undesirable specter (Gespenst). The most ingenious elaboration on spectrality, however, according to Derrida, is to be found in ‘Capital’ and more specifically in the passages where Marx describes the becoming fetish of commodities. Can it be called a coincidence that Marx there tries to
explain the mystical character of the commodity by describing it as an apparition? After offering a detailed reading of Marx's famous example about the commodification of a worn down wooden table—which, once placed in an antique shop, is metamorphosed into a kind of supernatural thing or a sensuous non-sensuous thing, with a market value that cannot be reduced to any use value—Derrida resolutely concludes that:

The ghostly schema now appears indispensable. The commodity is a 'thing' without phenomenon, a thing in flight that surpasses the senses (it is invisible, intangible, inaudible, odorless); but this transcendence is not altogether spiritual, it retains that bodiless body which we have recognized as making the difference between specter and spirit. What surpasses the senses still passes before us in the silhouette of the sensuous body that it nevertheless lacks or that remains inaccessible to us.12

However, Derrida warns, despite the importance of the figure of the specter in his philosophical, economical, and political analyses, Marx dislikes ghosts as much as his adversaries who try to exorcise the specter of communism. Although Marx is obsessed by ghosts, he does not want to believe in them and tries to oppose their deceptive appearances to real presence and actual reality. One day, Marx believes, humanity will be able to get rid of the delirium of ghosts because these, according to him, are bound to the structure of bourgeois economy. Concerning the issue of revolutionary inheritance, Marx eventually comes to reject both the spirit and the specter of past revolutions. He famously states that revolutions of the nineteenth century have to draw their inspiration from the future instead of the past: 'Let the dead bury their dead.' Yet, after repeatedly having conjugated them up in his writings, Marx cannot get rid of his specters that easily because he is haunted by them. As Derrida argues:

He believes he can oppose them, like life to death, like vain appearances of the simulacrum to real presence. He believes enough in the dividing line of this opposition to want to denounce, chase away, or exorcise the specters; but by means of critical analysis and not by some counter-magic. But how to distinguish between the analysis that denounces magic and the counter-magic that it still risks being?13

In conclusion, Derrida argues, Marx, much like his adversaries, tries to exorcise spectrality by grounding his critique in an ontology. Although his thought is critical, Derrida claims, it nevertheless remains 'preconstructive' and caught up in the web of metaphysics.14

This being said, we can focus on the third group of specters that in a more complex and often implicit way populate Specters of Marx: those that, on the one hand, haunt Derrida and his deconstruction and, on the other hand, help deconstruction to haunt the metaphysical heritage of Western philosophy. As mentioned above, Specters of Marx at the time of its appearance, was fairly atypical in Derrida's oeuvre because of the straightforward political and ethical statements it contains. Although Derrida always made it clear that he considered himself to be a left-wing thinker, he was often urged by colleagues on the left to take more explicit political stances, and his work frequently has been criticized for its alleged ethical and political relativism, irresponsibility, or even (indirect) support of positions belonging to the political right. In this context, it can be argued that Specters of Marx is part of an attempt to deal with the ethical and political questions that haunt deconstruction. This becomes clear when we consider that Derrida declares about his acceptance to speak on the 'Whither Marxism?' conference that it was 'not in the first place in order to propose a scholarly, philosophical discourse. It is first of all so as not to flee from a responsibility.15 This responsibility, he argues, is partly that of an heir toward an inheritance—a relation that, according to him, is always characterized partly by the (critical and selective) affirmation of a debt.16 In a bold statement, Derrida declares that deconstruction in his opinion never had 'any sense of interest' except as an inheritance and radicalization of a certain spirit of Marxism. An inheritance because 'deconstruction would have been impossible and unthinkable in a pre-Marxist space.'17 A radicalization because deconstruction, in contrast to Marxism, does take spectrality seriously, does not consider it a mere simulacrum that should be opposed to 'real presence,' and does not violently try to integrate it into an ontology.18

Scholars in general, Derrida argues, have rarely addressed the problem of spectrality because of its uncanny and 'undecidable' characteristics that resist the sharp distinction between the real and the unreal, the living and the dead, or—most importantly—between what is present and what is absent (what is present and what is past).19 Still, precisely when no ethics or politics seems possible, thinkable, and just without respect for or recognition of those who are not presently living (whether already dead or not yet born), it is more necessary than ever, Derrida claims, 'to speak of the ghost, indeed to the ghost and with it.'20 Derrida is clear about why he addresses the figure of the specter: 'If I am getting ready to speak at length about ghosts, inheritance, and generations, generations of ghosts, which is to say about certain others who are not present, not presently living, either to us, in us, or outside us, it is in the name of justice.'21 However, he warns, addressing the spectral is not an easy assignment because as a non-being that is never fully present, it is 'outside of any synchrony' and therefore defies semantics and ontology as well as psychoanalysis and philosophy.22 Indeed—and here we finally arrive at the subject of chronosophy—the spectral cannot be contemplated as long as one relies on the modern concept of time as a series of successive 'presents' or 'nows' that are identical and contemporary with themselves. Inspired by Hamlet's famous declamation that the time is 'out of joint,' Derrida argues that spectrality only can be understood if one accepts the 'non-contemporaneity with itself of the living present.'23
Although I have repeatedly stressed that Specters of Marx represents a change in Derrida’s work—separating the more outright political ‘later Derrida’ from an ‘earlier Derrida’—the remarks about the necessary relation between the specter and the ‘disjointed’ nature of time only can be understood thoroughly if they are situated within Derrida’s overarching life project of criticizing the Western ‘metaphysics of presence.’ Therefore, I propose that we turn to Derrida’s earlier work for a moment and focus on the deconstruction of time that was elaborated there.

DECONSTRUCTION AND THE METAPHYSICS OF PRESENCE

For at least two and a half millennia, Derrida claims, the tradition of Western thought has been grounded in, and organized around, the fundamental metaphysical presupposition of ‘presence’—whether this is defined as the proximity of (material or ideal) objects, as the self-presence or the self-identity of a subject/cogito in the immediacy of its own mental acts, as the co-presence of self and other in intersubjectivity, or, on the most fundamental level, as the maintenance of the point-like ‘now’ of the temporal present itself. In his early work, Derrida never stops criticizing the many different forms of this metaphysics of presence. In what follows, I will briefly focus on three different but connected ‘levels’ on which Derrida attacks the notion of presence: first that of the theory of signs and signification, second his critical reflections on Husserl’s phenomenology of internal time and, third that of the ‘fundamental’ ontology of time as it was studied by Heidegger.

According to Derrida, the concept of the sign in the Western tradition has always stood for the representation of presence or has been integrated in a system (language or thought) that is striving for presence. To be freed from this grip of metaphysics, it has to be radically rethought. The linguist Ferdinand de Saussure took some decisive steps in the direction of such a rethinking when he stated the arbitrary and differential character of the sign: i.e. the fact that the relation between signifier and signified is merely arbitrary instead of being necessary or natural, and the fact that elements of signification only function by grace of a system of differences and oppositions that distinguish them. De Saussure’s claim that in linguistic signification there are only differences is groundbreaking, but, according to Derrida, it does not go far enough. First, de Saussure’s notion of linguistic difference has to be extended in order to include not only oppositions between terms that are synchronic, but also non-synchronic differential relations between (absent) past or future elements. As Derrida puts it:

the movement of signification is possible only if each so-called ‘present’ element, each element appearing on the scene of presence, is related to something other than itself, thereby keeping within itself the mark of the past element, and already letting itself be vitiated by the mark of its relation to the future element.

From this finding about the necessary dimension of absence or non-presence in the constitution of the sign, a radical conclusion must be drawn: Linguistic meaning can never be fixed or be fully present as such, and there is no such thing as an absolute or ‘transcendental’ signified; signification instead is caught up in a systematic play in which every concept refers to another and in which meaning is endlessly differing and infinitely deferred. This semiotic play, which ties together the dimensions of difference and deferral, is what Derrida calls différence. Moreover, Derrida claims, de Saussure’s principle about the constitutive nature of semiotic difference not only has to be radicalized in such a way that it comes to include non-synchronous elements, it also has to be extended to all systems of referral rather than being limited to language in the strict sense. De Saussure, just like many other thinkers, remains caught up in metaphysics because he primarily ascribes the dimensions of difference and absence to written language, which is then contrasted with, and subordinated to, ‘full’ speech or the self-present voice, which because of its alleged proximity to the mind would escape the effect of différence. As Derrida demonstrates, this privileging of speech and the debasement of writing as a mere supplement to the spoken word—which he terms phonocentrism—is in its turn based on the privileging of presence. He points out that the perceived secondary status of writing directly correlates to its determination as ‘translator of a full speech that was fully present (present to itself, to its signified, to the other, the very condition of the theme of presence in general), technics in the service of language, spokesman, interpreter of an originary speech itself shielded from interpretation.’ However, by means of a fairly complex and ingenious analysis (which cannot be reproduced here), Derrida shows that spoken messages are subject to the play of différence at least as much as written texts, and that speech therefore has to be considered a subspecies of ‘writing’ in the broadest sense, rather than existing prior to it—hence his famous ‘grammatology,’ the science of writing.

Of course, Derrida asserts, one could be tempted to object that behind speech there is a living subject whose intuitive consciousness can grasp meaning without any need for signs or signification and can thus put an end to the infinite play of différence. This idea of the immediate and self-present intuition of consciousness is at the basis of almost all Western theories of signification. According to Derrida, it can, for example, be considered the ‘principle of principles’ that grounds the philosophical project of phenomenology that was founded by Edmond Husserl at the beginning of the twentieth century. However, Derrida argues, this privileging of consciousness, too, can be traced back to a privileging of presence: in this case, the
privileging of the temporal present as an absolutely synchronic, point-like instant. Husserl's entire theory of signification, for example, is based on the presumption of the existence of a 'solitary mental life' that has no need for signs or inward communication because its 'mental acts' are 'lived by us in the same instant' [im selben Augenblick], and that instant is considered as indivisible as a 'blink of an eye.' To cite Derrida:

The force of this demonstration presupposes the instant as a point, the identity of experience instantaneously present to itself. Self-presence must be produced in the undivided unity of a temporal present so as to have nothing to reveal to itself by the agency of signs. Such a perception or intuition of self by self in presence would not only be the case where 'signification' in general could not occur, but also would assure the general possibility of a primordial perception or intuition, i.e., of nonsignification as the 'principle of principles.'

Put differently, Husserl's theory of signification, along with that of so many other Western thinkers, collapses if it can be shown that this particular concept of the 'now' is untenable, 'if the punctuality of the instant is a myth, a spatial or mechanical metaphor, an inherited metaphysical concept, or all at once, and if the present of self-presence is not simple, if it is constituted in a primordial and irreducible synthesis.' The latter is, of course, what Derrida sets out to demonstrate, and ironically—but not surprisingly—what one commentator pointedly called Derrida's 'parasitic' style of philosophizing—he does so by means of a detailed reading of the reflections on time that can be found in Husserl's work itself. Despite his implicit and probably unconscious use of the metaphor of the punctual now in his theory of consciousness and signification, Husserl, in his work 'The Phenomenology of Internal Time-Consciousness,' himself refutes the idea of the simple self-identity of the present. In the latter work, Husserl famously demonstrated that human perception of temporal phenomena can never be reduced to a purely present or 'presentative' perception (intention) but always includes a dimension of short-term memory (or retention) and a dimension of anticipation (or protention). That we can perceive a series of discrete tones as a musical melody, for example, is due to the fact that our brain along with the tone played retains the sound of previous tones and anticipates the sound of the tones coming. In order to limit the radical implications of these findings about the composite nature of perception, Husserl stresses that retention is a form of primary memory in which a very recent past is retained for a very short amount of time, and that it should not be confused with the less trustworthy secondary memory, in which the past is not retained but reproduced or re-presented in the form of active recollection. Derrida, however, shows that this divide between the quasi-perception of primary memory and the re-presentational character of secondary memory is arbitrary and indefensible. Instead, he claims, Husserl's findings about internal time consciousness should be taken to their radical conclusions: that there is no such a thing as (pure, synchronic) perception; or, put differently, that so-called presentative perception is always already mediated by memories and expectations that do not refer to the present, that all presentation is first of all re-presentation. To cite the words of Derrida:

One then sees quickly that the presence of the perceived present can appear as such only inasmuch as it is continuously compounded with a nonpresence and nonperception, with primary memory and expectation (retention and protention). These nonperceptions are neither added to, nor do they occasionally accompany, the actual perceived now; they are essentially and indispensably involved in its possibility. [...]. As soon as we admit this continuity of the now and the not-now, perception and nonperception, in the zone of primordiality common to primordial impression and primordial retention, we admit the other into the self-identity of the Augenblick; nonpresence and nonevidence are admitted into the blink of the instant.

Of course, one could object that Derrida, as is apparent in the terminology of the above passage, only deconstructs internal time consciousness or the perceived present, and that behind this subjective time there still exists an unshakable objective time that flows equably from instant to instant independent from any perceiving subject. However, in addition to his deconstruction of so-called 'subjective' time, Derrida also attacks the metaphysical tradition that describes and conceptualizes time in objective-ist or ontological terms. The history of Western thought, according to Derrida, has been strongly influenced by a conception of time that puts too much emphasis on the present and the actual to the disadvantage of the absent (non-present) and the actual. Decadence repeats and radicalizes a critique that Martin Heidegger already hinted at: Borrowing the latter's terminology, he claims that the reduction of all forms of Being to forms of 'presence' (Anwesenheit) is in its turn related to the privileging of a definite mode of time—the present (Gegenwart). From Parmenides to Husserl, Derrida writes, the privilege of the present has never been profoundly questioned. Even non-presence is always considered in relation to presence or as a modalization of presence. The past and the future are too often determined as a succession of past presents or future presents.

A particular determination of time has thus implicitly governed the determination of the meaning of Being throughout the history of philosophy. 'Traditional ontology,' according to Derrida, can therefore 'be destroyed only by repeating and interrogating its relation to the problem of time.' Heidegger clearly sensed this but, according to Derrida, refused or did not dare to elaborate on the 'temporal clue' that could destroy all metaphysics. While 'Sein und Zeit' subjects classical ontology to an 'extraordinary
trembling' by radically criticizing 'vulgar' linear time, its own proposition
of a more 'authentic' primordial time, according to Derrida, 'still remains
within the grammar and lexicon of metaphysics.' At one point, Derrida
even considers the Heideggerian problematic to be the 'deepest' and 'strongest'
defense of the thought of presence.

In his early essay 'Ousia and Gramme,' Derrida starts from a footnote
in Heidegger's Sein und Zeit in order to put forward his own critique of the
Western concept of time. Just like Heidegger, Derrida criticizes the long
tradition, stretching from Aristotle to Hegel, of conceptualizing time from
the metaphysical idea of the now/present. Derrida, however, endeavors to offer
a counter-reading of the thinkers whom Heidegger criticizes. He wants to
show that the great texts of metaphysics are not only about the so called
'vulgar' concept of time but that they also contain the elements to decon-
struct this time from within. Unlike Heidegger, Derrida goes beyond an
analysis of the paradoxes and aporias in the history of metaphysics in order
to look for the seeds of a different notion of time right at the heart of this
tradition. Aristotle, for example, according to Derrida, not only initiated
a long tradition of metaphysical thinking but also provided the tools to
deconstruct this tradition and its concept of time.

