History, memory and memorialization processes


Associate Professor Hanne Hagtvedt Vik, University of Oslo

Travelling the world in her capacity as United Nations Special Rapporteur in the field of cultural rights, Farida Shaheed frequently witnessed intense disagreement over events in the past. Although history is one of the few mandatory curriculum subjects in education systems the world over, Shaheed’s work nevertheless convinced her that, in most societies, people cannot access historical narratives and cultural heritage in a way that fosters critical thinking and the understanding of alternative realities and perspectives.

Historical research and its presentation to a popular audience are ‘about identity, about who we are and where we came from’, Richard J Evans argues. We are living through a ‘memory boom’: David Lowenthal has noted that the past, ‘once certified by experts and reliant on written texts, has become a fragmented, contested history forged by us all.’ The power of historical narratives to shape identities, arouse emotions and motivate and legitimate political action are a source of both inspiration and worry for states, groups and individuals and therefore also for international organizations like the UN. How should the past be researched, taught and remembered?

The past is a battlefield. George Orwell famously posited that ‘who controls the past controls the future: who controls the present controls the past.’ Interpretations and distortions of history are potent political tools; states and non-state actors alike try to impose particular

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3 Intervention by Farida Shaheed at the conference ‘Negotiating cultural rights’ in Copenhagen, 15 November 2015. See also History, para 2, p 4.


versions on their own and other populations. Narratives of the past are important legitimators of political and social structures; they carry the power of suppression and may even pave the way for violence and war. The genocides in Rwanda and Bosnia of the 1990s are dramatic examples of situations where violence was ‘buttressed and to some degree caused by particularly hateful national memories and interpretations of history’.7

Shaheed’s reports Writing and Teaching of History (2013 - hereafter History) and Memorialization Processes (2014, Memorialization) stand on the observation that international human rights treaties proclaim the right of all humans to their cultural heritage, and that this includes knowing the past.8 But to which cultural heritage and history does that right pertain? And what would characterize truly human rights-based approaches to the past? The reports deal primarily with post-conflict and divided societies but have relevance for all. They offer normative statements and guidance mainly for state actors but also for others involved in historical research, teaching and the processes of memory.

Shaheed’s principal objective is the advancement of ‘multi-voiced narratives’ of the past. This and other propositions stem from concerns and commitments such as ensuring that history teaching and memorialization not lead to or escalate conflict; that victims be recognized; that history teaching not fortify nationalist identity; that historical narratives not be manipulated; and that teaching and memorialization build on the principles of right to freedom of opinion and expression, and the right to information and academic freedoms. These aims, however, reflect inherent tensions, some of which may be irreconcilable. In this essay I summarize the reports and reflect on some main propositions and assumptions, and suggest a future path for the current Special Rapporteur in the fields of history and memory.

THE REPORTS

The reports on historical and memorial narratives in divided and post-conflict societies are based on country visits and consultations with governments, experts and civil society actors by the Special Rapporteur for cultural rights and her team. Academic literature informs their work and is broadly cited in the main body of the reports as well as footnotes. The reports thus reflect

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their accumulated insights into the contemporary conditions and practices of history writing, teaching and public memorialization.

What do these reports contribute? History and Memorialization stand as official UN statements on the scope of the international obligations of states under existing human rights instruments. The reports have broad, wide-ranging implications for defining and securing this particular aspect of cultural human rights in all societies. The reports call on states to review how they intervene -- directly or indirectly -- in the research and teaching of history and public memorialization processes and to report this to the UN, thereby further embedding these activities into frameworks of international policy fields. Following the view that international human rights instruments uphold the right of all to know their past, each of us has this right regardless of whether we live in relatively peaceful or in conflict-ridden societies. The challenges of realizing these rights are similar across the spectrum, although war and violent conflicts render them acute. For these reasons, the reports should be read as challenges to politicians, government officials, historians, educators and cultural workers to engage critically in discussions, nationally and internationally, on the long-term aims and conditions of historical investigations and dissemination.

The History report deals with historical research and education, with a special focus on textbooks for primary and secondary schools. It takes as its point of departure that all children have a right to develop a historical perspective through their education.9 Inverting von Clausewitz, the report notes wryly that history teaching can serve as ‘a continuation of war by other means’10 -- perpetuating conflict ideology and creating an atmosphere that sustains acute or chronic conflicts within and between states.11 This may involve excluding, minimizing and justifying particular events or time periods in the teaching of history,12 or communicating stereotypes of minorities or marginalized groups.13 It may also involve presenting a historical narrative of a repeated, chronic conflict between two or more states or collectives, while excluding from the story examples of cooperation and friendly relations.14 Notwithstanding, the Special Rapporteur finds the teaching of history to represent the best hope for dealing with a

11 History, para 30, p 10.
12 Ibid., para 20, p 8, and para 25, p 9.
13 Ibid., para 31, p 10.
14 Ibid., para 30, p 10.
recent, painful past.\textsuperscript{15} Essentially, Shaheed suggests replacing undesirable, instrumental perspectives -- narratives aimed at shaping national or regional identities or fostering loyalties to the state -- with ‘multi-voiced narratives’ to emphasize the complexities of the past and nurture comparative, transnational and multi-perspectival approaches.\textsuperscript{16}

The teaching of history is -- or should be -- inextricably linked to historical research. The History report expresses concern with the lack of academic freedom in many states.\textsuperscript{17} States may control almost all aspects of the work of historians -- from access to sources, to cooperation with colleagues, to how or even whether texts are published. The report cites many examples of unlawful state interference with academic freedoms, including how states seek to control universities and research institutes by reviewing courses and curricula, and deciding what topics are permitted for study. The report also emphasizes positive obligations of states, such as securing sufficient autonomy for institutions for higher education and research and ensuring these have institutional rules and procedures that are as fair, transparent and participatory as possible.\textsuperscript{18}