Derrida attributes the most important aporias of the metaphysical notion
of time to its use of the concept of the unified and self-identical 'now' that
both divides time infinitely and gives it the continuity of a line. Although
Aristotle knew very well about these aporias, and explicitly exposed them
in his exposition of commonsense time, he never really answered the ques-
tions he himself raised. The history of metaphysical thinking, according to
Derrida, is constituted by this omission and is possible only by endlessly
evading the questions on the aporetic nature of time. Derrida especially
resists the metaphysical idea of the absolutely synchronic present or 'now'
because it excludes the possibility of spectrality or coexistence of the non-
contemporaneous. Arguments about the non-coexistence of the parts of
time and arguments that distinguish time from space by conceptualizing it
as an 'order of successions' rather than an 'order of coexistences,' according
to Derrida, must already have been traditional in Aristotle's era, and this
still remains so today:

A now cannot coexist, as a current and present now, with another now
as such. Coexistence has meaning only in the unity of a single, same
now, [. . .] One cannot even say that the coexistence of two different
and equally present nows is impossible or unthinkable: the very signifi-
cation of coexistence or of presence is constituted by this limit. Not
to be able to coexist with an other (the same as itself), with an other
now, is not a predicate of the now, but its essence as presence. The now,
presence in the act of the present, is constituted as the impossibility of
coexisting with an other now, that is, with an other-the-same-as-itself.
The now is (in the present indicative) the impossibility of coexisting

Yet it is precisely this impossibility of the coexistence of two nows that,
according to Derrida, falls prey to an internal contradiction and in his
words only can be experienced as the 'possibility of the impossible.' The
very idea of the impossibility of the coexistence of a now with another now
implies that this other now is in a certain way the same and thus that it 'is
also a now as such, and that it coexists with that which cannot coexist with
it.' The impossibility of coexistence can be posited as such only on the
basis of a certain coexistence, of a certain simultaneity of the nonsimulta-
neous, in which the alterity and identity of the now are maintained together
in the differentiated element of a certain same. Although he warns that
this word should be interpreted in a neutral sense that implies no posi-
tion, activity, or agent, Derrida stresses that the aporias of time compel us
to think in terms of a paradoxical 'synthesis,' which maintains together
several 'current nows,' which are said to belong to the past or the future.
This 'synthesis' or 'certain same' can be expressed by the
Greek word hama, which means something like 'together,' 'all at once,' or
'at the same time.' The importance of this little word for the possibility of
deconstructing time, from within the tradition of metaphysics, can hardly
be overestimated. This word was used barely five times by Aristotle but,
according to Derrida, provides 'the small key that both opens and closes
the history of metaphysics in terms of what it puts at stake.' Although
Aristotle did not explicitly refer to the meaning of this word and even tried
to hide it, it betrays an unconscious logic of the discontinuous, the nonlin-ear, or the plural in his conception of time. This 'temporal clue,' according
to Derrida, should make it possible to think of a time that is no longer
dominated by a present or a now that has the impossibility of coexisting
with the non-contemporaneous as its essence.

A radical rethinking of time, moreover, according to Derrida, can never
simply be a matter of 'complicating' the concept of the present/noun while
still retaining the notions of 'homogeneity' and 'successivity.' A mere compila-
tion of the structure of time, as pursued by Husserl, for example, will always
uphold linearity and remain metaphysical. As Derrida explains, even when
one accepts that each 'Now A' and the protention of 'Now C,' this model would still reinforce the commonsense notion of temporal successivity and make it impossible for a 'Now X'
to take the place of a 'Now A.' As Derrida puts it in his Of Grammatology:

[This model of successivity] would prohibit that, by a delay that is in-
admissible to consciousness, an experience be determined, in its very
present, by a present which would not have preceded it immediately but
would be considerably 'anterior' to it. It is the problem of the deferred
effect (Nachträglichkeit) of which Freud speaks.
**MEDITATING ON A CERTAIN ‘NON-PRESENCE’**

The idea of spectrality in *Specters of Marx* should be understood as a radical and political elaboration by the later Derrida of his early deconstructive thinking. The ‘specter’ is firmly based on Derrida’s life-long project of deconstructing metaphysical time. Although it is surely historical, a ‘spectral moment,’ according to Derrida, cannot be dated according to a calendar and does not fit into time—at least not into time conceived as a series of modalized presents (past present, actual present, and future present). The present is ‘out of joint’ because it fuses and incorporates elements of the past and the future, because it is always haunted by ghosts or revenants. As Fredric Jameson comments, spectrality could easily be described as:

> what makes the present waver [...] Derrida’s ghosts are these moments in which the present—and above all our current present, the wealthy, sunny, gleaming world of the post-modern and the end of history, of the new world system of late capitalism—unexpectedly betrays us.

Ghosts introduce a constant ‘anachrony’ into the present; they provoke an ‘untimeliness and disadjustment of the contemporary.’ The specter, therefore, is not just a piece of ‘traumatic’ past popping up into the present; rather, its logic questions the entire traditional relationship among past, present, and future. Derrida is well aware of the radicalism of his thesis about the non-contemporaneity of the present with itself, and he knows how difficult it is to rethink time in an academic context:

> within philosophy there is no possible objection concerning this privilege of the present-now; it defines the very element of philosophical thought, it is evidence itself, conscious thought itself, it governs every possible concept of truth and sense. [...] This conflict, necessarily unlike any other, is between philosophy, which is always a philosophy of presence, and a meditation on nonpresence—which is not performative, or necessarily a meditation on a negative absence, or a theory of nonpresence qua consciousness.

Derrida also stresses that his spectral logic does not introduce some kind of new metaphysical category. Rather, he says, it is a logic that is implicitly needed in any critique of abstraction, idealization, ideologization, or fetishization. It is important not to isolate Derrida’s idea of spectral survival from his deconstruction of the historical or ‘living’ present. Warren Montag rightly claims that the possibility of spectrality in the first place depends on Derrida’s concept of the ‘trace,’ which cannot be summed up in the simplicity of a present. It is thus irreducible to a present or presence which might become a past or absence: its very non-contemporaneity determines the possibility of its persistence. The specter, then, is simply that which ‘was never alive enough to die, never present enough to become absent.’ In other words, spectrality or the denial of absolute ‘absence’ is the logical Other of Derrida’s life-long deconstruction of absolute ‘presence.’

Although *Specters of Marx* elaborates on Derrida’s project of deconstruction, I remarked above that it also includes a more affirmative move. The figure of the specter must justify the passage from a ‘technico-ontological’ disadjustment of time to a problematic of ethics and justice that cannot be grasped in terms of mere ontology. Every reflection on injustice and ethics, Derrida claims, should be closely related to a reflection on the disjointed nature of time and the other way around. Interpretations of Hamlet’s enigmatic saying that the time is ‘out of joint,’ for example, have always doubted a literal reading that takes Hamlet’s utterance to refer to the state of the world—‘Le monde est déséquilibré’—and André Gide’s translation, together with that of some others, radically opts for an ethical reading as ‘Cette époque est désonorée,’ or ‘Cette époque est déshonorée.’

Also, Derrida writes, Heidegger has demonstrated in his ‘Der Spruch des Anaximander’ that the Greek words for justice (Dike) and injustice (Adikia)
are etymologically closely related, respectively, to the concepts of joining, adjoining, adjustment, and articulation—or in Heidegger's language *Fug* and *Fuge*—and the notions of the disjointed, the twisted, and the out-of-line. It should not be considered a coincidence, according to Derrida, that Heidegger's etymologically inspired translation of the expression Adikia as 'aus den Fugen' or 'aus den Fugen gehen' is also the German equivalent of 'out of joint'.

Derrida does not believe the relation between time and (in)justice to be straightforward or unequivocal, however. The disjointedness of time can be a feature of injustice, but it also conditions the very possibility of justice. At least this is the case if one wants to move the concept of justice beyond the practices of vengeance, punishment, or even restitution with their logic of 'calculable equality,' of 'symmetrizing and synchronic accountability,' or of a mere 'doing right,' in order to make possible the incalculable and non-economical relation with others of which Emmanuel Levinas says it is the basis of all ethics. Absolute presence, Derrida argues, never has been the condition or the object of justice; justice always assumes a certain sense of anachronism. Ethics cannot restrict itself to the present and the living generations. One must always remember that the impossible (to let the dead bury their dead) can happen; that, for Derrida, is absolute evil: an absolute presence that does not want to hear about death. As we have seen, his critique directly addresses Fukuyama and his end-of-history idea that declares the death of the past and tries to exorcise all specters in the name of an absolute present. That Derrida's chronosophy is related intimately to the politics of memory becomes clear when he approvingly quotes Yosef Hayim Yerushalmi's rhetorical question 'whether it is possible that the antonym of “forgetting” is not “remembering,” but *justice.*' Much like Benjamin, Derrida fiercely resists the reigning teleological time of progress, wherein past and present injustice can always be justified or legitimized by referring to a future catharsis. Only the promise of memorizing the promise of justice can counter such a totalitarian and an immoral logic.

After having stressed the many fruitful aspects of Derrida's work, let me take some distance and formulate some criticisms. Although Derrida can help us rethink the notion of historicity, and although his deconstruction, as Geoff Bennington argues, could in a sense be called 'the most historically of discourses imaginable,' it cannot be denied that Derrida's work also manifests striking ahistorical features. Such an ahistorical dimension can be seen clearly, for example, in Derrida's account of the metaphysics of presence. As we have seen above, Derrida claims that the tradition of Western thought for at least two and a half millennia has been characterized by the same metaphysical privileging of presence. The same metaphysical presuppositions, for example, according to Derrida, have figured in Western theories of time from Aristotle to Kant over Marx to even Heidegger, no matter whether these thinkers were antique or medieval, modern or pre-modern. The metaphysics of presence thus seems to take on a strange trans-historical character in Derrida's thought.

Similar historical deficits can be observed in the alternative philosophical concepts with which Derrida proposes to replace the metaphysics of presence. Notions of spectrality and of the out-of-jointness of time, despite Derrida's disclaimers, often seem to refer to a trans-historical phenomenon. About Derrida's thesis that the time is out of joints, Sande Cohen rightly remarks that it tends toward a 'timeless ahistoricity' because it is all too often presented as a kind of primordial reality that is eternal and unchanging. To cite Cohen's fairly enigmatic words:

> What is affirmed is that 'the time is out of joint' is always true, hence every present is always nonpresent to itself, yet present to itself in exactly that way, therefore related to spirits and specters, which are indices of our avoidance of what haunts us. The present is to be imagined as an always nonpresent present in its own nonpresence. Of course this relation (understanding Derrida) is also the meta-metahistorical, since it affirms that no reading of Marx or of the present can take place without the 'first' verbal body of spirit always with us. Hypercontinuity: spirits and specters run on a timeless timing.

A similar criticism is formulated by David Wood. According to Wood, Derrida in his rigid juxtaposing of the logic of identity and the logic of difference—and his rejection of the entire tradition of Western philosophy as trapped in the former—reproduces a traditional, essentialist, and metaphysical philosophical opposition. Despite Derrida's repeated statements that the concept of time will always remain metaphysical and his criticism of Heidegger's attempts to conceive of a non-metaphysical primordial time, one could ask whether the core deconstructive notions of *différence* and *trace* do not themselves take the form of a primordial temporality. As Wood points out, Derrida's stress on the transcendental status of *différence*—his claim that absolutely nothing can precede it and that all forms of presence are based on it—is engaged in a 'high grade mimicry of transcendental arguments.' According to Wood, Derrida can neither claim the originary status of *différence* nor defend its privilege over presence without lapsing into self-stultification. However, asking the rhetorical question of whether there is place for a notion of *différence* without this attached privilege, Wood answers that there is and that it is at precisely the same level as there is room for "presences," "unities," and "identities" functioning without the metaphysical security that philosophy is apt to bestow upon them. He adds that:

> The level just referred to, at which presence and *différence* meet without privilege, I would call the level of human finitude. We are satis-
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fied with partial answers to questions, incompletely fulfilled meanings, good enough cases of immediacy. We do have a tacit knowledge of contexts, we construe situations, we know what it is to see a piece of paper, to go for a walk, and so forth. Derrida would probably not dispute this. What I think he forgets is that it is from these everyday securities, and our tacit grasp, however vague and average, that we necessarily start when considering, say, the contribution of differance to their constitution. The always-already present is the condition for differance being thinkable. [...] The play of differance is not infinite. [...] Difference and identity, or differance and presence, are each linked pairs, and it might be salutary to think of metaphysics as the result of a hypertrophic privileging of one of the terms in each pair. 63

Wood's criticism of the transcendental understanding of differance is important because it dissuades us from replacing the absolute concept of time that we criticized with another agency that would similarly structure or underlie all of reality. First and foremost, however, a criticism of the transcendental and ahistorical interpretation of the notion of differance and of the related idea that the time is out of joint is crucial because these phenomena, as we have seen, condition the possibility of spectrality. As long as we cannot conceive of different quantities or qualities of differance—i.e. of differance as non-(self)identical—we will not be able to conceive of changing intensities of spectrality or haunting. That, however, is important because a genuinely historical approach to spectrality must be able to account for the fact that some 'pasts' haunt more than others and the fact that there exist different levels in which a present can be haunted. A genuinely historical account of haunting will, for example, need to be able to explain that situations of violence and civil war tend to produce a much more vigorously persisting past than peaceful and stable situations.

8 History and the Work of Mourning

Only that historian will have the gift of fanning the spark of hope in the past who is firmly convinced that even the dead will not be safe from the enemy if he wins.

W. Benjamin

INTRODUCTION

Until now I have dedicated the largest part of this book to an analysis that attempts to understand the phenomena of the irrevocable past and of performativity by focusing on notions of time and temporality. In this chapter I would like to complement this analysis by approaching the matter from a somewhat different angle: I will try to deepen our understanding of the irrevocable and of the performative by relating them to the problems of mourning and death.

Lately, several influential historians and philosophers of history have argued that a close relationship exists between the writing of history and the work of mourning. Dominick LaCapra, for example, analyzes post-holocaust historiography by using the psychoanalytical concepts of 'working through' and 'acting out,' and he has proposed that the German Historikerstreit should be interpreted as a form of collective mourning. Jörn Rüsen argues that in relation to the traumatic character of the experiences of the last century, the writing of history can be conceived as a 'procedure of mourning.' The relationship to the past, Rüsen writes, 'can be compared to the relationship to deceased persons or objects in the mourning process,' and, he adds, 'so in a simple logical argumentation one can say that mourning is constitutive for historical thinking in general and in principle.' Similarly, Ewa Domanska states that historical discourse is dependent on the discourse of death. As she explains, 'Indeed, when speaking of the dead body, we touch the very essence of historical discourse which, arguably, originates from the contemplation of dead body. Without death there would be no history. History feeds on death. History begins in the grave.'

I agree with LaCapra, Rüsen, and Domanska that a close relationship exists between mourning and historiography, and I think that these authors are right when they argue that a lot can be learned about the writing of history by analyzing it from the perspective of the practice of mourning or the discourse on death. When discussing the case of the Argentine Madres de Plaza de Mayo, for example, I remarked that the resistance against the irreversible time of history often manifests itself as a refusal to take on the
task of mourning and to recognize (the metaphor of) death. In the preliminary conclusion following the three case studies, I claimed, moreover, that the spectral figure of the desaparecido and the idea of wandering ancestral spirits have to be interpreted as reflections of particular conceptions of historicity. However, in this chapter, I will argue that what one learns from the comparison between history and the discourse on death or the practice of mourning depends very much on the conception of death or the model of mourning from which one starts.

Already in the mid-1970s, Michel de Certeau remarked that modern historiography is based on a particular conception of death, adding that this historiography takes for granted the fact that it has become impossible to believe in the presence of the dead that has organized (or organizes) the experience of entire civilizations. Below I, therefore, argue that one can analytically distinguish between at least two profoundly different concepts of mourning and death that relate to different notions of historicity: namely, a modern (mostly Western) concept of mourning and a non-modern (but not necessarily non-Western) concept of mourning. The most important difference between the relatively young modernist theory of mourning and the much older and much more widespread non-modern concept of mourning, I will argue, can be found in the different ways in which they relate the notions of ‘loss’ and ‘absence.’ These differing accounts of the relation between ‘loss’ and ‘absence,’ I will try to demonstrate, in their turn give rise to differing notions of performativity (‘the work of mourning’) and differing accounts of ethics (‘the ethics of mourning’). Arguing that the modern theory of mourning shares many intellectual features with modern conceptions of history, I will try to show how an analysis of the former can help us understand why it is generally so hard for modern thinkers to recognize the performative potential and the full ethical implications of discursive practices of history.

After contrasting modern and non-modern models of mourning and discussing the way they relate to different concepts of time and history, we will have to deal with the question of what concept of mourning best corresponds with the notion of the irrevocable. In an attempt to answer this question, I will once more turn to the work of Jacques Derrida and, more precisely, to his uncommon approach to mourning, about which it can be argued that it is neither strictly modern nor non-modern.

MODERN MOURNING: FREUD’S LEGACY

The easiest way to analyze the prevailing modern theory of mourning is doubtlessly by focusing on the work of Sigmund Freud, and more specifically on the extraordinary influential account of mourning that the latter developed in his essay ‘Mourning and Melancholia’ (published in 1917). Mourning plays only a subordinate role in this essay, which focuses primarily on melancholia, and Freud (partially) revised his theory of mourning in later essays, but it has been passages from ‘Mourning and Melancholia’ that came to influence both the psychoanalytical and the broader Western conceptualization of mourning.

In ‘Mourning and Melancholia,’ the concept of mourning mainly functions as a way to throw light on the phenomenon of melancholia. The comparison between mourning and melancholia is justifiable, according to Freud, because both can be considered reactions to some kind of loss (of a beloved person or of some ‘abstraction’ that takes the place of one: i.e. an ideal, a country, liberty, etc.) and because both share a particular set of psychological features (such as loss of interest in the outside world, loss of capacity to love, etc.). Nevertheless, the two mental states have to be distinguished rigorously. Although melancholia can be considered a pathological disposition that can linger for the rest of one’s life, mourning, according to Freud, is a temporary and a normal feature of life. As he puts it, ‘it never occurs to us to regard [mourning] as a pathological condition and to refer it to medical treatment. We rely on its being overcome after a certain lapse of time, and we look upon any interference with it as useless or even harmful.’

Although it can be very painful, mourning performs a useful ‘work.’ This work of mourning starts, Freud argues, after ‘reality-testing’ has shown that ‘the loved object no longer exists’ and demands that all ‘libidinal’ attachments that only live on in the ego of the bereaved are withdrawn from the lost object. In other words, ‘reality’ demands that the bereaved accepts that the lost one has become absent. As one commentator puts it, the work of mourning for Freud becomes a matter of ‘internal reviewing and dealing with the mental images of the lost item.’ Of course, this demand often arouses opposition. It is ‘a matter of general observation,’ Freud writes, that people are never fond of abandoning any ‘libidinal position,’ even if plenty of ‘substitutes’ for the loved person or object are available.

Sometimes the demand of detachment is so painful that the bereaved person turns away from ‘reality’ while ‘clinging to the object through the medium of a hallucinatory wishful psychosis.’ And in many cases the belief in the existence of the lost object is temporarily psychologically prolonged because the detachment takes so much energy and so much time. Normally, however, ‘respect for reality gains the day,’ and the ‘command of reality’ is carried out piecemeal. ‘The fact is,’ Freud states, ‘that when the work of mourning is completed, the ego becomes free and uninhibited again.’ Normal mourning, then, according to the Freud of ‘Mourning and Melancholia,’ contrasts with pathological mourning in that by definition it is limited in time. Its main differentiation from melancholia (as a special case of pathological mourning) is situated in the fact that normal mourning experiences loss on a conscious level and that the bereaved ego knows that it merely has to detach itself from a set of interiorized mental representations of the deceased. The melancholic person, on the other hand, often denies loss or experiences loss on an unconscious level, which can result in self-hatred or
a decreased self-esteem when anxiety and anger about the loss turn themselves against the ego. To cite Freud, 'In mourning it is the world which has become poor and empty; in melancholia it is the ego itself.'

Now, as I already remarked, although it made it into the dominant twentieth-century approach in the West, the detachment and substitution theory of mourning developed in 'Mourning and Melancholia' was not Freud's final account. Freud made an important revision to the theory of mourning in his essay titled 'the Ego and the Id' (1923). In this essay, Freud distances himself from his earlier idea that mourning, in contrast to melancholia, can be ended easily after a certain lapse of time and that the ego always reemerges 'free' and 'unbound' after it completes the task of mourning. Possibly under the influence of painful experiences of loss in his private life, Freud came to believe that the contrast between mourning and melancholia was less rigid than he had supposed earlier on. Instead of being restricted to melancholia, he argues, the psychological mechanism that deals with painful loss by identifying with the lost object and by keeping the mental representations of the deceased person in the ego for a long time is, in fact, widespread and fairly typical of most types of mourning. Although Freud does not doubt the reality principle that posits the absence of the dead, and although psychological detachment remains Freud's ideal, it now seems clear to him that not every part of the human psyche deals with the 'demands of reality' in the same way after a loss has occurred. Similar to what Freud already argued about melancholia in 'Mourning and Melancholia,' there seems to be a critical agency in the mourner's psyche that restrains the ego from promptly obeying the reality principle. Because the phenomenon is so widespread, this critical agency, according to Freud, deserves to be considered a relatively autonomous and separate part of the self—he speaks about an 'ego-ideal' or a 'super-ego' that has to be differentiated from the 'ego' and the 'id.' This way the theory of mourning takes a central place in Freud's famous splitting of the self.

I will return to Freud's theory of mourning below, but for now it should be noted that while Freud produces an innovative and subtle theory about the self, his work on mourning lacks an elaborate notion of the social. In both: his earliest and later accounts, mourning and melancholia are conceptualized as personal phenomena, and Freud never really engages in an analysis of collective mourning. As Martin Bergmann remarks, this fact only becomes stranger, considering that Freud wrote his theories of mourning during and shortly after one of the greatest social catastrophes of the twentieth century, which brought collective loss and the need for collective mourning to an unseen scale. Another striking absence in Freud's accounts of mourning is that of any reference to ritual dimensions; Freud never studies or comments on the function of (collective) mourning rituals. Although it is hard to assess to what extent Freud's theory of mourning is the product of broader social and cultural trends and to what extent his ideas influenced these broader trends, it is clear that his account of mourning embodies most of the characteristics that sociologists have attributed to the typical Western practices of mourning during the twentieth century: their privatization, individualization, and psychologization.

**NON-MODERN PRACTICES OF MOURNING**

Let us now contrast Freud's archetypically modernist account of mourning with a brief sketch of some general characteristics of non-modern conceptions of mourning. Of course there is no such thing as a unified non-modern practice, or even concept, of mourning: Indeed, anthropologists are fond of pointing out an infinite series of subtle differences in mourning rituals and funeral practices in diverse cultures and subcultures all over the world. However, because my main interest is to draw some rough contrasts and because my focus is merely analytical, it will suffice to resort to two classical accounts of non-modern mourning rituals that have been offered by the anthropologists Robert Hertz and Arnold van Gennep in 1907 and 1909, respectively.

Non-modern burial rituals and practices of mourning, Robert Hertz argues, only can be understood if one comes to see that human death cannot be reduced to a merely biological or physiological phenomenon (as, according to him, it is all too often done by modern Western observers) but always involves social and cultural dimensions. In 'our society,' Hertz claims, writing in France at the beginning of the twentieth century, it is generally believed that death occurs 'in one instant.' Although a 'more or less prolonged' period of mourning begins after a death occurs, and although commemorative ceremonies are sometimes held in honor of the deceased for a certain period of time, the deceased himself or herself is believed to be gone and his/her body can be buried right away. As Hertz explains, 'The only purpose of the two or three days' delay between the demise and the burial is to allow material preparations to be made and to summon relatives and friends.' Much more common than the modernist idea of an instantaneous death, however, death in many cultures is believed to be a process—a process moreover that demands for ritual interventions and that imposes a set of obligations on the living. This approach to death, according to Hertz, is reflected in a funeral practice that in many variations is very widespread: the practice of the double burial. In many cultures, it is customary to organize a temporary funeral during which the body of the deceased is placed in a temporary shelter before it is taken to a final burial place during a second ceremony.

Until the final burial rite is performed, the communities of the living as well as the deceased are believed to be exposed to grave perils. This is clear from the fact that the practice of the double funeral involves concerns not only about the body of the deceased but also about his/her soul and about the well-being of the survivors. As Hertz explains:
In the same way as the body is not taken at once to its ‘last resting place,’ so the soul does not reach its final destination immediately after death. It must first undergo a kind of probation, during which it stays on earth in the proximity of the body, wandering in the forest or frequenting the places it inhabited while it was alive: it is only at the end of this period, at the time of the second funeral, and thanks to a special ceremony, that it will enter the land of the dead. 18

For a while the soul of the deceased is thus stuck between two worlds, and it has no resting place until the final burial feast. This dreadful position of the deceased soul explains why it can become a threat to the survivors:

It is thus not surprising that during this period the soul should be considered as a malicious being: it finds the solitude into which it has been thrust hard to bear and tries to drag the living with it. [...] It watches its relatives’ mourning sharply and if they do not properly fulfill their duties toward itself, if they do not actively prepare its release, it becomes irritated and inflicts diseases upon them, for death has endowed it with magical powers which enable it to put its bad intentions into practice. 19

The task of mourning with which the surviving relatives are burdened not only has to be carried out meticulously in order to appease the soul of the deceased but also includes a set of social prohibitions that serve to protect the broader community. Because death and the corpse are, in many cultures, considered contagious, surviving relatives are often subject to a series of taboos and are separated from the rest of society by a ban. They are ordered to wear a different dress, take on a different diet, often cannot receive any visitors, and sometimes are confined to their houses for long periods.

Thus, in contrast to its modernist variation, which mostly restricts the task of mourning to the inner life of the individual and treats it in primarily psychological terms, non-modern mourning commonly is an inherently collective phenomenon that has far-reaching social implications. Although the custom of the double burial comes in many variations, it is generally organized around a set of common assumptions about the nature of death. First, Hertz argues, instead of being completed instantaneously, death is understood as a lengthy process that mostly is considered to be terminated only when the deceased’s body is entirely decomposed. Second, death is considered to be a transition rather than a mere destruction.

This notion of death as transition brings us to the work of Arnold van Gennep. Van Gennep’s main intellectual contribution to the analysis of mourning was to propose that non-modern mourning practices or funerary rituals have to be interpreted as rites of passage. 20 Funeral rites, comparable to other rites of passage such as the ones performed to mark the passage of boyhood into manhood, to accompany childbirth, marriage, etc., van Gennep claims, follow a structural model that can be broken down into three interrelated but distinct phases of separation, transition, and incorporation. Interestingly, van Gennep’s research data—in contrast to what would be expected from a modernist perspective—showed that not the rites of separation but the rites of transition and rites of incorporation figure most prominently in non-modern practices of mourning. Clearly, what mostly preoccupies non-modern cultures confronted with loss is the transitional or “liminal” status in between death and life of both the deceased and, through the logic of contagion, the living relatives. The complex and elaborate rites of transition and incorporation, then, primarily aim at restoring the borders between life and death. As van Gennep explains:

Mourning, which I formerly saw simply as an aggregate of taboos and negative practices marking an isolation from society of those whom death, in its physical reality, had placed in a sacred, impure state, now appears to me to be a more complex phenomenon. It is a transitional period for the survivors, and they enter it through rites of separation and emerge from it through rites of reintegration into society (rites of the lifting of mourning). In some cases, the transitional period of the living is a counterpart of the transitional period of the deceased, and the termination of the first sometimes coincides with the termination of the second—that is, with the incorporation of the deceased into the world of the dead. 21

Like Robert Hertz, van Gennep stresses that non-modern mourning is essentially a collective concern with many social dimensions. Traditionally, all social life is suspended during the period of mourning, and how long this takes depends on the degree of kinship of the survivors to the deceased or on the social status of the dead person. If the deceased was an important king, for example, van Gennep explains, the entire society could be expected to interrupt normal social life for a period of several months.

Although the idea of death as a transition—rather than something that happens at an instance and itself takes no time—can seem pretty alien from a modernist perspective, it of course has not been and still is not absent in the socio-cultural history of the West. The custom of organizing a vigil for the deceased, which once was quite universal in the West and in fact only disappeared relatively recently, indeed, reflects the belief that death is a process and that the soul of the dead person stays in or around the corpse for a certain period in which it has to be guarded.

Moreover, although Freud’s early theory of mourning in terms of libidinal detachment and substitution has been very influential and has remained largely uncontested in the West for a long time, recently it is criticized on several fronts. Many express their discomfort with the idea that attachments to lost loved ones can easily be run down and substituted by new attachments. The opposition to the classical modernist account of mourning is not only cast in ethical or emotional terms, however. An important
reaction comes from a group of psychologists who claim that the classical model of mourning underestimates the enduring attachments or ‘continuing bonds’ that most bereaved persons maintain with the deceased. Abundant research data, they argue, show that the process of bereavement is not primarily ‘a stage of disengagement’ but, rather, that grieving persons often merely alter and then continue their relationship to the dead. Of course, the bereaved have to change their relationship to the lost person, and this change is quite radical, but this does not necessarily imply that the relationship ends. Studies on widows, parental bereavement, and bereaved children, for example, show that many bereaved people for a long time or even the rest of their lives continue to feel the presence of their lost relatives and that they sometimes engage in relationships with the dead quite consciously. In contrast with the dominant Western model of the twentieth century, which posited that mourners must let go of the past and defined any sustained relationship with the dead in terms of pathology, several psychologists now argue that bereaved persons should not be forced to put the past to rest or to focus on new attachments in the present. As one commentator explains, recent research shows that, ‘Remaining connected seemed to facilitate both adults’ and children’s ability to cope with the loss and the accompanying changes in their lives. These “connections” provided solace, comfort and support, and eased the transition from the past to the future.’ Thar the dominant model of ‘healthy’ mourning was, and still is, so resistant to empirical falsification and that it is so stubborn in claiming that detachment is the normal end result of mourning is the effect of a set of modernist ideas and ideals about the nature of the self and the sovereignty of the individual that are more wish than reality. As one commentator argues:

The fashionable idea that the purpose of grief is to detach from the deceased and move on is based neither on research nor clinical experience, but on the western cultural value of autonomy.

**WHAT DOES MOURNING TELL US ABOUT HISTORY?**

Our main focus here is not in the first place directed at an analysis of concepts and practices of mourning in and for themselves. Rather, as I already indicated, I want to discuss whether and how these different models of mourning can teach us something about history. In this perspective, one of the most striking differences between modern and non-modern concepts of mourning is found in the different ways in which they perceive (the borders between) life and death and in the different ways in which they couple the notions of ‘loss’ and ‘absence.’ Although death is obviously experienced as a form of loss (why else would one grieve?), non-modern practices of mourning reflect a widespread belief that death does not (immediately, in itself) render the deceased person (entirely) absent and that, accordingly, the boundaries between life and death are not absolute. If it is a correct hypothesis that there is a direct relation between the way one conceives of death and the way one conceives of historicity, or, as Jörn Rüsen puts it, that mourning is ‘constitutive’ of historicity, then the non-modern set of ideas about the dead is incompatible with the idea of an absent past or a stricter separation between past and present.