Into the already crowded field of national and international practices, Shaheed in Memorialization advances the cultural-rights approach as a specific, prioritized concern, emphasizing its potential to foster a cultural landscape ‘reflective of cultural diversity.’\textsuperscript{19} Following conflicts, states often engage in what Shaheed calls ‘active memorial policies’ either on their own initiative or that of other stakeholders. Where traumatic events have taken place, sites -- be they torn down, altered, or left unchanged -- carry meaning and need to be discussed and interpreted.\textsuperscript{20} Remembrance, the report holds, is not a neutral process. Like history, it is ‘never immune from political influence and debate.’\textsuperscript{21} Public sites of memory may constitute ‘entire cultural and symbolic landscapes’ which shape human identities and social interactions.\textsuperscript{22} These can be physical places or commemorative activities that focus on a specific event or a

\textsuperscript{15} Ibid., para 26, p 9.
\textsuperscript{16} Ibid., para 58, p 16.
\textsuperscript{17} Ibid., chapter 4.
\textsuperscript{18} Ibid., para 44, p 13.
\textsuperscript{20} Ibid., para 63, p 14; para 65, p 15; para 81, p 18.
\textsuperscript{21} Ibid., para 3, p 4.
\textsuperscript{22} Memorialization, Summary, p 1.
person. The sites may be authentic places of trauma (mass graves, camps, prisons) or symbolic (monuments, museums, squares) or even virtual (internet sites).

Borrowing a phrase from the South African judge and human rights advocate Albie Sachs, Memorialization recommends that a memorial culture based on human rights be ‘broadly located, mobile, multi-layered and interactive dialogical truth.’ The report also defines the most important obligation of the state as securing 'a plurality of complementary viewpoints on the past.' There are always many views within a group, and when traumatic events are to be remembered, it is vital to avoid simplistic representations of the past. States and actors should promote critical thinking and broad civic participation and ensure that the locations of pivotal events become sites of knowledge, not solely trauma. Furthermore, they must make available sites for public acts of remembrance, to which end artists and curators may work without interference from states.

From a historian’s perspective, the reports are themselves historical documents - historical sources attesting to the state of affairs in international cooperation in the social and cultural fields as well as in the protection of international human rights at the time of their writing. The reports embody interpretations of the past and are inscribed with contemporary concerns. As with human rights documents before them, they cannot be detached from the context in which they are written. Both the UN Charter and the UN Universal Declaration of Human Rights encapsulated the experiences and ideas of the inter-war years, the Second World War and fast-developing situations in the contemporary world, such as the Palestinian refugee crises. Similarly, the UN convention on racial discrimination came out of the historical experience of de-colonization and reflected the quondam concern with apartheid as well as with

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23 Ibid., para 5, p 4-5.


25 Memorialization, para 20, p 7.

26 Ibid., para 76, p 17. See also para 99, p 20; para 103, p 21.

27 Ibid., para 50, p 12.

28 Ibid., para 64-5, p 14-15.

29 Ibid., para 75, p 17.

discrimination in many other states, most prominently the USA. A series of anti-Semitic attacks also informed part of the background.  

The reports reflect a set of partly inter-related historical trends. On the one hand the world saw the surge of social movements in the 1960s and the cultural revival they brought, and the rise of multi-culturalism, including new international norms for the rights of indigenous peoples in the 1980s. On the other, the world struggled with aftermath in the many attempts to deal with past historical injustices after the Cold War, as well as efforts international and national to deal with post-conflict societies following the internecine strife and civil wars of this period. Together, the reports on history and memory reflect a contemporary concern and interest in remembrance of the past, sometimes labeled ‘memory boom’ or ‘memory fever’. Historian Jay Winter has noted that ‘just as we use words like love and hate without ever knowing their full or shared significance, so we are bound to go on using the term ‘memory’, the historical signature of our own generation.  

Related to the observation that the reports reflect certain trends and concerns of a particular present, we note issues relating to the historical experience of colonialism raised in several places. Here, Shaheed and her team seem to have had only European overseas colonialism in mind -- not Russian/Soviet, or Japanese, or North-American. We may also discern a particular mobilization of the past in how the reports take for granted the notion of ‘indigenous peoples’ and be mindful that the reports form part of international and local dynamics of establishing hierarchies of minority status. The concept of ‘indigenous peoples’ is an identity construct as well as a political and legal one, and it has undergone significant changes along its various dimensions over time, with the current notion dating from the late 1960s. Today it is used to distribute rights and benefits within states and in the international system.  

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32 The term ‘memory fever’ was coined by Andreas Huyssen in Twilight Memories: Marking time in a culture of Amnesia (New York/London: Routledge 1995).


34 See History, para 32, p 10; Memorialization, para 19, p 7 and para 34, p 10.

Furthermore, the reports focus on divided and post-conflict societies which have experienced international or internal conflicts in ‘the recent and less recent past.’\textsuperscript{36} The historical experience of slavery is singled out for special attention.\textsuperscript{37} Historically, slavery has been a multifaceted phenomenon with many geographic locations and disparate victims. The UN differentiates between historical and contemporary slavery, but ‘slavery’ is not defined in the reports, and therefore it is not clear who the ‘victims’ of slavery are. In light of the recommendation to enhance memorialization efforts for victims of slavery, it is reasonable to assume that Shaheed had the trans-Atlantic slave trade in mind.\textsuperscript{38}

Therefore read with an eye to how they reflect the past, both reports are, like other international documents, themselves sites of memory.