The Freudian archetype of modern mourning, in contrast, gives us a picture that fits much better with the notion of the absent or distant past. This might seem strange at first sight because Freud often is presented as a theorist of the haunting past. To a certain extent, this is of course true. Freud had a special interest in the theme of haunting, and his psychotherapeutic theory of ‘Nachträglichkeit’ often has been believed to imply a radical rethinking of time. In his essay ‘Thoughts for the Times on War and Death,’ for example, Freud seems to develop a thesis about the persistence of the past when, in order to explain the abominations of the First World War, he claims the survival of ancient instinctual impulses in modern man. Similarly, Freud’s account of mourning (at least the one in ‘The Ego and the Id’) seems to include some sense of the persisting past when he recognizes that survivors often psychologically prolong the presence of their lost relatives by incorporating them as mental images into their ego. However, this survival of primeval psychological mechanisms and the haunting persistence of images of the dead, according to Freud, are dependent on the special structure of the human psyche that strongly contrasts with all other ‘external’ or ‘material’ dimensions of reality. As Freud explains,

Despite or because of its exceptional status, the special temporality or historicity of the psyche, in Freud’s view, as we have seen, is subordinate to the broader reality principle that is that of the ‘transience of all things’ and the absence of the lost. As it is clearly expressed in the short but revealing
essay titled 'On Transience,' it is the universal law of transience that makes the task of mourning into an incontestable obligation. In Freud's perspective, mourning indeed comes to function as a mere self-adaptation to external reality: The work of mourning realizes in the realm of the mind what time and history have already realized in the world outside. The refusal or inability to mourn and the psychological continuation of any relation with the dead, thus, in the end only can be interpreted as a kind of running behind or a disadjustment to the pace of the irreversible time of history.

In other words, it can be argued that Freud, instead of being the theorist of the irrevocable or haunting past, reduces the irrevocable from a broad or inability to mourn and the psychological continuation of any relation from the world of the living, we therefore could speak about an 'external' performative (i.e. that it 'works'), this performativity is interpreted in opposite ways. Although one should be well aware of the problematic character of this dichotomy, it could be said that non-modern and modern notions of mourning can be distinguished from each other by their respective stress on 'external' and 'internal' forms of performativity.

As we have seen, non-modern practices of mourning are commonly based on the idea that the process of death asks for active (ritual) intervention. Although non-modern mourning has great implications for the (social and mental) life of survivors, its main focus is on the dead themselves: on the precarious fate of their bodies, but especially on the fallible separation from the world of the living, the temporary liminality, and finally the incorporation into the world of ancestors of their souls. From the perspective of the living, we therefore could speak about an 'external' performativity of the non-modern work of mourning. The dominant modern theory of mourning, in contrast, has no sense of such an external performativity because it is embedded in the belief that the dead are gone: the belief in the absence of the lost. Because the deceased person, according to the modern approach, in a strict sense does not exist any longer, there is literally nothing to perform on. The modern approach rather involves a process of psychologization and individualization that redefines mourning as something that exclusively takes place inside the mind of individual survivors. The main focus of the modern work of mourning can therefore be called 'internal.'

The respective stress on internal or external performativity obviously also has ethical implications. In line with its external performativity, non-modern mourning develops an ethics that is primarily based on a responsibility toward the dead. Modern mourning, in contrast, faces the problem of what one commentator calls 'impracticable defense.' Because the dead no longer exist, they can no longer be harmed or defended, and so no direct ethical responsibility can be developed toward them. The modern account of mourning, therefore, comes with a rather minimalist (but not necessarily less compelling) ethics that primarily focuses on the recovery of survivors and often takes the form of a (clinical) injunction of detachment.

The difference between modern and non-modern ethics of mourning is most obvious when one considers their (potential or probable) reactions to a refusal to mourn, such as the one we found in the case of the Argentine Madres de Plaza de Mayo. The Madres' refusal to mourn would probably be rejected as much in a context of non-modern mourning as in the context of the modern mourning. However, from the perspective of the modern theory of mourning, in contrast, the refusal to mourn primarily comes to be seen as a regrettable offense against one's own psychological recovery and autonomy. Rather than being interpreted as an offense against the dead or against society, the refusal to mourn tends to be conceived of as a form of pathology because it allegedly involves an impossible rebellion against the reality principle or against the passing of time itself.

Of course I do not propose a choice between one of the two accounts of mourning and their ethics. I only aimed to show that different models of mourning relate to differing accounts of history. The analysis of different strands of mourning raises some important questions about our conceptualization of history and more exactly about the phenomenon of the irre-vocable: What do the borders between past and present look like (are they liminal?), and if there is such a thing as the irrevocable, what is its locus and what is its modus? Where and how does the past persist? Exclusively in individual memory or in the psyche of bereaved survivors? And how should that memory be conceived? In an attempt to provide some answers to these questions, I now turn to the theory of mourning that Jacques Derrida has developed and that can be considered as a complement to his theory of spectrality.
BEYOND MODERN VS. NON-MODERN MOURNING: THE LEGACY OF JACQUES DERRIDA

It is hard to overestimate the weight of the theme of mourning in the work of Jacques Derrida. Starting from the early 1980s, Derrida has written a long series of often very personal eulogies, memorial essays, and funeral orations for deceased colleagues and friends. Although some of these texts treat the theme of mourning explicitly, most of them do so implicitly, and all of them, as one commentator remarks, are texts of or in mourning and, therefore, can be considered as a "definable mini-corpus within the corpus of Derrida," This does not mean that the theme of mourning remains unrelated to other parts of Derrida's thought. On the contrary, it is closely connected to a multiplicity of other themes in his oeuvre. At one occasion, Derrida even stated that "the question of mourning [...] is the very heart of any deconstruction." Even if this statement is perhaps a hyperbole—Derrida has spoken about several other themes as constituting the heart of deconstruction—it is definitely valid for the relationship between mourning and the deconstructive theme of spectrality. An analysis of Derrida's account of mourning can therefore bring about a more profound understanding of the notion of spectrality and the claim that time is "out of joint."

Despite the stress on lingering specters, Derrida's thought cannot be interpreted as a subspecies of the non-modern type of mourning that we described above. Yet despite the great influence of Freud on his broader philosophy, Derrida's theory of mourning also deviates considerably from the dominant modernist account of mourning. Derrida's account of mourning, indeed, seems to be a mixture—a hybrid. As I will try to demonstrate, it can be interpreted as a critical dialogue with both the modern and non-modern model of mourning. Moreover, it can help us in our attempt to answer the questions mentioned above—namely, those about the loci of the irreparable, about the boundaries separating past and present, and about the status of memory.

Derrida's interest in mourning in the first place seems to derive from the ethical dilemma that, according to him, it raises: Mourning, he claims, confronts us with an "unbearable paradox of fidelity." Although it is clearly a form of infidelity not to mourn the dead, to forget them, or to deny their death, Derrida doubts whether the dominant modern practice of mourning is any more ethical or responsible toward the dead. Under the influence of psychoanalysis, Derrida complains, Western discourse of mourning has been cast almost exclusively in terms of memory and interiorization. It depicts the process of mourning as one of "idealizing incorporation" or even of "consumption" of the other. As he explains, "It entails a movement in which an interiorizing idealization takes in itself or upon itself the body and voice of the other, the other's visage and person, ideally and quasi-literally devouring them." Although the (temporary) interiorization of the image and memory of a deceased friend or relative is most often meant well and presented as an act of fidelity, Derrida questions whether it actually contributes to the "safekeeping of the other as other" or whether it should rather be considered an act of narcissism or even of "psychic plagiarism."

It should be asked to what extent mourning preserves the deceased "as other" (a living person dead) inside me," rather than considering him/her part of the mourner's memory or psyche and thus denying or reducing his/her otherness. Moreover, Derrida raises the question of whether the seemingly affectionate claims that pretend to keep the dead mentally alive and intact or to keep the dead "safe [...] inside me" should not rather be interpreted as implicitly saying that they are "dead save me"—dead except for the image guarded in my memory. Derrida's ethical dilemma of mourning can then be expressed in the form of the following couple of questions:

Is the most distressing, or even the most deadly infidelity that of a possible mourning which would interiorize within us the image, idol, or ideal of the other who is dead and lives only in us? Or is it that of the impossible mourning, which, leaving the other his alterity, respecting thus his infinite remove, either refuses to take or is incapable of taking the other within oneself, as in the tomb or the vault of some narcissism? The only way out of this aporia—to mourn or not to mourn—Derrida concludes, is by rethinking the modern theory of mourning so as to move it beyond the idea of an idealizing interiorization that is eventually aiming at psychological detachment. Instead of reducing the existence of the dead to a set of empty recollections in custody of the inner life of some survivors, Derrida creates an account of mourning that postulates the lasting influence of the dead and that aims at a continuing relation with them. This account breaks with the traditional juxtaposition of mourning and melancholia, and it de-pathologizes people's continued engagement with the dead. According to Derrida, this is necessary from an ethical and a political point of view because mourning touches the core of the idea of the political.

Deconstructing Interiority and Memory

To be sure, Derrida does not deny the undeniable reality of death: "The other is dead and nothing can save him from this death, nor can anyone save us from it." It cannot be refuted, he argues, that the deceased is no longer living in himself or herself. The only being of the dead is, indeed, "in me" or "in us" and more exactly in our "bereaved memory." Once death has taken place, Derrida states, "there is no longer any choice [...] except that between memory and hallucination." To cite Derrida:

"Everything remains 'in me' or 'in us,' 'between us,' upon the death of the other. Everything is entrusted to me; everything is bequeathed or given to us, and first of all to what I call memory—to the memory, the
place of this strange dative. All we seem to have left is memory, since nothing appears able to come to us any longer, nothing is coming or to come, from the other to the present.44

However, this does not mean that the deceased other simply belongs to the past or that the existence of the dead can be reduced to the ‘simple inclusion of a narcissistic fantasy in a subjectivity that is close upon itself or even identical to itself.’ The main problem of the modern account of mourning, according to Derrida, is to be situated precisely in the notion of (inter)subjective interiority—the ‘in me’ or ‘in us’—on the one hand and the simplistic account of ‘memory,’ ‘past,’ and ‘present’ on the other. Let us start with Derrida’s deconstruction of the first notion.

If one wants to comprehend the continuing power (or ‘force’) of the dead over the living and understand how the dead resist the closure of interiorizing memory, Derrida argues, one has to stop thinking in terms of a simplistic opposition between the ‘interior’ and the ‘exterior,’ between what belongs to us and what belongs to the other, or between the ‘gazing’ and the ‘gazed upon.’ Instead, one must begin from a different topology or organization of space.45 As Derrida explains in a text written on the death of Roland Barthes:

Roland Barthes looks at us (inside each of us, so that each of us can then say that Barthes’s thought, memory, and friendship concerns only us), and we do not do as we please with this look, even though each of us has it at his disposal, in his own way, according to his own place and history. It is within us but it is not ours; we do not have it available to us like a moment or part of our interiority.46

The reason for this dispossession, or this impossibility of the self to completely interiorize and possess the dead, is that the (deceased) other always is installed already in the ‘narcissistic structure’ or the relationship of the self to itself.47 ‘In my relationship to myself,’ Derrida writes, ‘[the other] is here in me before me, stronger or more forceful than I.’48 The self indeed only arises through the experience of others or more exactly through the experience of others who can die and leave us with the responsibility to remember them. What counts for the constitution of the self, according to Derrida, also counts for the constitution of the social. It is precisely the dreadful experience of being left alone or the terrible solitude on the death of another that enables (me, us) to think the notions ‘me,’ ‘us,’ ‘between us,’ ‘subjectivity,’ and ‘intersubjectivity.’ It must always be remembered, Derrida argues, that subjective and intersubjective interiority do not arise before the terrible experience of death. However, the constitution of the self or the social does not necessarily await the ‘actual’ event of death: It is enough for death to be possible or for it to be anticipated. The importance of such an ‘anticipated mourning’ clearly manifests itself in the phenomenon of friendship, which, according to Derrida, is based on the iron-clad law that one friend will always die before the other and that the one that sees the other die has the responsibility to bury and commemorate this other.49

Although the deceased other thus only lives in me or us, the very notions of the self and the social are dependent on the mourning of this other—a mourning that starts long before the other’s ‘actual’ death. In the words of Derrida:

[The deceased] lives only in us. But we are never ourselves, and between us, identical to us, a ‘self’ is never in itself or identical to itself. This specular reflection never closes on itself; it does not appear before this possibility of mourning, before and outside this structure of allegory and prosopopeia which constitutes in advance all ‘being-in-us,’ ‘in-me,’ between us, or between ourselves. The selbst, the soi-meme, the self appears to itself only in this bereaved allegory, in this hallucinatory prosopopeia—and even before the death of the other actually happens, as we say, in ‘reality.’50

Given the fact that mourning is constitutive of the self, Derrida argues, the dead can only possibly be interiorized by ‘exceeding,’ ‘wounding,’ or ‘fracturing’ the very interiority that tries to incorporate them. In addition to being constitutive of the self and the social, mourning, thus, also reveals the limits of the ‘me’ and the ‘us’ because the latter are obliged to harbor something that is ‘greater and other than them; something outside of them within them.’51 Consequently, it does not make a lot of sense to speak of interiority and exteriority in terms of a strict opposition. As Derrida explains:

However narcissistic it may be, our subjective speculation can no longer seize and appropriate this gaze [of the deceased other; in this case Derrida is referring to Louis Marin] before which we appear at the moment when, bearing it in us, bearing it along with every movement of our bearing or comportment, we can get over our mourning of him only by getting over our mourning, by getting over, by ourselves, the mourning of ourselves, I mean the mourning of our autonomy, of everything that would make us the measure of ourselves.52

Anticipated mourning and the radical dissymmetry created by the constitutive nature of death, according to Derrida, inscribe an ‘essential anachrony in our being exposed to the other’—they come to disintegrate the living present. This brings me to the second deconstruction underlying Derrida’s theory of mourning: that of the classical account of memory.

The question of memory is featured prominently in the work of Derrida. Derrida has often referred to his own intellectual legacy as a struggle against the loss of memory and as an attempt to define, understand, and come to terms with the ethical injunctions that relate to memory. As
Gerhard Richter argues, the central ethico-political impetus underlying Derrida’s work could be described as a mnemophilia, a love of memory, rather than merely one of philosophia in the original sense of a love of wisdom. Because it is so central to his philosophical project, it should not surprise that Derrida develops his own interpretation of memory—an interpretation that is critical of, and differs radically from, most of memory’s more common conceptualizations.

Memory, Derrida argues, is all too easily equated with subjective interiorization and with the temporal dimension of the past. In some idioms, the equation of memory and interiorization even is reflected semantically—this is the case, for example, with the German term Erinnerung. This coupling, however, is not necessary. Derrida refers to Paul de Man’s discussion of the analytic distinction that Hegel made between the notions Erinnerung and Gedächtnis. In contrast to the interiorizing and subjective remembrance signified by the term Erinnerung, the word Gedächtnis refers to a ‘thinking memory’ that (partly) depends on external objects or traces, or what Derrida calls technical and mechanical ‘hypomnesia.’ The concept of Gedächtnis is important because it can help us move beyond an interiorizing memory or, as Derrida puts it, ‘beyond the bereaved interiority of symbolist introjection.’ Because it does not necessarily reduce the other to the narcissistic structure of the self, this notion of memory, according to Derrida, carries with it an affirmative potential that offers the possibility of an ‘engagement with negativity’ and a fidelity that goes beyond the closure or detachment effected by the modern work of mourning. As Derrida puts it:

> When we say ‘in us’ or ‘between us’ to recall ourselves faithfully to the memory of, of which memory are we speaking, Gedächtnis or Erinnerung? The movement of interiorization keeps within us the life, thought, body, voice, look or soul of the other, but in the form of those hypomnemata, memoranda, signs or symbols, images or mnesic representations which are only lacunary fragments, detached and dispersed—only ‘parts’ of the departed other. In turn they are parts of us, included in ‘us’ in a memory which suddenly seems greater and older than us, ‘greater,’ beyond any quantitative comparisons: sublimely greater than this other that the memory harbors and guards within it, but also greater with this other, greater than itself, inadequate to itself, pregnant with this other.

And he adds a little further that:

> It speaks the other and makes the other speak, but it does so in order to let the other speak, for the other will have spoken first. 55

Let us, then, turn to Derrida’s criticism of the interpretation of memory as ‘of the past.’ In order to understand this criticism, one has to take account of Derrida’s statements about the close relation between memory and the proper name and between the proper name and the notions of ‘life’ and ‘death.’ What we commonly call someone’s life is the moment when that person is able to answer to his own name. Death, in contrast, according to Derrida, could be defined in Levinasian terms as a form of non-response. It is the moment of which we know that the person himself, the bearer of the name, will never again be able to answer to or in his name. However, the proper name itself remains after the death has taken place, and through it we can continue to name, invoke, and designate its bearer. Memory, then, Derrida argues, is exactly this: ‘It is the name of what for us (an “us” that I define only in this way) preserves an essential and necessary relation with the possibility of the name, and of what in the name assures preservation. 56 Memory and the (proper) name cannot be separated: On the one hand, the relation between memory and the remembered object can always be analyzed as the relation between the name and the named; on the other hand, the naming of the name closely resembles the structure of an act of commemoration. To cite Derrida:

> The name, or what can be considered as such, as having the function or power of the name—this is the sole object and sole possibility of memory, and in truth the only ‘thing’ that it can at the same time both name and think. This means then that any name, any nominal function, is ‘in memory of’—from the first ‘present’ of its appearance, and finally, is ‘in virtually-bereaved memory of’ even during the life of its bearer. 57

Just like our mourning of friends does not await their ‘actual’ death, the memorializing features of the name do not only manifest themselves after the bearer of the proper name has deceased. To the contrary, the name is in advance and from the first time on ‘in memory of.’ As Derrida explains:

> And since the possibility of this situation [in which the name continues to name its bearer even if the latter can no longer respond to it] is revealed at death, we can infer that it does not wait for death, or that in it death does not wait for death. In calling or naming someone while he is alive, we know that his name can survive him and already survives him; the name begins during his life to get along without him, speaking and bearing his death each time it is pronounced in naming or calling, each time it is inscribed in a list, or a civil registry, or a signature. 58

Derrida, therefore, claims that instead of referring exclusively to the past or to deceased persons, memory is determining our intersubjective relations with living others in the present. Memory is, indeed, constitutive of the social and of the living present. Consequently, Derrida comes to the conclusion that it makes no sense to claim that memory is essentially oriented
toward the past. Although memory attempts to 'preserve' traces, these traces, according to Derrida, are not necessarily referring to the past—at least not in a past defined as a continuum of past presents—and he states that memory can be 'of the present' and even—to the extent that it anticipates the death that is to come—of the future as well. 19

Measuring the Time of Death

Now that I have discussed Derrida's theory of mourning in relation to his deconstruction of subjective interiority and of the classical account of memory, we finally can proceed to a discussion of the father's relation to the notions of historical time and spectrality. Derrida briefly but explicitly treats the relation among mourning, time, and spectrality in a lecture titled 'The Time Is Out of Joint,' which he presented at a conference in New York shortly after he wrote Specters of Marx. 60 In this lecture, Derrida confesses that he became aware too late that the central subject of Specters of Marx was in fact that of mourning or, more specifically, that of the 'dis-' or anachrony of mourning. He had not noticed that Hamlet's famous expression 'the time is out of joint' secretly resonates with the 'essential pathology of mourning.' 61

That the time is out of joint, Derrida argues, is clearly reflected by the fact that nobody in Hamlet's entourage can agree about the time or date of his father's death—or as Derrida puts it, 'about the time that separates present speech from this event' 62—although the event plays a key role in the play. Derrida remarks that, although, or maybe because, the usurping King exhorts Hamlet to put an end or a term to his mourning, Hamlet throughout the play continues to attach other dates to the death of his father and thus to the commencement of his mourning. Although it is the true subject of the drama, none of Shakespeare's protagonists can agree about the 'time of mourning.'

The analysis of this enigma in Shakespeare's play is informative, Derrida argues, because it helps us to recognize the strange chronological paradox at the core of the economy of mourning. As he remarks, successful or 'normal' mourning presumes knowledge of the date: 'One must indeed know when: at what instant mourning began. One must indeed know at what moment death took place, really took place.' 63 It is commonly taken for granted that mourning, at least its finiteness, depends on the passing of time. According to Derrida, however, this relation of dependence has to be turned around: Instead of conditioning the work of mourning, time itself is dependent on mourning. Yet this time of mourning (and Derrida rhetorically asks whether there is any time that is not a time of mourning?) is not a linear time that passes chronologically. Rather it raises the essential and related questions of the date and of the 'eventness' of the event.

Because mourning, as Derrida has argued, starts long before 'actual' or 'physical' death takes place, and because mourning relates to a type of memory that can relate to the present or to the future as much as to the past, the time of mourning puts into question the possibility of ascribing a precise time to the occurrence of death or even the eventness of death. As Derrida explains:

One must stop believing that the dead are just the departed and that the departed do nothing. One has to stop pretending to know what is meant by 'to die' and especially by 'dying.' One has, then, to talk about spectrality. You know very well who pronounces the sentence 'The time is out of joint:' Hamlet, the heir of a specter concerning which no one knows any longer at what moment and therefore if death has happened to him. 64

In other words, it can be seen that Derrida's theory of mourning in the end comes back to his repeated claims about the inadequacy of any dating based on chronological systems such as the calendar or the timetable. Derrida wants to make it clear, for once and for all, that the date, rather than standing for an objective reference to an external reality, comes into existence precisely at the juncture of the 'material' and the 'psychic.'

CONCLUSION

Without daring to propose a causal hierarchy, I think it should be clear that a close relationship exists between the way we think about time and historicity, on the one hand, and the way we think about mourning and death, on the other hand. Modern discourses on mourning resonate and reinforce modern discourses on history and the other way around. The core axioms of non-modern accounts of mourning and death (including the belief in spirits and the notion of death as a process), in contrast, reflect a concept of historicity that is evidently not based on an irreversible time that automatically creates a temporal distance between past and present. However, the comparison between modern and non-modern mourning also reveals how difficult it is for Western academics to break with the irreversible time of history without becoming 'enchanted.' The analysis of differing concepts of mourning and death indirectly shows us the many difficulties that must be tackled when we attempt to understand the irrevocable. First, it can be asked what kind of existence the irrevocable has. Does it really exist in itself or is it dependent on us living in the present? Second, it can also be asked whether the irrevocable has any kind of agency and/or whether it is solely a product of human memory. Could it indeed not simply be argued that the past that persists is nothing else than what we commonly call memory?

Many of these questions are raised by Jacques Derrida. Historians and philosophers of history can learn a lot from the way Derrida proceeds in
tackling the problem of ‘survival.’ In his theories of mourning and spectrality, Derrida uses the same intellectual ‘technique’: Instead of focusing on ‘death’ or ‘the past’ directly, he deconstructs our notions of ‘life’ and the ‘present.’ By making this detour, Derrida succeeds in questioning some of our most fundamental axioms about history and time without becoming entangled in an irrational discourse. The answers that Derrida provides to the question about the mode of being of the dead equally apply to the mode of being of the irrevocable past, and the answers are straightforward: The dead and the irrevocable past cannot exist in themselves and for themselves; rather, they exist ‘in us’ and in our ‘memory’ (in the broadest sense including both Erinnerung and Gedächtnis). These answers might come as a disappointment to readers who expected a more substantial or ‘agentic’ concept of the haunting past. However, one has to weigh up the status of the dead and of the irrevocable past to that of the living and of the present. Before one considers the memory-based mode of being of the dead or the irrevocable an inferior form of existence, one should take notice of Derrida’s argument that relations between the living in the present itself are also always partly mediated by memory. The difference between the mode of being of the irrevocable past and that of the present should therefore not be overestimated. Or to put it differently, trivializing the existence of the irrevocable past only can be done at the cost of trivializing a crucial dimension of the present.

Moreover, Derrida rightly remarks that we should rethink the idea of interiority that often is associated with memory. Of course the irrevocable can exist only ‘in me’ or ‘in us,’ but that ‘me’ and that ‘us’ should not be considered pure interiorities. As Derrida demonstrates, the ‘me’ and the ‘us’ are constituted by the dead or the irrevocable past at least as much as they ‘contain’ them. Derrida’s approach is valuable because it makes us see the close relationship between historicity and sociality. It is indeed only by reflecting on sociality that one can rethink the concept of historicity in such a way that it enables us to take seriously the irrevocable. Only by rethinking the social can the problem of the locus and the modus of the irrevocable be solved. Rather than being reducible to the commonsense notion of memory, the irrevocable obliges us to rethink this concept of memory; away from the dichotomies of the interior and the exterior, of the individual and the collective, and of the present and the past.

Another interesting aspect of Derrida’s theory of mourning is found in his claim that instead of conditioning the work of mourning, time itself is dependent on mourning. By showing how different practices of mourning produce different notions of time, Derrida can help us historicize and contextualize concepts of (historical) time. If it is possible to approach history as a practice of mourning in the broader sense of the word, Derrida’s remarks can contribute to a better insight into history’s performativity and its participation in the politics of time. At the same time, his perspective also helps explain how the existence of non-modern practices of mourning or, worse, the refusal to mourn can threaten the linear or chronological sense of time. This, I think, is how we have to interpret the Madres’ claim that although more than thirty years of calendar time have passed since their children were disappeared, they do not consider them to belong to the past.
Conclusion

To deny eternity, to suppose the vast annihilation of the years 
freighted with cities, rivers, and jubilations, is not less incredible than 
to imagine their total salvation.

J. L. Borges

I started this book by referring to the age-old discussion on the proper temporal orientation of ethics and justice: Should we strive for a form of justice that focuses on the crimes of the past or should we rather focus on doing justice and pursuing the good in the present? How one deals with this ethical question is deeply influenced by the way one conceives of the past and the present and by the way one thinks of them in ontological terms. In modern Western thought, I argued, the relationship between history and justice is strongly determined by the widespread assumption that the past is absent or distant. As a result of this assumption, history’s ability to contribute to justice often is presumed to be minimal. The relationship between time and justice can be observed clearly when one contrasts the concept of time commonly used in historical discourse with the notion of time often implied in the discourse of (more traditional forms of) jurisdiction. The traditional discourse of jurisdiction with its logic of guilt and punishment generally works with a reversible time in which crimes can be annulled or redressed as if they were still fully present. In contrast to the ‘time of jurisdiction,’ the prevalent ‘time of history’ is an irreversible time that stresses the always already absent or distant character of crimes that happened in the past. This time of history is surely right to criticize the quasi-economical logic that underlies the ideally reversible time of jurisdiction. However, it can be argued that the time of history in its turn oversates the absence or distance of the past and in that way contributes to a logic that can facilitate impunity. In order to demonstrate the potentially unethical effects of discourses of history, I chose to focus on a context in which these discourses are so to speak ‘put into practice’: the relatively recent phenomenon of the truth commission that has arisen in many countries around the world as a new formula to deal with the dilemmas of transitional justice. As semi-judicial bodies, truth commissions cannot punish or convict but instead offer truth telling as an alternative. Although these commissions occasionally function as a preparation in the quest for (criminal) justice (as it was the case with the CONADEP in Argentina), they are most often combined with an amnesty arrangement of some sort and generally function as an alternative (as it was the case in South Africa) or at best a complement (as in Sierra Leone) to traditional jurisdiction. Therefore, the formula of the truth commission can be interpreted as the introduction of the time of history into a context that generally would be considered to belong to the sphere of the time of jurisdiction. This applies to all three cases but is most poignant in the case of Sierra Leone. There the truth commission’s concept of time clashed with the notion of time used by the war tribunal, operating in the same period.

Although I do not want to minimize the importance of historical truth or of the official acknowledgment of this truth, I argue that the truth commissions’ turn to history should primarily be seen as part of a ‘politics of time.’ As I wrote in the Introduction, the turn to history must be interpreted in the context of a ‘fragile modernity’ in which the typically modernist belief in a strict delimitation or divide between past and present is threatened (if it ever existed) by an overabundant memory of offense that resists chronology. It is from this perspective that one has to approach what I have called historical discourse’s ‘performativity.’ More than merely being descriptive or analytical, discourses on history tend to produce significant socio-political effects. In the field of transitional justice, this performativity manifests itself as a tendency to restore or to create a break between past and present by reinforcing or imposing a sense of temporal ‘distance,’ but occasionally it also turns into an ‘allochronistic’ practice that symbolically allocates people in time and stamps them as living anachronisms. Think of South Africa and Sierra Leone, where the constant stress on the ‘newness’ of the nation tended to go hand in hand with the exclusion of particular victims whose struggle soon came to be associated with the past or the ‘old.’ Both phenomena (historical discourses’ performativity and allochronistic potential) did not yet receive the scholarly attention they deserve. It would be interesting to look for them in other social realms beyond the sphere of truth commissions and transitional justice.

The truth commissions’ turn to history has not remained uncontested. As I have tried to show, a considerable amount of resistance to the work or legacy of the truth commissions can be found in each of the three cases that I studied. Although this resistance revolves around diverging or even opposite motives in the different cases, it is always strikingly directed against the irreversible time of history. Although the Madres de Plaza de Mayo in Argentina and the Khulumani Support Group in South Africa first and foremost reject irreversible historical time because they fear that this will facilitate impunity, large parts of the (rural) population in Sierra Leone, in contrast, refuse to testify to the truth commission for fear of awakening or conjuring up the ghosts of the past. All of these groups, however, reject the absence or distance of the past and claim that it persists in the present—whether they do so by developing a spectral language or by straightforwardly declaring that ‘the past is in the present.’ In order to take seriously these widespread and often repeated claims about the persistence of the past, I introduced the notion of an irrevocable
past that cannot be undone but does persist into the present and thus can provide a point of departure for the development of a chronosophy that functions as an alternative to both the irreversible time of history as well as to the reversible time of jurisdiction. Sometimes the truth commissions' use of historical discourse and their celebration of the healing powers of telling the truth about history is accompanied by an explicit or at least implicit recognition of the irrevocable—much like the performance of a ritual of exorcism implies a certain recognition of the problem of haunting.

Yet the truth commissions' practical recognition of the irrevocable sharply contrasts with the great difficulty of taking seriously or formally recognizing the latter phenomenon in the historiographical accounts they establish in their reports. On this issue, the commissions could not expect much aid from academic historiography, which generally is equally incapable of acknowledging or even seeing the reality of the irrevocable past, which it commonly treats as merely metaphorical or as the product of the hallucinatory ideas of traumatized victims. This inability to acknowledge the irrevocable, in its turn, makes it difficult to recognize the phenomenon of historical performativity. As I argued in Chapter 5, both intellectual problems can be related to a series of chronosophic features of their works that are widespread in academic historiography and broader historical thinking in the West—I focused on the use of absolute, empty, and homogenous time and the phenomena of historicism, modernism, and secularism—which taken together turn the idea of a persistent past into a logical inconsistency. Therefore, I considered it necessary to break with the chronosophy made up by the above elements and criticize it as including an admittedly ingenious way of not seeing.