\section*{ON THE RELATIONS BETWEEN HISTORY AND MEMORY}

Social scientists and historians have long engaged in lively global discourse on issues of history and remembrance that has yielded both empirical and theoretical insights.\textsuperscript{39} Academic studies of how we memorialize emerged in the latter half of the nineteenth century and lasted to the first quarter of the twentieth.\textsuperscript{40} A new wave of scholarly interest in memorialization hit in the 1960s and 1970s, partly connected to Holocaust remembrance, but the take-off period for academic memory studies was the 1980s. Since then, memory studies has become a mature academic field, with its own journals, landmark publications, conferences and an online discussion group.\textsuperscript{41} It also has a high profile in major history journals.\textsuperscript{42}

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\item \textsuperscript{36} \textit{History}, para 2, p 4.
\item \textsuperscript{37} Ibid.
\item \textsuperscript{38} \textit{Memorialization}, para 105 (h), p 22. On UN efforts on contemporary slavery, see <http://www.ohchr.org/EN/Issues/Slavery/SRSlavery/Pages/SRSlaveryIndex.aspx> accessed 15 May 2016.
\item \textsuperscript{39} Alon Confino, ‘History and Memory’ in Axel Schneider and Daniel Wolff (eds), \textit{The Oxford History of Historical Writing: Volume 5 Historical Writing Since 1945} (New York: Oxford University Press 2011) 36-51.
\item \textsuperscript{41} A Google Ngram search reveals a sharp increase in the frequency of the term ‘collective memory’ starting from 1980. The journal \textit{History and Memory} has been published since 1989, the journals \textit{Memory}...
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Historians and other scholars of memory trace discourses, pinpointing the shapes and significance of the past at later times and in various contexts. The mobilization of the past for contemporary purposes has often been studied from the scholarly fields of nationalism, ethnic identities and the recent ‘politics of recognition’, which aims to rectify the wrongs of the past. The scope of such studies has been broadened to encompass a wide range of topics, with studies of post-conflict societies a major interest. In brief, historians of memory identify dominant narratives of the past, including their biases and silences, and consider ‘who wants to remember what and why, and how memory is produced, received, and rejected.’

The UN reports use the notion of ‘collective memory’ without defining it, but noting that while the discipline of history represents critical thinking, memorialization is inextricably emotional. This essay does not address the many competing and overlapping academic definitions of the phenomenon of ‘collective memory’; however, the distinction between history and memory is critical. These different phenomena share close, complex relations; they overlap in various ways and cannot always be separated. Historian Jay Winter has emphasized that while history is narratives of the past ‘backed up by the authority of direct experience’ to be gleaned from written and oral sources, memory by contrast is how individuals retrieve a personally encountered event. The space between them (a ‘field of force’, he has argued) is the historical memory – the way we give meaning to the past.

Ultimately, only individuals can remember. But remembrance is normally a social process involving the sharing of memories within a group, small or large. Families, for example, are transmitters of knowledge across generations of major, formative experiences or ways of looking at the world. The same is true for religious and ethnic communities -- even national public arenas. Power relations shape remembrance; yet collective memories are a phenomenon

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Confino, ‘History and Memory’, 41.

more complex than simply the result of power relations. Focusing on how memories are shaped, some elect to use ‘social memory’ or ‘cultural memory’ over ‘collective memory’; others limit their studies to phenomena of the public domain, employing the concept of ‘public memory’. Focusing on agency and the collective acts of remembrance at public sites or spaces, Jay Winter makes a case for using the analytical term ‘remembrance’ rather than ‘memory’.47

The surge of interest in memory studies has stripped away any illusions about historians being the sole or even the central proprietors of the past.48 The History report points out that history is only one of many factors contributing to collective memory.49 A wide variety of actors are shaping the dominant narratives of the past in different contexts. The UN reports employ the notion of ‘memorial entrepreneurs’ and draw attention in particular to the agencies of states but also to historians, curators and others involved in acts of public remembrance. To this we may add the makers of film and computer games, novelists, musicians, journalists, leaders and members of religious communities, interest groups, think tanks and other private organizations, among many others.50

However, even though there is an obvious need for continued and expanded reflection on the relations between history and memory, Shaheed gives no direction to historians in terms of prioritizing how we remember and represent the past. This is rightly an important part of the historian’s work, as is the obligation to work on un(der)studied events and trends and to reevaluate the studied and contested ones.

THE HISTORIAN’S CRAFT

How do – and should – historians work when seeking to understand the events, ideas and processes of the past? Both Shaheed’s reports strongly defend the virtues of history as a discipline, and many of the assertions and recommendations go to the core of methodological and theoretical problems central to the discipline, particularly relations between sources, perspective and interpretation.


48 Winter, ‘Sites of Memory’, 314.

49 History, para 5, p 4.

50 For a review of examples drawn from five genres/media types of historical representations that significantly impacts contemporary historical culture, see the 2009 issue themed ‘Historical representation and historical truth’ edited by Christoph Classen and Wulf Kansteiner for the journal History and Theory (2009).
To me, Shaheed’s defense of the principles of academic freedom is by far her most important contribution concerning historical research. This includes the freedom to choose a specific research subject, to have access to archives, to publicize potentially controversial synthetic works and to cooperate with historians of other countries. In Eastern Europe during the Cold War, many historians who ‘wanted to be truthful to their craft often worked on more remote periods of the past or on histories of distant locations.’\textsuperscript{51} The same is true in many places in the world today, where historians work under tight government control, making contemporary political history particularly difficult.

Professional historians muster as much evidence and careful arguments as possible about the past they study. Many work in several languages and consult documents and other sources of multiple origins. This enables them, again quoting Winter, to ‘establish the boundary conditions of possibility’ of what happened in the past they study.\textsuperscript{52} Their narratives establish with as much certainty as possible the chronology of past events, the ideas and motivations of the main actors, and the social, economic and cultural landscapes of which they were a part. This forms the basis for careful arguments about causes and contingencies, and of the significance of that particular (aspect of the) past. Meticulously researched historical narratives of a contested historical event may unearth and document facts that make it impossible to refute they happened, or how and why they did.