Of course, breaking with this prevailing chronosophy is difficult because, as I admitted, its historical construction was a major intellectual achievement that has been central to modern historical thinking. Nevertheless, as I have tried to demonstrate, the first steps toward such a break and toward an alternative chronosophy can be found in thinkers such as Braudel, Collingwood, Bloch, and Althusser. In the work of Fernand Braudel, we encountered an intuitive and admittedly incomplete reaction of a prominent historian against the tendency to allow for only one singular notion of time. R.G. Collingwood offered a much more philosophically grounded critique of the inclination to treat historical reality in terms of mere chronological sequence. The Marxist analyses of Ernst Bloch and Louis Althusser revealed how the assumption about the existence of a singular, contemporaneous historical present reflects a particular vision of social reality that is far from politically neutral.

The most elaborate and promising contribution toward a new chronosophy that should enable us to think the irrevocable I have found in the work of Jacques Derrida. Derrida has never been the favorite philosopher of most historians. Given his criticism of commonsense notions of history, but also given his often enigmatic style of writing and the high level of abstraction of his work, it is unlikely that he ever will be. Nevertheless, if one considers the extensive attention he gives to several of the most central themes of current debates on history and memory, it should be clear that we cannot afford to simply ignore him. Derrida's philosophical work and, more specifically, his life-long criticism of the metaphysics of presence and the metaphysical concept of time can be of great value for all those who want to rethink historical discourse in order to make it more inclusive. Derrida raises many of the questions surrounding the phenomenon of the irrevocable. Although it would be intellectually imprudent to declare that he provides final answers, I think it can safely be said that his work can point us in the right direction.

Derrida helps us to see how both the time of history and the time of jurisdiction are in fact engaged in one and the same metaphysical logic of presence. This logic posits the absent past as the modified presence of a past 'present' and thereby at once posits the ontological inferiority of that past. Moreover, Derrida teaches us that in order to understand the haunting past, we should not begin by looking at the nature and characteristics of that past itself but should, rather, focus on the nature and constitution of the present. The intellectual detour of reflecting on the 'presence of the present' and of rethinking the concept of historical time is important because it is the only way to avoid becoming mystical when writing about the persistence of the past.

Most of the mysticism surrounding the notion of the haunting past originates in the tendency to ascribe a full presence (the metaphysical opposite of absence) to this past or to attribute to it some kind of agency—e.g. the belief that it can return on its own strength. However, once the idea of an absolutely synchronic present is deconstructed, past and present, indeed, no longer have to be conceived as primordial categories or as mutually exclusive. By arguing that time is 'out of joint' and by demonstrating the 'non-contemporaneity of the present with itself,' Derrida enables us to reflect on the persistence of the irrevocable past without obliging us to attribute any agency to it or conceive of it as something that has the strength to return on its own. Instead of attributing all kinds of mystical powers to the past, Derrida teaches us to focus on the frailty of the present or, better, of the 'presence of the present.' As was pointed out in the chapter on Derrida's theory of spectrality, the haunting past should be seen as something that (due to the effects of difference) was never present enough to suddenly become absent. Or to relate it to an example taken from one of our case studies, the fact that Apartheid still haunts South Africa long after the date on which it was officially declared past and over is not due to some kind of mystical power but, rather, must be related to the fact that it was never completely present even in the days when it was firmly considered to be by both its enemies and its supporters. Apartheid always partly had to be represented or 'made present' in order to be related to, or acted on—whether to be defended or resisted. It indeed could never be reduced to a pure presence that could be
encountered at one point in time and space. It is precisely these elements that were never fully present, or were always in need of representation, that do not easily become absent when Apartheid is formally removed.

Although this characterization of the ambiguous ‘presence’—or, better, in Derrida’s terms, the ‘non-presence’—of the irrevocable past might at first sight seem to be insubstantial, its significance has to be evaluated in relation to the imperfect presence of the historical present. It is indeed because of the incomplete presence of the present that the irrevocable past can retain its ‘non-presence.’ The ‘mode of being’ of the past is thus not as radically different from the ‘mode of being’ of the present as it often is believed to be; that, I think, is the most important lesson that we can learn from Derrida’s closely related deconstructions of the synchronic present and the broader metaphysics of presence.

This lesson should not be restricted to matters of ontology: It equally applies to epistemological questions. Although I did not focus on the question of epistemology, it is hard to deny that the project of rejecting the absolute absence of the past (and its mirror image of the absolute presence of the present) has epistemological implications. As Paul Ricoeur has argued, the long tradition of epistemological reflection on problems of historical representation and on the entanglement of historiography and fiction ultimately is grounded in the idea that the writing of history is a difficult exercise in differentiation between ‘the image of the absent as unreal’ and ‘the image of the absent as prior.’ This obviously changes when the past turns out not to be the absolute absence that it generally is supposed to be. However, I do not want to seize on the ambiguous ‘presence’—or, better, in Derrida’s terms, the ‘non-presence’—of the irrevocable past in order to dodge or deny the profound epistemological problems that, as many prominent philosophers of history have claimed, relate to historical representation. Rather I think it is necessary to combine the scrutiny of these epistemological problems with a thorough reflection on our ontological commitments. From this perspective, I would like to question the assumption that these epistemological problems are unique or even typical for the representation of the past. In the context of Derrida’s claims about the importance of memory and representation in the relations between the living in the present, it could be argued that, as much as in the field of ontology, in the realm of epistemology too the difference between the temporal dimensions of the present and those of the past is all too often overrated.

Having said this, however, it is important to remind of the distinction between the notion of absence and that of loss as it was discussed in the previous chapter. This distinction is crucial for at least two reasons. First, it provides an answer to the question of whether the denial of the absence of certain parts or certain parts of the past does not amount to a kind of anti-realism. Yet my defense of the irrevocable past does not compel me to engage in an anti-realist position because, although I deny the absence of certain parts of the past, I, of course, do not deny the undeniable reality of historical loss and historical change. Loss is very real, and without a preoccupation with its reality I would not have started reflecting on the irrevocable experience of time in the first place. Keeping in mind the difference between loss and absence, it is, indeed, of importance when approaching the alternative notions of time and history that I discussed in the case studies on Argentina, South Africa, and Sierra Leone. Although victims and survivors often deny the absence of the past, they of course do not deny the loss that they suffered, and that is the very phenomenon that turned them into victims or survivors. Second, the distinction between absence and loss can provide an answer to the question of whether the irrevocable past actually can be called a past if it persists into the present. This question about the ‘pastness’ of the irrevocable is a tricky one. Here everything depends on the way in which one defines the notion of past. Of course, the irrevocable cannot be called a past if the latter notion is defined as ‘that which has become absent’ or ‘that which is distancing itself from present.’ Neither can the irrevocable be called past in the sense of being ‘passed’ or ‘passe’ that, as François Hartog remarked, often is attached to it in the dominant modern regime of historicity. However, the irrevocable can be called a past if the past is defined in a broader and more neutral sense as ‘that which is experienced as lost’—irrespective of the question of whether this loss is considered a tragic or a welcome thing.

Furthermore, it seems good to add a disclaimer about the issue of chronology. Would I like to give up on the system of chronological ordering that is so essential to historians? No, of course not. It cannot be denied that the modern chronological dating system is a very important intellectual construction that is especially successful in dealing with historical events and that can contribute immensely to developing critical insights into historical change. Moreover, even if one decides to break with a Newtonian notion of absolute time, it will always be possible to choose a certain reference time—to take a time expressed in terms of the number earthly rotations around the sun—and organize a chronological ordering around it. The question remains, however, how this reference time relevantly relates to the many different spheres of social and cultural reality. It has to be pointed out that chronological reasoning is a pretty limited way of approaching historical reality that is incapable of grasping historicity in its full complexity. How, for example to apply a chronological perspective to the Madres’ disturbing claim that the disappearance of their children remains more proximate or retains more ‘presence’ than any other event in the thirty years of their struggle to obtain justice for the injustices they suffered.

Finally, let me return to the issue of the relationship between time and ethics with which I opened this book. One central question remains: Can we decide on the transitional justice dilemma now that we have criticized the irreversible time of history and claimed the existence of the irrevocable? No, unfortunately (or perhaps fortunately) the simple recognition of the non-contemporaneity of the living present and the spectral survival of the past does not deliver us a direct solution to the dilemma of the prope
temporal orientation of ethics. Here I want to take some critical distance from Derrida's position and the theory of justice that comes with his account of spectrality. Ernesto Laclau is right when he critically remarks that one cannot legitimately make the logical transition from an argument about the disadjustment of time and a (post-)ontological claim about specters to a binding ethical injunction to be responsible to them. By theorizing the existence of an irrevocable past, I thus do not want to claim that societies emerging from a period of violent conflict have to bring justice to the victims and survivors of historical injustices irrespective of the costs that this action could potentially bring with it. Deciding how exactly to deal with the past after political transition and/or violent conflict will remain a socio-political issue that cannot be solved a priori or out of context, and one can imagine contexts where the 'beast of the past' is just too powerful or threatening to be dealt with or, in Desmond Tutu's words, to be 'looked into the eye.' One should be equally reticent toward the difficult question on the proper balance between remembrance and forgetting. The issue of a possible 'surfeit' of memory should not be ignored. Also I agree with Tzvetan Todorov when he claims that the 'sacralization' of memory and the habit of 'unconditionally praising memory and discrediting forgetting' are problematical. However, by reformulating the issues of remembrance and forgetting in terms of the differing concepts of time they imply, I have tried to point out the thoroughly political nature of this matter. To a large extent, the conflict between remembering and forgetting involves the undecidable political question of how to relate the temporal dimensions of past and present. The focus on these politics of time enables us to move beyond the idea of an absolute opposition between remembering and forgetting by distinguishing between radically different forms of remembrance. In the cases I discussed in this book, for example, the difference between the notion of remembrance defended by victim groups and the notion of remembrance implied in the discourse of truth commissions was so vast that at times it seemed to render the opposition between remembrance and forgetting of only minor relevance.

Again I agree with Ernesto Laclau when he remarks that the ethical significance of Derridean deconstruction 'is that by enlarging the area of structural undecidability it enlarges also the area of responsibility—that is, of the decision.' Although the deconstruction of presence cannot help us decide on the transitional justice dilemma or on the proper temporal orientation of ethics in general, the recognition of the irrevocable past does unmask the false premises from which discussions of historical justice all too often start out. First, by theorizing the persistence or ambiguous 'presence' of the past and criticizing the overrated ontological difference between the temporal dimensions of past and present, the concept of the irrevocable gets rid of the presumed ontological inferiority of the past that determines the unequal relation between the preoccupation with historical injustice, on the one hand, and ethical values directed at the present and the future, on the other hand. This way one can resist the exoteric Nietzschean argumentation that presents a false choice between a living present and a dead and absent past and that, as we have seen, often is used by perpetrators of historical injustices to escape accountability. Second, although the past is inalterable and cannot be affected in a causal way, we can develop a meaningful ethical relation with it. The notion of the irrevocable past and the related deconstruction of the metaphysics of presence enable us to reevaluate Walter Benjamin’s 'anamnestic solidarity' without needing the mysticism often related to it. In this way, the concept of the irrevocable reveals its ethical and political potential by leaving the transitional justice dilemma the way it should be left: as a political dilemma.
NOTES TO CHAPTER 1

6. I do not deny the important differences between the conceptualization of the past as ‘absent’ and the conceptualization of the past as ‘distant.’ However, in the context of my argument, these differences are not so relevant. Both the ‘absent past’ and the ‘distant past’ are in the first place defined as ‘not present,’ and consequently their ontological status is considered inferior or ‘derivative’ to that of the present.
7. See for example: Jenkins K., Why Bother with the Past? Engaging with Some Issues Raised by the Possible ‘End of History as We Have Known It.’ In Rethinking History, 1 (1997), 1, pp. 56–66.
13. Throughout this work, I will use the term ‘persistence’ to refer to the ambiguous ‘presence’ of the haunting past because this term is generally taken to be metaphysically neutral. This way I can evade the, in my opinion, unfruitful, metaphorical discussions on the distinction between ‘endurance’ and ‘persistence’ as two different concepts of how things persist through time. To put it very simply, defenders of the endurance thesis claim that things persist in virtue of having temporal parts in addition to spatial ones. Defenders of the endurance thesis, in contrast, posit that objects are wholly present at all times, at which they exist and, as such, move through time. See McKinnon N., The Endurance/Persistence Distinction. In Australasian Journal of Philosophy, 80 (2002), 3, pp. 288–306.


15. Ibid., 72.


17. Ibid., pp. 211–212.

18. For an interesting discussion of the concept of path dependence—[. . .] that what has happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring at a later point in time—see Sewell W. H., Jr., Logics of History. Social Theory and Social Transformation. Chicago, University of Chicago Press, 2005, pp. 100–101.

19. The practice of writing contemporary history, of course, goes back at least to the Hellenic world. However, as Charles Maier writes, during the early days of the rise of ‘professional history,’ the writing of contemporary history was often dismissed as an impossible and unscientific enterprise that had to be left to amateurs. The rise of professional contemporary history as we know it today started in the decades following the Second World War. Maier C. S., Contemporary History. In Snelsier N. J. & Balthes P. B., International Encyclopedia of the Social & Behavioral Sciences. Oxford, Pergamon Press, 2001, pp. 2690–2697.


24. For a critique of this assumption that equates any transition away from dictatorship with a movement toward democracy, see Carothers T., The End of the Transition Paradigm. In Journal of Democracy, 13 (2002), 1, pp. 5–21.


27. Also see the websites of the United States Institute of Peace (http://www.usip.org/) and the International Center for Transitional Justice (http://www.icj.org/en/4/).


37. Ibid., p. 81.

38. Ibid., p. 98.


49. This idea was in fact already partly developed in the ‘Comisión Nacional para la Verdad y Reconciliación’ that was active in Chile between 1990 and 1991. Zalaquett, Balancing Ethical Imperatives and Political Constraints, p. 1427.


It should be noted that the recent consensus on the benefits of truth telling and remembrance has never been complete. In 1990, during the democratization of Poland, Prime Minister Tadeusz Mazowiecki defended a political amnesty when he stated, "We draw a thick line between ourselves and the past.' Cited in Amszutz M. R., The Healing of Nations. The Promise and Limits of Political Forgiveness. Lanham, Rowman & Littlefield Publishers, 2005, p. 19.


68. Ibid., p. 14.

69. Ibid., p. 18.

70. Ibid., pp. 16–17.

Jankélévitch also has some doubts about time's capacity to heal all wounds: 'Time itself, he writes, is not a permanent guarantee against old resentments, and the past does not always fade away without protest.


72. Ibid., p. 121.

73. Ibid., p. 121.


79. Torpey J., Making Whole What Has Been Smashed, p. 32.

80. According to Andreas Huyssen, for example, the 'current obsession with memory' is directly related to the crisis of the structure of temporality that underlies the belief in progress and utopia. Huyssen A., Twilight Memories. Marking Time in a Culture of Amnesia. New York, Routledge, 1995, p. 9.


The American historian Peter Novick too has referred to the anti-chronological features of memory in order to explain the 'unusual chronology' of
93. I will use the term 'rememberance' as the 'neutral' concept that refers to both 'memory' and 'history' as different ways of dealing with the past.
96. The distinction between constative utterances and performative utterances was introduced by J. L. Austin, *How to Do Things with Words*. Cambridge (Mass.), Harvard University Press, 1962.
101. Expression from Sylviane Agacinski. Agacinski claims that, 'Through the techniques by which time is measured and through its assimilation as a market value, we can witness the Western hour's hold over the entire world.' Agacinski S., *Time Passing. Modernity and Nostalgia*. New York, Columbia University Press, 2003, pp. 3-6.
102. Jeffrey Olick might be right when he posits a thesis that is seemingly opposite of Agacinski's (cfr. Note 101); namely, that since the end of the nineteenth century, there has been a growing differentiation of temporalities, a process he names 'chronic differentiation.' Olick remarks that different temporalities or historicities tend to accumulate rather than displace one another. According to him, the process of chronic differentiation results from a process of increasing technological, institutional, and existential complexification of Western societies, which made it impossible for the nation-state to keep up its monolithic position as the guardian of historiography and of commemoration projects. As Olick explains, 'by the late nineteenth century ordinary people found themselves stretched in different ways by multiple chronic frames: factory time, calendrical time, local time, national time, official time, leisure time, lifetime, public time, private time, family time. By the end of the nineteenth century, the failure of nation-states to provide existential security and identitarian unity in face of these multiplications seemed to have reached a crisis level. Olick J. K., *The Politics of Regret. On Collective Memory and Historical Responsibility*. New York, Routledge, 2007, p. 190.
13. See, for example, Suarez-Orosco, The Heritage of Enduring a ‘Dirty War,’ pp. 490 and 494.
16. ‘Disappearance’ as a technique of terror has been typical for the whole of Latin America. In the mid-1960s, already it was used on a massive scale by the government of Guatemala. In the 1970s, it further spread to countries such as Brazil, Uruguay, and Chile, only to reach a climax in Argentina. In the 1980s, massive disappearances occurred in El Salvador, Guatemala, and Peru. An estimated 90,000 cases of disappearance have taken place in Latin America since 1964. See Martos B. B., ‘Disappearances.’ A Workbook. New York, Amnesty International USA, 1981.
17. CONADEP, Nunca Más, p. 13.
49. Ibid., pp. 159–160.


54. De Bonafini, Las Madres en Primera Persona.
57. Gorini, La rebelión de las Madres, p. 213.
59. Sánchez, Historias de vida, p. 159.
60. Fisher, Mothers of the Disappeared, pp. 72–74.
61. Gorini, La rebelión de las Madres, p. 239.
63. Sánchez, Historias de vida, p. 185.
64. Bouvard, Revolutionizing Motherhood, pp. 96–97.
68. De Bonafini, Las Madres en Primera Persona.
71. Especially the ghostly status of the desaparecidos, the refusal to recognize their death, and the use of some radical slogans—most of all the aforemen-
NOTES TO CHAPTER 3

2. From a poem by Zweli Mkhize, member of the Khulumani Support Group.

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98. Asociación Madres de Plaza de Mayo, Reparación política (y no económica) desde el Estado. In


139. Asociación Madres de Plaza de Mayo, Cierre del seminario.


144. Ibid.

145.Expression from: Mellibovsky, Circle of Love over Death, p. x.


151. Ibid.

152. Ibid.

153. Ibid.

154. Ibid.

155. Ibid.

156. Ibid.

157. Ibid.

158. Ibid.

159. Ibid.

160. Ibid.

161. Ibid.

162. Ibid.

163. Ibid.

164. Ibid.

165. Ibid.

166. Ibid.

167. Ibid.

168. Ibid.

169. Ibid.


173. Ibid., p. 207. (My translation)

174. Ibid., p. 213. (My translation)

175. Ibid., p. 213. (My translation)


177. Ibid. (My translation)


NOTES TO CHAPTER 3


2. From a poem by Zweli Mkhize, member of the Khulumani Support Group.
3. The TRC was most active and public between 1996 and 1998, but it existed until it released the last volumes of its report in 2003.


5. For such arguments, see, for example, Norval A., *Truth and Reconciliation. The TRC* (Volume 1), Cape Town, David Philip Publishers, 2000, pp. 121–155, 123.


7. For such arguments, see, for example, Norval A., *Truth and Reconciliation. The TRC* (Volume 1), Cape Town, David Philip Publishers, 2000, pp. 121–155, 123.


10. Ibid., p. 288.


12. Ibid.


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34. Doxtader, Easy to Forget or Never (Again) Hard to Remember?, p. 138.

35. This lecture was published as Asmal K., Victims, Survivors and Citizens—Human Rights, Reparations and Reconciliation. In South African Journal of Human Rights, 8 (1992) 4, pp. 491–511.


40. Albie Sachs in Boraine, Levy, & Scheffer, Dealing with the Past, p. 146.


Citing Mandela’s words, ‘We must forget the past,’ the American historian Eric Foner, after attending a workshop in 1994, warned his South African colleagues that the new government’s policy of national reconciliation could prove a major challenge to their profession. Foner E., “We Must Forget the Past.” History in the New South Africa. In The Yale Review, 83 (1995), 2, pp. 1–17.


51. The lack of a historical methodology also seems to have been a point of conflict between the commissioners themselves. In Volume 5 of the final report, for example, a minority position by the Afrikaner commissioner Wynand Malan is included. Although it is in the first place politically inspired, it also criticizes the lack of a profound qualitative historical analysis. See Minority Position submitted by Commissioner Wynand Malan. In TRC, Final Report (Volume 5) pp. 436–456.


54. Desmond Tutu cited in Rassool, Witz, & Minkley, Burying and Memorialising the Body of Truth, p. 115.


57. TRC, Report (Volume 1), p. 22 (Foreword by Desmond Tutu).


59. Asmal, Asmal, & Suresh Roberts, Reconciliation through Truth, pp. 64 and 161.


63. Later, this ‘firm cut-off date’ was postponed to a date in late 1994 in order to include the political violence that occurred around the period of the elections into the amnesty process.


68. TRC, Report (Volume 3).

69. TRC, Report (Volume 2).


The absence of a thoroughly historical approach is not unique to the South African TRC. Similarities can be found in many truth commissions. See, for example, Grandin G., The Instruction of Great Catastrophe. Truth Commissions, National History, and State Formation in Argentina, Chile, and Guatemala. In American Historical Review, 110 (2005), 1, 46–67, 48.
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73. Bundy, The Beast of the Past, p. 17.
75. According to Grunebaum-Ralph, this mode of commemoration is best illustrated by the Robben Island case: As in the present, the island's historical representations can be domesticated; its spaces and its narratives are packaged all the more as a foreclosed past. Grunebaum-Ralph, Re-Placing Pasts, Forgetting Presents, pp. 200-201.
77. Asmai A. et al., Reconciliation through Truth, p. 52.
78. Ibid., p. 209.
81. The arrangement also frustrated the ex-TRC commissioners who foresaw a much higher sum that would be paid each six months over a period of several years. Lecture Alex Boraine, South Africa. 10 Years After the TRC, organized by the International Centre for Transitional Justice (ICTJ), Brussels, 29 August 2006.
82. Fullard & Rousseau, An Imperfect Past, p. 90.
83. The tension within the ANC leadership between this formal rejection of a general amnesty and the longing to let ‘bygones be bygones’ was very clear in Mbeki’s discussion of the TRC report before Parliament in 1999; it seems important that we should all agree that whatever happens we should never entertain the idea of a general amnesty. At the same time, serious consideration will have to be given to ensuring that we do not allow ourselves to be drawn into a situation of conflict as a result of the political crimes of the past [. . . ] all of us should say yesterday was a foreign country, as young Afri­kaners were happy to proclaim.’ Statement of the President of the African National Congress, Thabo Mbeki, on the Report of the TRC at the Joint Sitting of the Houses of Parliament, Cape Town, 25 February 1999.
84. Khulumani’s membership base currently (2011) comprises around 55,000 individuals, most of them poor black people. Only 10 percent of its members who are gross human rights violations survivors, Khulumani claims, were included in the TRC process. Khulumani Support Group, Membership. At: http://www.khulumani.net/ (accessed 14.02.2011).
86. Makhalemele O., Southern Africa Reconciliation Project: Khulumani Case Study (Research report written as part of the Southern Africa Reconciliation Project, 2004).
89. Colvin, We Are Still Struggling.
91. Colvin, We Are Still Struggling.
99. Khulumani Support Group, Khulumani Case in New York’s Second Circuit Court of Appeals from January 24, 2006 [15 November 2007]. At:
NOTES TO CHAPTER 4


8. SLTRC, Witness to Truth (Volume 3A), pp. 21–42.


15. President Kabbah later rather cynically remarked that, ‘Obviously since the Commission would not have powers to punish, the AFRC/RUF willingly agreed to its inclusion in the Agreement.’ From A Statement by his Excellency the President Alhaji Dr. Ahmad Tejan Kabbah Made Before the Truth and Reconciliation Commission on Tuesday 5th August, 2003. At: http://www.sierra-leone.org/Speeches/kabbah-080503.html (accessed 14.11.2007).

16. Peace Agreement Between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone [7 July 1999].


20. SLTRC, Witness to Truth (Volume 3B), p. 56.

21. Ibid., p. 53.


24. Hayner, Negotiating Peace in Sierra Leone, p. 27.


30. In a briefing in late 2002, for example, the truth commission observed that some people still misunderstood the purpose of the commission and its relationship with the Special Court. Therefore, it once more informed the public that it was ‘not a trap.’ See Eighth Weekly Briefing of the Truth and Reconciliation Commission Chaired by Professor William Schabas [11 September 2002]. At: http://www.sierra-leone.org/history-conflict.html (accessed 04.03.2007).


33. Ibid., p. 424.

34. Ibid., p. 425.

35. Ibid., p. 418.
36. Ibid., p. 425.
39. Ibid.
42. SLTRC, Witness to Truth (Volume 1), p. 43.
43. Ibid.
44. Ibid.
45. See also Schabas W. A., The Sierra Leone Truth and Reconciliation Commission, p. 28.
46. Schabas, A Synergistic Relationship, p. 15.
48. SLTRC, Witness to Truth (Volume 3B), p. 503.
49. Ibid., p. 505.
50. Ibid.
51. The idea that every citizen equally was a victim of the conflict and that every citizen similarly shares some responsibility is a leitmotif in the work of the commission. This construction of a 'national victim' or of the nation as victim can be explained by pointing to the manner in which this perspective comes in handy when commissioners and policy makers start forgiving perpetrators in the name of the nation (instead of leaving forgiveness as a private prerogative of victims).
54. The following material is taken from the transcripts of the public hearings that are included as an appendix to the SLTRC report titled 'Transcripts of TRC Public hearings.' At: http://www.sierra-leone.org/TRCDocuments.html (accessed 14.11.2008).
57. The commissioners, for example, reject the practice of swearing that functions as a central mechanism in the practices of 'traditional justice' in Sierra Leone. When the perpetrator of a crime does not reveal himself or when he is hiding, it is not uncommon in certain parts of Sierra Leone to pronounce a ritual curse so as to punish the perpetrator with the help of spirits. For a discussion of this and other mechanisms of 'traditional justice,' see Alie J. A. D., Reconciliation and Traditional Justice. Tradition-based Practices of the Kpaa Mende in Sierra Leone. In Hayse L. & Salter M., Traditional Justice and Reconciliation after Violent Conflict. Learning from African Experiences. Stockholm, International IDEA, 2008, pp. 123-147.
58. SLTRC, Witness to Truth (Volume 3B), p. 440.
59. According to a survey conducted by two NGOs in 2002, thus prior to the actual operations of the SLTRC, the majority of ex-combatants had a predominantly positive view of the truth commission. See PRIDE & ICTJ, Ex-Combatant Views of the Truth and Reconciliation Commission and Special Court in Sierra Leone. Freetown, 2002.
60. Rosalind Shaw, however, argues that the results of this survey were misguided, a fact that was clearly shown when most ex-combatants stayed away from the public hearings. Shaw R., Memory Frictions. Localizing the Truth and Reconciliation Commission in Sierra Leone. In The International Journal of Transitional Justice, 1 (2007), pp. 183-207.
61. Ibid., pp. 183-207.
64. Shaw, Rethinking Truth and Reconciliation Commissions, p. 9.
66. Ibid.
67. Shaw, Memory Frictions, p. 195.

NOTES TO THE PRELIMINARY CONCLUSION

3. Torpey, Making Whole What Has Been Smashed, p. 32.
6. Ibid., p. 35. (Italics in the original)
9. I have to thank Wulf Kansteiner for this frank reformulation of my thesis.

13. The expression ‘hierarchies of time’ is taken from Rousso, The Haunting Past, p. 16.

14. However, theMadres' discourse also sometimes manifest sever temporal reactivity.


20. The contrast between cultures attached to a circular view of time and those conceiving of time as linear should not be drawn too strictly. Chester G. Starr has argued that much of the claims about the alleged absence of linear concepts of time in antiquity are based on a confusion between historical and philosophical notions of time. Whereas antique philosophy indeed often ascribed a cyclical nature to time, antique ‘historians’, according to Starr, did work with linear notions of time. Starr Ch. G., Historical and Philosophical Time. In History and Theory, 6 (1966), pp. 24–35.


22. The objectivistic and universalistic features of Newtonian time according to some commentators also directly support geo-political imperialism. Appleby, Hunt, and Jacob, for example, claim that, ‘The nineteenth-century modernization of history rested on a new conception of time drawn from Newtonian science. […] The new characteristics of time did not appear
all at once, and many historians continued to espouse one or more elements of previous time schemas. But by the last decades of the nineteenth century, most educated Westerners possessed a universal and universalizing sense of time that was, moreover, ideally suited to the new age of European imperialism.' Appleby J., Hunt L., & Jacob M., Telling the Truth about History. New York, W.W. Norton & Company, 1994, pp. 53–55.


17. Ibid., p. 13.

18. Ibid., p. 83.


21. Ibid., p. 68.

22. Ibid., p. 69.


27. Iggers, Historicism, p. 137.


31. According to Frank Ankersmit, it is '... a part and parcel of the historical profession to show that what initially may have seemed to be outside the grasp of history is, if one looks hard enough, also part of a historical evolution.' Ankersmit F., The Sublime Dissociation of the Past. Or How to Become What One is no Longer. In History and Theory, 40 (2001), 3, pp. 295–323, 299.

32. Still, historians do not always seem to have made up the avant garde of the historicist worldview. Many historians seek trans-historical frames to help them anchor the historical process. For a discussion on the search for the absolute or unchanging within the transient, see Rosenthal M., Perceptions of History. In Pursuit of the Absolute in Passing Time. In Diogenes, 47 (1999), 2, pp. 44–63.

33. Ibid., Historicism, p. 85.

34. Ibid., p. 127.


Ankersmit in fact tries to make a synthesis of two accounts of historicism. The second account he discuses is of mainly Anglo Saxon origin and explains historicism as a reaction to the centrality of rhetoric in Enlightenment historiography and as an attempt to base the writing of history on historical facts rather than on literary conventions. I only discuss Ankersmit's first account of historicism here.

36. Ankersmit, Historicism, p. 147.

37. Ibid., p. 152.


42. See, for example, Margolis J., The Flux of History and the Flux of Science. Berkeley, University of California, 1993.


49. From this perspective, it can be argued that post-modernism is an archetypal form of modernism.

50. Habermas, Modernity’s Consciousness of Time, p. 7.


52. Ibid., p. 264.


56. Ibid., p. 152.


59. Ibid.

60. Koselleck, Futures Past, p. 194.


62. Ibid., p. 90.


66. Ibid., p. 99.


68. Ibid., p. 53.


75. Ibid., p. 56.

76. Ibid., p. 57.


78. An analysis of the relation between historical time and disenchantment very similar to the one of Charles Taylor can be found in the work of Iphas Chakrabarty. *Chakrabarty D.*, * Provincializing Europe. Postcolonial Thought and Historical Difference*. Princeton, Princeton University Press, 2008, pp. 74 and 89.