Arriving at such narratives presupposes the existence of rich, relevant sources and the historian’s access to same. Archives remain at the core of historical investigations. It is a grave and ongoing problem that many collections are destroyed, go missing, or are otherwise made unavailable for research. The French army, for example, destroyed and shipped between 53 000 and 200 000 cartons of documents from Algeria to France in 1961-62, some of which were later repatriated.\textsuperscript{53} Even when documents are preserved, historians may still be unable to access archives. After a period of disclosure following the end of the Cold War, today many Russian archives are closed. Furthermore, although private institutions and international organizations like many states are dedicated to principles of freedom of information and have laws and regulations granting researchers access to documents, this is often no guarantee. In Norway, for


\textsuperscript{52} Winter, Remembering War, 10.

example, a government official has held the only copies of documents on secret negotiations between Israeli and Palestinian representatives during the Oslo Peace Process and refused to release these records, leaving historians guessing what these might add to the official story.\textsuperscript{54} Private papers of members of the elite are often kept, but these too may be destroyed. Kwame Nkrumah decided to burn his private papers, for example, leaving historians guessing at important aspects of his role during the early history of the independent state of Ghana.\textsuperscript{55} As a nationalist leader and his country’s first prime minister and president, Nkrumah’s insights could have provided unique glimpses into a crucial period and his role in Ghana’s formative years.

The preservation of archives and the access of researchers to these and other sources must be a priority in a human rights-based approach to cultural heritage. What is kept in state and private archives results from decisions by multiple actors, and what has been considered worth keeping has changed. In the late 1950s, for example, archival practices broadened in many contexts to include materials of private associations and non-elites.\textsuperscript{56} This greatly expanded the scope of historical investigations, as new voices are discernible through such collections. United Nations Educational, Scientific and Cultural Organization (UNESCO) has a long history of working to preserve archives and to disseminate knowledge on good practices. Taking a cultural human rights approach to archival practices may strengthen these and other international efforts by emphasizing and exploring practical sides to realizing the rights of future people to their histories. While not specifically addressing problems of preservation of archives, \textit{History} recommends that, following the safeguarding of privacy, states should secure access to archives and resources for research, facilitate digitalization and internet publishing, and put in place a system of scholarships for research into colonial archives.\textsuperscript{57}

During the 2015 Copenhagen conference that produced this volume, the Special Rapporteur raised the question of whether the right to know one’s cultural heritage in some cases includes, or should include, a right to control its historical relics. The case of indigenous communities was mentioned specifically. Who is entitled – legitimately and ethically – to manage and adjudicate existing collections? Does this include the right to move, restrict access to or even destroy testimonials, such as a collection of oral histories? A right to control historical relics is certainly problematic from a historian’s point of view, but it also presents


\textsuperscript{56} Shepard, ‘Of Sovereignty’, 870-71.

\textsuperscript{57} \textit{History}, para 47, p 13-14.
ethical issues as it gives people at one point in time the power to control which aspects of the past are available in the future.

Some historical persons and groups have left no written material. The History report criticizes the primacy of written over oral sources in historical research, especially in the case of post-colonial states where reliance on documents written by colonial administrators results in historical writing as carrier of a particular colonial perspective.\(^{58}\) In taking this view, Shaheed seems to be inspired by an approach known as ‘post-colonial critique’. The term stems from the work of a group of South Asian scholars who from the 1980s challenged conventional framings of the past by focusing instead on the lived experience and active roles of the subordinated masses. Due to their attempts to delocalize the centrality of Europe and of elites in South Asian history, their scholarship became known as ‘subaltern studies’. Their approach gave rise to a critique of the modes of knowledge instituted by Europeans, including the academic discipline of history.\(^{59}\) Their many contributions to historical theory and methods include strategies for how to read colonial archives to produce narratives that were neither colonial nor nationalist.\(^{60}\)

The Special Rapporteur’s criticism of historians for their disinterest or neglect of oral sources can come across as dated and simplistic: mainstream historical research acknowledged oral sources a long time ago. To take New Zealand as an example, a new generation of historians and anthropologists, including scholars with ethnic Maori backgrounds, became aware and vocal from the mid-1970s onwards that Maori historical narratives, carried largely by oral tradition, and European historical narratives, belonging to a written tradition, represent ‘radically different ways of knowing the past and being in the world.’\(^{61}\) They focussed attention on the significance of perspective in terms of which questions were asked and which sources used. Bain Attwood has described how drawing on Maori oral history traditions, these scholars reconstructed narratives of the past that differed radically from the existing historical narratives of the same geographic space and its inhabitants. This fed into a larger, ongoing process at a time when historians were broadening their focus from political and official spheres to social and cultural ones, sensitizing historians to aspects of the past that had not been told or that called for reinterpretation. The result upended the conventional narrative and was nothing less

\(^{58}\) Ibid., para 33, p 11.

\(^{59}\) Gyan Prakash, ‘Postcolonial Criticism and History: Subaltern Studies’ in Schneider and Wolff, Historical Writing, 74-92.


\(^{61}\) Bain Attwood, ‘Settler Histories and Indigenous Pasts: New Zealand and Australia’ in Schneider and Wolff, Historical Writing, 598-599.
than the rewriting of the history of New Zealand, including the rereading of written sources and use of previously unexplored materials.\footnote{Ibid., 600-605.}

Adding new perspectives have also altered areas of study such as the history of pre-colonial and early modern America, Oceania and Africa. Here the descriptions of the first encounters between settlers and colonizers and the original populations, as well as the interior life of these populations following the encounters, are based on written and oral sources, material as well as archaeological and anthropological sources, methods and insights. Imaginative and skillful readings of elite and colonial writings have revealed insights into the lives and agency of illiterate or marginalized populations. This may include the internal lives of such communities and their interaction with other communities, extending far beyond their interactions with government agents and elites – and beyond contact with European authorities and settlers. Oral tradition, such as songs and stories, are assessed through methodologies in which the stability of the narratives of sources are corroborated by written evidence or through an assessment of the consistency of a particular narrative across geographic areas.\footnote{For a theoretical intervention making the case for the use of oral tradition in historical reconstruction, see for example Jan Vansina’s \textit{Oral Tradition as History} (London: James Curry 1985). See also Toyin Falola and Jennings Christian (eds) \textit{Sources and Methods in African History: Spoken Written Unearthed} (Rochester: University of Rochester Press 2003).}

The social and cultural turns in historical research made oral sources central evidence for many studies. More problematic than an outdated representation of historians’ uses of oral sources, however, the critique voiced in the report may delegitimize sound history writing and methodological concerns. Such concern include how individual recollections and oral tradition are excellent sources for mapping how individuals and communities remember the past, but may be less reliable for understanding those particular events and individuals. Oral tradition is biased in how it reflects power relations both at their point of origin and when these have been transmitted in time. Moreover, anyone studying contemporary history who has had the privilege of corroborating information from interviews with written sources will have experienced how individual recollection is prone to after-the-fact rationalizations and conflating actors and events, either consciously or subconsciously. Historians are trained to assess texts, oral testimonials and traditions critically, approaching them in light of other relevant materials and insights into the origins of the particular source, applying those norms for scrutiny of sources – an approach broadly known as the method of source criticism.

The Special Rapporteur rightly emphasizes that historical research, writing and teaching is always based on interpretations, and that narratives are ‘viewpoints that, by definition, are
The cultural turn (also known as the ‘linguistic turn’) that has reshaped social sciences and humanities has also sensitized historians to the significant impact of our own experiences and perceptions on the questions we ask and how we work to answer them. Before historians start leafing through letters, diaries, diplomatic or business records, or collect oral testimonies, we have made choices about where to go and what to look for; and these decisions are made on the basis of our own perspectives. We will never grasp the past as it was: we make ‘a translation of the past into our time, an act of interpretation.’

Emphasis on the subjectivity of historical research, however, should not be collapsed into a relativist position. Not all interpretations of the past have equal value: some are simply wrong, or invented. Academic norms dictate that historians consult and relate to the bodies of literature relevant to their topic of study. We must operate within this landscape of previously known facts, interpretations and theories, always trying to refine methods and challenge interpretations to gain new insights, both empirical and theoretical. Without losing sight of the subjective aspect of our profession, we have no choice but to continue insisting on the highest professional standards for how historians work to answer queries about the past and how those understandings should be narrated and published.

This same insight seems to have guided several parts of the UN reports. However, there is a tension between Shaheed’s insistence on professional standards and truth-seeking and her repeated emphasis on the partiality of all historical narratives. The rapporteur would have done well to provide a more explicit rejection of relativist approaches to the past, in particular because emphasis on partiality may provide a smokescreen for the very practices she seeks to end.

ON SILENCES AND THE RIGHT TO FORGET

The sense of injustice is one of the most compelling of emotions. Narratives of the past may lead not just to mourning, but to outrage and intense anger. The overarching goals of Memory

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64 History, para 6, p 5; para 78, p 20.


67 History, para 6, p 5.

are to promote peace and recognize victims. The two are not always compatible and may be at odds with a third goal, voiced in both reports: to represent the past in a documented, balanced and comprehensive way that conforms with ‘best practice’ for the discipline.

Public memorial culture has changed over time. Shaheed outlines how commemoration after war and mass atrocity from the 1980s onwards was expected to satisfy the needs of victims and at the same time forestall similar events in the future. After the end of the Cold War, the will and commitment of groups and societies to confront particularly traumatic historical events and injustices has grown, in many instances. International principles for state memorials were drawn up in 1997, building on the victims’ right to know what took place, itself formulated as a collective right in order best to forestall the likelihood of such events in the future.

There is much political capital to be harvested from memorial cultures, and Shaheed points out how public sites of remembrance have become an arena of competition in which adversaries vie to bolster and legitimize their ‘moral, legal and ideological superiority.’ Contemporary memorialization predominantly recognizes victims but may evolve into ‘memorial tyrannies’ where a fast-growing number of public sites of memory ignore alternative stories of suffering or relations among the many groups involved. Such remembrance may lead to victim cultures, cults of martyrdom and thirst for revenge. Hierarchies of victimhood may emerge, resulting in what literary theorist Tzvetan Todorov terms ‘an endless line of credit.’

The presence or absence of specific memories in the public domain may result from promotion or suppression by governments, or from much more complex processes. One aspect of this is that individual and collective memory are intertwined with self-perception and so coloured by the need to retain a positive recollection of the past. Dealing with the darker sides of the past are inevitably problematic; this is particularly true when two or more collectives hold incompatible memories in the same narrative space. One example is the recent ‘history wars’

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69 Memorialization, para 9-10, p 5.


72 Ibid., para 22, p 7.

73 Ibid., para 16 and 17, p 6.

74 Ibid., para 18, p 7.

75 Ibid., para 21, p 7.

over Australia’s settler past – specifically, the representation of the historical experiences of the aboriginal population.77 Another example is how Palestinians and Israelis remember and frame the Palestinian exodus during the 1948 Arab-Israeli war.78 Recognition of victimhood can carry material and political consequences. On Indonesia, Katharine E. McGregor points out how ‘[f]or indigenous peoples recognition of settler violence and harm validates their suffering’ while the same historical revision for many settlers ‘raises questions not only about their own identity as a group, but also about their ongoing rights.’79

The silencing of traumatic memories may come from efforts by particular memorial entrepreneurs (and even professional historians) to shape a narrative aimed at fostering reconciliation.80 In this regard, a political perspective relevant to post-conflict societies is somewhat under-communicated in History. In some national contexts, even those scholars committed to ‘truth’ are constrained by present-day exigencies and could leave some issues untouched for the sake of contemporary peace and stability. This can happen after war: the immediate post-war period may be cloaked with an ‘instant amnesia’ aimed at stabilizing the political order through collective solidarity among the survivors. This includes silence about collaboration, as Tony Judt argued in the case of European memories of the Second World War.81 Another example is that historians of the Rwandan genocide are now presenting more complex stories than those appearing in the years directly after the conflict. This begs the question, raised by the Special Rapporteur in Memory, on whether the processes of memorialization may start too soon.82

It has become common for states and international organizations to intervene to address traumatic historical events, and we repeatedly hear the call for nations to come to terms with


80 The process may be overt but also covert: see for example Vered Vinitzky-Seroussi and Chana Teeger ‘Unpacking the Unspoken: Silence in Collective Memory and Forgetting’ in Social Forces 88, no. 3 (2010) 1103-1122.