80. Ibid., p. 55.


84. Ibid., p. xvi. (Italics in the original)

85. Wilcox, *The Measure of Times Past*.


Bernard Williams is in fact discussing a change in the conception of temporality that took place in ancient historiography between Herodotus and Thucydides, but Charles Taylor argues that a similar process of homogenization took place in the eighteenth century.


NOTES TO CHAPTER 6


Einstein is reported to have once said that, 'the experience of the Now means something special for men, something essentially different from the past and the future, but that this important difference does not and cannot occur within physics.' Quoted in Tooley M., *Time, Tense and Causation*. New York, Oxford University Press, 1997, p. 380.


5. Ibid., p. 21.


8. Ibid., p. 31.

9. Ibid., p. 33.


12. Here I opt for a translation that slightly differs from that of Sarah Matthews. She translates the French word *actualité* as ‘current event,’ but I prefer the literal translation ‘actuality’ because it is more closely related to the notion of ‘historical present’ to which the term *actualité* in this context clearly refers. The original sentence reads: ‘Chaque “actualité” rassemble des mouvements d’origine, de rythme différents: le temps d’aujourd’hui date à la fois d’hier, d’avant-hier, de jadis.’ Braudel, *Écrits sur l’histoire*, p. 56.


16. Ibid., p. 454.


19. Ibid., p. 28.

20. Ibid., p. 35.

21. Ibid., p. 69.

22. Ibid., p. 48.


24. This lack of explicitation enabled Paul Ricoeur to claim that Braudel’s *Mediterranean* in contrast to what the latter himself asserted, did evolve around a narrative employment based on historical events, although differing from what Braudel himself would have understood under the notion of event. See Ricoeur, *Time and Narrative (Volume 1)*, p. 215.


30. Ibid.

31. Ibid.

32. Ibid.


38. Ibid., p. 148. (Italics in the original)

39. Ibid., p. 150. (Italics in the original)


Note that Collingwood in the Perplexities article still held the view that ‘the past generally could be seen as a pre-condition of the present; he had not yet explicitly made the differentiation between a natural and a historical past.

44. Collingwood, *Notes on Historiography*, p. 245.


48. Ibid.

49. Collingwood, *Notes Toward a Metaphysic*, p. 132. (Italics in the original)


53. Several translations of the term Ungleichzeitigkeit are in use. Some speak about ‘non-contemporaneity,’ others about ‘non-synchronism,’ and still others about ‘non-simultaneity.’ For each of these translations, an equal amount of pro- and contra-arguments can be found. I opt for non-contemporaneity simply because it is most commonly used.


60. Ibid., p. 62. (Italics in the original)

61. Ibid., p. 97.

62. Ibid.

63. Ibid., p. 99.

64. Ibid., p. 101.

65. Ibid.

66. Ibid., p. 113.


69. Ibid.


71. Ibid., p. 94. (Italics in the original)

72. One should of course not necessarily accept Althusser’s reading of the intellectual relation between Hegel and Marx. Alvin Gouldner, for example, in contrast to Althusser, stresses that Marx’s notion of totality was modeled after Hegel’s example. Gouldner A., *Against Fragmentation*. New York: Oxford University Press, 1985, p. 271.

73. Ibid., p. 101. (Italics in the original)
Ibid., p. 107. (Italics in the original)
2. Ibid., p. 108. (Italics in the original)
3. Ibid.
4. Ibid.
5. Ibid., For Marx, p. 114.
6. Ibid., p. 115.
7. Ibid., p. 113.
8. Althusser & Balibar, Reading Capital, p. 96. (Italics in the original)
9. Ibid.


11. Althusser, For Marx, p. 113.
13. Ibid., p. 109. (Italics in the original)

15. I think this is what Michael Bentley refers to when he criticizes Ernst Bloch's notion of the non-contemporaneity of the contemporaneous, about which he writes that it 'looks like a manifesto for presence; but it functioned as a tectonic understanding of time in which temporal structures slid spatially under one another and created fake, retarding presences.' Bentley M., Past and 'Presence.' Revisiting Historical Ontology. In History and Theory, 45 (2006), pp. 349–361, 333.

17. Ibid., p. 31. (Italics in the original)

NOTES TO CHAPTER 7

3. In an interview, Derrida warns that the notion of history can always be reappropriated by metaphysics, and he stresses that he rejects historicism. He also says he always subscribed to Althusser's criticism with regard to the Hegelian conception of history. Derrida J., Positions, Interview with Jean-Louis Houdebine and Guy Scarpetta. In Positions. London, Continuum, 2002, pp. 37–78, 30.


4. Derrida stresses that his critique is directed only against a certain metaphysical conception of history. If he attacks the 'archeo-teleological' concept of history, it is only to show how it neutralizes or even cancels historicity. Derrida J., Specters of Marx. The State of the Debt, the Work of Mourning, and the New International. New York, Routledge, 1994, p. 75.
5. Ibid., p. 101.

8. Ibid., p. 56.
9. Ibid., p. 85.
10. Ibid., p. 37.
11. Derrida remarks that Marx's spectral language often disappears in translation. This is, for example, the case in the passage from 'The Eighteenth Brumaire,' where Marx writes that 'the tradition of all the dead generations weighs like a nightmare on the brain of the living.' In the German original, Marx writes lässt wie ein Afp, which according to Derrida should literally be translated as 'weighs like one of those ghosts that give nightmares.' In the French translation, too, the specter is replaced by the expression pèse d'un poids très lourd. Ibid., p. 108.

12. Ibid., p. 150.
13. Ibid., p. 47.
15. See, for example, Ahmad A., Reconciling Derrida. 'Specters of Marx' and Deconstructive Politics. In Sprinker, Ghostly Demarcations, pp. 88–109.
17. Derrida, Specters of Marx, p. 54.
19. Ibid., p. 31.
20. One should indeed consider the spectre to belong to a set of concepts that Derrida himself calls 'undecidables,' 'which escape from inclusion in the philosophical (binary) opposition and which nonetheless inhabit it, resist and disorganize it, but without ever constituting a third term, without ever occasioning a solution in the form of speculative dialectics.' Derrida, Positions, p. 36.

Derrida describes the spectral as 'what happens between two, and between all the "two's" or, alternatively, 'the more than one/no more one [le plus d'un]. Derrida, Specters of Marx, p. xviii.
21. Derrida, Specters of Marx, p. xix. (Italics in the original)
22. Ibid., p. xix. (Italics in the original)
23. Ibid., p. 7.
24. Ibid., p. xix.
27. Ibid., p. 12.
29. Derrida, Différence, p. 16.
30. Derrida, Speech and Phenomena, p. 60. (Italics in the original)
31. Ibid., p. 61. (Italics in the original)
33. Derrida, Speech and Phenomena, pp. 64–65. (Italics in the original)
34. Derrida is clear about the fact that time can never be considered 'absolutely subjective' precisely because it cannot be conceived on the basis of a present and the self-presence of a present being.' Ibid., p. 86.
36. Derrida, Ousia and Gramme, p. 47.
37. ibid., p. 63.
On this metaphysical 'trap' into which Heidegger remains caught, also see Derrida's essay, 'The Ends of Man.' Here Derrida argues that Heidegger does not radically break with and that his philosophy, despite his repeated criticism of humanism, eventually remains humanist. Derrida J., The Ends of Man. InMargins of Philosophy, pp. 109-136, 128.
38. Derrida, Positions, p. 41.
Although this seems to be a very negative evaluation, Herman Rapaport remarks that Derrida has, in fact, taken many different positions on Heidegger, sometimes stressing the close relation between the latter's intellectual project and that of deconstruction, at other times warning against any confusion between deconstruction and Heideggerian thought. Rapaport H., Heidegger & Derrida. Reflections on Time and Language. Lincoln, University of Nebraska Press, 1989, pp. 7-19.
39. Derrida, Ousia and Gramme, p. 47.
40. ibid., pp. 54–55. (Italics in the original)
41. ibid., p. 55.
42. ibid., p. 55. (Italics in the original)
43. ibid., p. 56.
44. ibid., p. 67.
45. Derrida, Differance, p. 21. (Italics in the original)
46. Citation from Derrida, Differance, p. 13.
47. Other prominent themes in Derrida's later work are equally firmly based on this deconstruction of time. This is, for example, the case with his reflection on the 'gift.' The true gift that produces no debt and does not demand a counter-gift, according to Derrida, can only be thought of on the basis of a deconstructed time. As Derrida puts it, 'In any case, time, the "present" of the gift, is no longer thinkable as a now, that is, as a present bound up in the temporal synthesis.' According to Derrida, it is no coincidence that the gift in both English and French is referred to with the term 'present,' for he claims that 'The gift is not a gift, the gift only gives to the extent it gives time.' The difference between a gift and every other operation of pure and simple exchange is that the gift gives time. There where there is gift, there is time.' Derrida J., Given Time: I. Counterfeit Money. Chicago, University of Chicago Press, 1994, pp. 9–14, 41.
50. Derrida, Speech and Phenomena, pp. 62–63. (Italics in the original)
54. Ibid.
56. Derrida, Specters of Marx, p. 23.
61. ibid., p. 274.
62. ibid.
63. ibid., pp. 274–275. (Italics in the original)

NOTES TO CHAPTER 8

6. In making a distinction between 'loss' and 'absence,' I am inspired by the work of Dominick LaCapra. Referring to post-conflict situations as the one of Germany after World War II and South Africa after Apartheid, LaCapra argues that it is very important to distinguish between the concepts of loss and absence. This distinction is important because a confusion of the two can lead to a confusion between 'historical traumas' that are related to loss caused by concrete historical events and can effectively be worked through and 'structural' or 'trans-historical' traumas that can never be remedied because they are related to inadefinite experiences of lack or of the absence of metaphysical foundations. One should resist the tendency to treat even the most horrendous historical atrocities in terms of a generalized discourse of (metaphysical) absence. Conversely, the absence of ultimate metaphysical foundations cannot legitimately be traced back to any concrete historical losses, however traumatic they may be. To cite LaCapra, 'When absence is converted into loss, one increases the likelihood of misplaced nostalgia or utopian politics in quest of a new totality or fully unified community. When loss is converted into (or encrypted in an indiscriminately generalized rhetoric of) absence, one faces the impose of endless melancholy, impossible mourning, and interminable aporia in which any process of working through the past and its historical losses is foreclosed or prematurely aborted.' LaCapra D., Trauma, Absence, Loss. In Critical Inquiry, 25 (1999), 4, pp. 696–727, 698.
Although I am inspired by LaCapra's analytical distinction, it is important to notice that my use of the terms loss and absence differs considerably from that of LaCapra. When speaking about 'absence,' for example, I refer not to
the absence of metaphysical foundations (such as that of an original commu-
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19. Ibid.

23. Klass D., Silverman P. R.

28. Freud S., Thoughts for the Times on War and Death. In The Standard Edition,


24. Silverman P. R.


21. Ibid., pp. 146-147.


26. Richard Terdiman, for example, claims that 'No modern theory of individual action or cultural process has made more of memory than Freud's. None has conceived the preservation of the past as more problematic in the present.' Terdiman R., Present Fast. Modernity and the Memory Crisis. Ithaca, Cornell University Press, 1993, p. 242.

Michel de Certeau argues that modern historiography and psychoanalysis are based on opposite chronosities or 'what he calls 'strategies of time.' Although historicography is based on a clean break between past and present, de Certeau argues, 'psychoanalysis recognizes the past in the present.' De Certeau M., Heterologies. Discourse on the Other. Minneapolis, University of Minnesota Press, 2006, p. 4. (Italics in the original)

27. Often, however, this presumed link between the theory of Nachträglichkeit and the redefinition of notions of time and causality is based on a misreading of Freud's theory. For a critical reflection on Freud's concept of Nachträglichkeit and the many different ways in which it has been interpreted by others, see Thomá H. & Cheshire N., Freud's Nachträglichkeit and Strachey's 'Deferred Action.' Trauma, Constructions and the Direction of Causality. In International Review of Psycho-Analysis, 18 (1991), pp. 407-427.


31. Freud does not stand alone with this psychologization of haunting. His approach fits into a broader intellectual trend that already started with eighteenth-century rationalism that attempted to abolish the belief in ghosts by 'psychologizing' them and considering them as a product of the human mind. Terry Castle has referred to this process as Enlightenment's 'invention of the uncanny.' Cited in Davis C., Haunted Subjects. Deconstruction, Psychoanalysis and the Return of the Dead. New York, Palgrave Macmillan, 2007, p. 7.


40. Derrida, Memoires for Paul de Man, p. 6. (Italics in the original)


42. Derrida, Memoires for Paul de Man, p. 21.
43. Ibid., p. 28.
44. Ibid., p. 33. (Italics in the original)
45. Ibid., p. 22.

Derrida's reorganization of the topology of mourning closely relates to a theory about the 'power of the image' that he draws from Louis Marin. Because of spatial concerns, I cannot address this theory here. Let me sketch the relation between mourning and the image in Derrida's thought in just a few lines. The entire discourse of mourning that speaks about an inside and an outside, an 'in us,' or about a certain visibility (what Derrida calls a 'geometry of gazes'), according to Derrida is dependent on the idea that the dead only survive as images. As Derrida explains, 'We are speaking of images. What is only in us seems to be reducible to images, which might be memories or monuments, but which are reducible in any case to a memory that consists of visible scenes that are no longer anything but images, since the outer of whom they are the images appears only as the one who has disappeared or passed away, as the one who, having passed away, leaves "in us" only images.' In order to rethink mourning, Derrida argues, one has to break with the ontological tradition that tends to ascribe an inferior status to the image (in relation to the 'original' object or person that it depicts) and learn to accept that 'the force of the image has to do less with the fact that one sees something in it than with the fact that one is seen there in it.' After having analyzed Louis Marin's theory of portraits, Derrida comes to the following strange and radical conclusion: 'The image sees more than it is seen. The image looks at us.' Derrida, The Work of Mourning, pp. 159-161. (Italics in the original)


Another interesting discussion on the relation between death and the image can be found in the work of Robert Pogue Harrison. According to Harrison, funeral rites do not only, or ever primarily, aim at a ritual separation of the living and the dead but, in the first place, serve to separate the image of the deceased from the corpse to which this image would otherwise remain attached. As he puts it, 'Between the dead and the undead the essential difference lies in the release of the image.' Harrison R. P., The Dominion of the Dead. Chicago, University of Chicago Press, 2003, p. 148.

47. Derrida, The Work of Mourning, p. 44.
50. Ibid., p. 159.

Derrida, Uninterrupted Dialogue, p. 7.

51. Derrida, Memoires for Paul de Man, p. 28. (Italics in the original)
52. Ibid., p. 34.
55. Derrida, Memoires for Paul de Man, p. 37. (Italics in the original)
56. Ibid., p. 49.
57. Ibid., p. 54.
58. Ibid., p. 49. (Italics in the original)
59. Ibid., p. 58.

NOTES TO THE CONCLUSION

2. When deconstructing the presence of the present, Derrida, of course, does not deny its existence: As he makes clear in an interview, 'Like anyone else who tries to be a philosopher, I do not want to give up either on the present or on thinking the presence of the present.' Derrida J., The Deconstruction of Actuality. An Interview with Jacques Derrida. In Radical Philosophy, 68 (1994), pp. 28-41, 30.

Rather Derrida takes this presence of the present to be a 'determination' or 'effect,' instead of being an absolute or primordial 'form of Being.' Derrida J., Différence. In Margins of Philosophy. Chicago, University of Chicago Press, 1982, pp. 1-27, 16.
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