82 Memorialization, para 57, p 13. My thanks to Maja Gudim Burheim for pointing this out.
their past. Efforts in peace-making over the past couple of decades -- ranging from truth and reconciliation commissions to legal procedures in courts -- have been directed at ‘transitional justice’ with reconciliation as the declared goal. The *Memorialization* report shows how such commissions may be a buffer against states which might otherwise be ‘tempted to destroy places of suffering’ and thereby ‘erase the memories attached to it’.\(^{83}\) In such forums for dealing with traumas of the past, history and memory come face to face. The political affiliations of these commissions may determine who is appointed to them, what materials they consult and how, and so skew the result. This had led some scholars to question whether such efforts in peace-making focus more on reconciliation than on truth and justice.\(^ {84}\)

Can the past be negotiated? Truth and reconciliation processes purport to address two things simultaneously: the need to recognize the suffering of individual victims and survivors, and the need to establish facts about what happened and why.\(^ {85}\) The two are obviously of great significance to any post-conflict society, but is it possible to achieve them both at the same time? Or do we, at least in some instances, face a classic dilemma of competing rights? Which should be prioritized? Is it most important to reconcile - or does ‘the truth’ take precedence? Should we prioritize the latter even where this leads to strong controversies and potentially also to civil unrest? Shaheed mentions the two needs but does not explicitly weigh the conflicting concerns or advocate for either.\(^ {86}\)

With regard to more peaceful futures, Shaheed called for recognizing the collective or individual right to forget in a comment made during the Copenhagen conference in November 2015. *Memorialization* does not deal with this explicitly, but the report does warn that an active remembrance culture may harm societies rather than heal.\(^ {87}\) It also reminds us that ‘[a]ll post-conflict and divided societies confront the need to establish a delicate balance between forgetting and remembering.’\(^ {88}\) While forgetting may be perceived as necessary for social peace, censoring historical narratives could be a time bomb, by forcing upon a society an interpretation that conflicts with lived experiences.

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\(^{83}\) *Memorialization*, para 44, p 11.


\(^{85}\) I wish to thank Maja Gudim Burheim for drawing this to my attention and the students of HIS2361/4361 at University of Oslo for their discussion of this issue.


\(^{87}\) *Memorialization*, para 17, p 6. Whether this is at all possible is debated in Eric Stover and Harvey M Weinstein (eds), *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity* (Cambridge: Cambridge University Press 2004).

\(^{88}\) *Memorialization*, para 17, p 6.
Keeping the peace requires some level of consensus or mutual knowledge and recognition of the validity of other narratives. *History* describes how historians of different national origins have worked to establish a common understanding of a controversial past.\(^9^9\) Collective works by Turkish and Armenian historians demonstrate that they can agree on important facts about the massacres and deportations of Armenians from Turkey in 1915, even though empirical and interpretative disagreements endure (the official Turkish government view diverges fundamentally from that of these historians).\(^9^0\) Another example is the book by a group of Polish and Russian historians about historical relations between the two countries.\(^9^1\) The impact of such efforts on public memory, however, is more limited than one might hope. In a different context, others have warned that politics-driven historical investigations aimed explicitly at reconciliation may represent a gulf between professional standards and the desire to achieve reconciliation.\(^9^2\)

While it is crucial to acknowledge and rectify relatively recent wrongs, dealing with those in the very distant past holds particular problems. The report mentions slavery and wrongs against indigenous populations. Can and should these be rectified? If so, how should the UN approach problems of what political scientist Martin O Heisler terms ‘unwholesome actions or events’ in the past that surface many years or even centuries later?\(^9^3\) One aspect concerns the issue of time: Are we responsible for acts perpetrated by our ancestors? Who are the victims and who the perpetrators? In some cases, it is not possible to establish clear generational connections to either category of actors. A related problem is that what are clearly unlawful and hideous acts from a contemporary perspective took place in a very different normative historical context. Knowing about such events and debates is crucial, however. I agree with Heisler, who has pointed out that history textbooks are ‘perhaps most encouraging in the long run…[as a]…medium for linking past and present’; these frame the past in its ‘temporal and normative contexts’ and can be updated to reflect new scholarship.\(^9^4\) The rapporteur similarly emphasizes

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\(^9^9\) *History*, para 81-85, p 21-22.


\(^9^1\) For a similar effort on Polish-Jewish relations, see David Engel, ‘On Reconciling the Histories of Two Chosen Peoples’, *American Historical Review* 2009, p 914-929.

\(^9^2\) For discussions of this tension with practical examples, see the AHR Forum edited by Elazar Barkan for the October 2009 issue of *American Historical Review*.


textbooks and, subsequently, global historical research with full protection of academic freedoms.

MULTI-VOICED INSTRUCTION IN HISTORY

Teaching history involves sound interpretations of past events based on a review of available sources; at the same time it often reflects attempts to shape a particular collective memory underpinning national identity. The reports reject this latter function, emphasizing that no indoctrination is acceptable,\(^95\) and that instruction in history must never ‘serve the purpose of strengthening patriotism, fortifying national identity or shaping the young in line with either the official ideology or the guidelines of the dominant religion.’\(^96\) Multi-perspectivity constitutes a significant challenge to the status quo in most countries, as illustrated by the fierce debates in the 1990s among politicians and historians and in the media over the proposal to introduce a multicultural approach into the national curriculum of England and Wales.\(^97\)

Lowenthal has observed that ‘[i]n most school texts, history remains one-dimensional even where controversy is rampant.’\(^98\) Pointing out the diverging interpretations of the antiquity of Native American settlements in US history, he called for sensitizing students of history to the fact that there may be more than one accurate version of the same event. Similar observations are made in the UN report on the writing and teaching of history. The UN Special Rapporteur’s main recommendation for a human rights-based approach to teaching history is multi-voiced/multi-perspective narratives; she does not however define these terms, which are used synonymously. The report associates the approach with the existence of peaceful relations within and across countries.

‘Multi-perspectivity’ is common in studies of fiction (literature, theatre). Marcus Hartner has pointed out that although the term has a variety of meanings, it should ‘be restricted to cases where points of view interact in salient and significant ways and thus create multi-perspectivity by, for instance, repeatedly portraying the same event from various different angles.’\(^99\) The term ‘multi-voiced’ is similarly found in works of literary theorists, while

\(^95\) *History*, para 87, p 22.

\(^96\) Ibid., para 88a, p 23.


‘multiple narratives’ describes a story-telling technique employed in books, films and theatre. Hartner differentiates between ‘closed’ and ‘open’ multi-perspective narratives, where the first category holds several incompatible points of view, and the second different views which are nevertheless included in one coherent narrative.\(^{100}\)

In calling for multi-perspective/multi-voiced history education in schools, the rapporteur is in line with educational developments of the past twenty or more years. According to the historian Robert Stradling, the term ‘multi-perspectivity’ was rarely used in this context before the 1990s, despite first appearing in the 1970s. Educators in Europe focused increasingly on students’ abilities to think historically and gain first-hand experience with interpreting sources, the moral being that a single event can be interpreted differently. They also recognized that the teaching of history had to become ever more inclusive and sensitive to the historical experiences of non-dominant linguistic, cultural and social groups, and had to accommodate the cultural heritages of recent immigration populations. Importantly, the interest in multi-perspective teaching grew as international institutions and organisations such as UNESCO and the Council of Europe sought to use history education as a tool for encouraging mutual understanding and reconciliation in Eastern and south-eastern Europe.\(^{101}\) But what does the approach entail and how should it be implemented? As Stradling writes, ‘multi-perspectivity is a term more often used than defined.’\(^{102}\) This applies to the reports, in the context of which the conflation of terms is somewhat confounding. Should we stop aiming for synthesizing narratives? Or is the rapporteur merely calling for more nuances within such narratives? Does this entail a kind of kaleidoscopic pedagogy and, if so, would this enhance or inhibit an understanding of changes in time and space?\(^{103}\)

Shaheed rejects any manipulation of historical narratives for nationalistic purposes.\(^{104}\) Yet, she seems to consider state borders legitimate definers of culture and heritage. She points to UNESCO’s recommendation about finding a balance between national and ‘general history’.\(^{105}\) At the same time, she decries an emphasis on political history (using a relatively archaic conception of what that is) and recommends that history be defined not just in terms of narratives that center on military or political developments but also periods of peace and

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\(^{100}\) Ibid.  
\(^{102}\) Ibid., 13.  
\(^{103}\) See also ibid, 14-15, 25.  
\(^{104}\) See for example *Memorialization*, para 54, 57, 60, p 12-13; 88a, p 23.  
\(^{105}\) *History*, para 60, p 16. Another issue is that some smaller states may lack resources or the necessary competence to have local history researched and written: see ibid. para 61, p 16.
stability. A better history, she argues, is a broader history that describes complex human relations and societies and the different kinds of causes for particular events. She considers the general and regional history textbooks published by UNESCO to be ‘one of the finest contributions to the dialogue between cultures and civilizations’. Aiming for ‘the greatest possible diversity’, the editors of the books amicably took care to avoid giving priority to European turning-points over those of other regions.

The Special Rapporteur expresses particular concern about segregated schools where children are taught different, mutually exclusive historical narratives and have limited opportunities to meet other children and see their worldviews challenged. In many places groups of people or communities relate to exclusive or conflicting understandings of their past or their present, in effect leading them to live -- literally and not just metaphorically -- in ‘separate, hermetically sealed worlds.’ Even internationally mediated truces, such as the Dayton Agreement, can result in segregated communities.

Shaheed makes several recommendations on how to safeguard multi-perspective historical instruction. One of these is the need for states to authorize more than a single textbook and to allow the use of supplementary teaching materials. Instruction should aim at developing the abilities of the students to think critically, rather than activating emotions in a


110 History, para 56, p 15.


112 History, para 71-73, p 19-20.
problematic way. Teachers should be guaranteed independence in their professional work and they should receive an education that enables them to exercise this independence wisely. Implementing multi-perspective teaching is a challenge even in relatively peaceful societies; in addition to the changes mentioned in *History*, such an approach presupposes more time allotted to teaching history in schools than is practiced in many places today.

**HISTORIANS AS GATEKEEPERS TO THE PAST**

The reports stress repeatedly that states should avoid controlling the work of historians and that the community of historians should have free rein and act as the guarantors of a human rights-based approach to the past, one based on the norms of academic freedoms.

How do we make sure that the narratives of the past include the historical experiences of all relevant groups and stakeholders? Broadly speaking, the Special Rapporteur places her trust in historians as gatekeepers to the past. There is however a notable difference between the two reports in their emphasis on historians. In several places, *Memorialization* stresses the role of sites of memories as sites of knowledge and argues that rigorous historical studies be ‘respected and included’ in debates over moral legitimacy in conflict situations. How to achieve this could be better outlined, as could the role of history and historians in creating and using memorial sites or rituals. The report emphasizes the necessity of achieving multi-voiced memorial sites but focuses less on securing a balanced narrative that reflects historical research. Shaheed refers to the many advocates of establishing and using public sites of memory as ‘memorial entrepreneurs.’ Non-state actors such as private organizations or groups are frequently memorial entrepreneurs, sometimes working with international organizations or foreign actors. The rapporteur cites artists and curators as particularly important in this respect but makes only passing reference to the role of historians as critical actors and to history as a crucial academic discipline for public sites of memory. Historians are not mentioned among the relevant actors in the conclusions and recommendations, although they do obliquely take center stage when Shaheed writes that ‘memorial practices […] must be informed

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113 Ibid., para 70 (e), p 18.
114 Ibid., para p 74-78, p 20.
115 Stradling, *Multiperspectivity in History Teaching*, 13, 60.
116 *Memorialization*, para 65, p 15.
117 *History*, para 6, p 5.
118 *Memorialization*, para 14, p 6; para 92, p 19; para 101, p 21.
119 Ibid., para 66-73, p 15-16.
120 Ibid., para 70, p 16; para 76 and 79, p 17; para 102, p 21.
by rigorous historical research and study\textsuperscript{121} and that artists should work with historians and other academics.\textsuperscript{122}

In contrast, \textit{History} unequivocally places historians as the guarantors of a human rights-based approach to the past. Shaheed advocates securing multi-voiced narratives by letting independent, professional organizations of historians define the history curriculums for primary and secondary schools\textsuperscript{123} and by limiting interference from politicians, religious thinkers and other intellectuals.\textsuperscript{124} Does it matter who the historians are? History departments in universities across the world are often populated by (predominantly male) historians with ethnic, racial, religious and socioeconomic backgrounds that do not reflect the diversity of the general population. Historians are trained to work to achieve multi-perspectivity in their research; nevertheless it is a fact that point of view is shaped by background and may colour the choice of research topic and perspectives.\textsuperscript{125}

Related to this point, the issue of who should be allowed to narrate the past of a particular group is a highly contested one. In both New Zealand and Australia, indigenous activists and academics have argued since the 1980s that writing about the past be reserved for individuals of the same ethnic origin.\textsuperscript{126} However, if protests by particular interested parties result in a revised history textbook that does not reflect well-founded research or the initiation of independent research, this is deeply problematic and can lead to propaganda or myth-making. These are fine lines to tread. It is very important to safeguard avenues for debating the preconceptions of historians -- including blind spots when it comes to minorities. Historians should not -- and cannot -- operate untouched by the events, ideas and concerns of their time, and we categorically should not wish for a historical profession insulated from the societies in which they live or about whose history they write. However, this must not lead to myth-making or the creation of separate academic standards or closed communities of research on particular topics. The key here, it seems, is transparency and non-discrimination in employment practices at universities, as \textit{History} emphasizes.\textsuperscript{127} But equally important, we need an ongoing public and

\textsuperscript{121} Ibid., para 102, p 21.

\textsuperscript{122} Ibid., para 70, p 16.

\textsuperscript{123} \textit{History}, para 51, p 14; para 88 (b) and (g), p 23.

\textsuperscript{124} Ibid., para 88, p 23.


\textsuperscript{126} Attwood, ‘Settler Histories and Indigenous Pasts’, 609.

\textsuperscript{127} \textit{History}, para 89 (a), p 23-24.
professional debate on how we should research, teach and remember the past; Shaheed’s two reports are significant contributions to this end.

**FUTURE CHALLENGES FOR THE CURRENT SPECIAL RAPPORTEUR**

What is the future of the past in a globalizing world that is at once coming together and moving apart? Collective memories are by definition shared by a group of people, and in the context of the two reports we are primarily interested in collectives of some scale -- ethnic groups, diasporas, even nations. Have the conditions for or the dynamics of collective memorialization changed significantly from only a few years ago? If so, what are the implications for the recommendations in these reports?

The report on memorialization processes mentions virtual sites of memory. I would like to extend this line of reasoning about the significance of new information technologies a bit further. We have over the past few years seen revolutionary changes in the relations between the virtual and physical worlds. With the advent of the internet and the emergence and global reach of social media, the speed and scale of information dissemination globally has changed dramatically, as have the forms and geography of interactions among people responding to events both local and in faraway places. Lately, software curates much of the information most readily accessible to us online, not merely ads. This reflects our past online behaviour – we are presented with more of what we have demonstrated an interest in. Combined with the diminished significance of print newspapers, real-time radio or television, or linear broadcasts on non-commercial, public channels for shaping our knowledge of what happens in the world and why, we are experiencing ‘disconnected realities’ on a much larger scale than in the recent past. Information technologies facilitate the creation of virtual memorial collectives of groups large and small. These bolster each other’s interpretations of the past, in ways that are in principle detached from collective memories shared by people of any one particular state or (majority) population of a territory. The potential of such virtual communities to mobilize is demonstrated in the flocking of foreign fighters to Syria. While foreigners fighting wars that do not directly involve their own state, on a voluntary basis and for ideological reasons, is not a new phenomenon, what is new is the way virtual worlds dilute the potency of geography for collective memorialization and mobilizing the past for political or social action.

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This new technological landscape also has implications for the teaching of history. *History* emphasizes how narratives of the past are communicated through textbooks and instruction in schools. These books are usually produced in a national context, but the controversies over the narratives they relate may be international or even global. Increasingly, children will seek information about the past in an ever more global and virtual world. The printed book is under duress. For many children, computer games are now the dominant vector of representations of the past. History textbooks for primary and secondary education are already obsolete in many places, replaced by digital learning platforms and resources available online. The digital revolution of the classroom adds qualitatively and quantitatively new kinds of supplementary teaching materials, including oral, iconographic and textual primary sources. Without a doubt, this revolution will be countered by censorship in many states. And it will not reach all children everywhere, due to resource constraints and lack of infrastructure. Nevertheless, it represents opportunities and challenges on many levels and will manifest differently in various contexts. The Special Rapporteur is well placed to explore and make recommendations as to how states, international organizations, scholars, teachers and other agents of memory in various contexts should deploy digital technologies in the future teaching of history.