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Lea David. *The Past Can't Heal Us: The Dangers of Mandating Memory in the Name of Human Rights.*

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INTRODUCTION BY ROBERT M. HAYDEN, UNIVERSITY OF PITTSBURGH

The Past Can't Heal Us: The Dangers of Mandating Memory in the Name of Human Rights raises serious questions about an ideology that has not often even been recognized as such, but instead is accepted as a set of self-evidently superior moral values: human rights. David uses uncontroversial definitions of ideology, as a morally grounded image of the world as it should be compared to its current failings, and a model of how this brighter future can be brought into being. Drawing on the theoretical work of Siniša Malešević,¹ she argues that human rights, like other ideologies, is powerful only in so far as an organizational capacity for coercing adherence to it evolves, institutionalizing and mandating acceptance of these values as uniquely legitimate and making efforts to impose adherence to them. In so doing, David moves away from the usual focus on the normative structures of rights and what their implementation is supposed to (more usually phrased as “will”) accomplish in post-conflict situations. Instead, she proposes that investigating processes of institutionalization of human rights ideologies through cumulative organizational power and efforts to coerce compliance from states may reveal the extent to which social actors at micro-levels are motivated to build solidarity – or whether other patterns of structuration, such as competing or opposing nationalisms, are reinforced.

The model developed by David is three-dimensional, interconnecting varying strengths of doctrinal power to developments of organizational power but also – crucially and uniquely – to varying configurations of local-level solidarities (or failure thereof) in states targeted for internationally mandated mechanisms for building human rights. In so doing, David is explicitly “stripping away our normative lenses” and examining the ways in which human rights go without saying because they come without saying, to paraphrase Pierre Bourdieu, and thereby escape scrutiny.

David's focus is on coercive use of what she terms “moral remembrance,” or the standardized ways in which societies are to be required to deal with legacies of past human rights abuses. Such moral remembrance is grounded on a triptych of principles: “facing the past,” a “duty to remember,” and “justice for victims’ (54-62). As she notes, these principles as embodied in the adoption in 2014 of a UN report on “Memorialization Processes’ have acquired the aura of a magic panacea. Such memorialization, it is said, will not only “combat injustice” but also aid in reconciliation, rebuild trust between communities formerly in conflict and even prevent future violence through education and awareness-raising. David argues that these principles are manifested in lists of specific practices that “replicate, fractal-like, over spatial and temporal dimensions” because they are based on the same logic (page citation). The lists form a “toolkit” that include public expressions of remorse and apologies, specific mandates for how memorials must be designed, legal provisions such as those involving reparations, restitution, criminal courts, and laws mandating certain memories and criminalizing the denial of them, as well as educational projects that support the use of these various tools (page citation). David does a thorough job of analyzing the rise of this ideological project, from its origins in normative debates through processes of organizational development and increasing coercive capacity.

The three-dimensional theoretical model of human rights ideology is well argued and compelling. What makes the book most noteworthy, however, is its application to the phenomena of moral remembrance in the Western Balkans and Israel. When James Ron analyzed the use of state violence in Israel and Serbia, he acknowledged that many readers would be skeptical of the comparison and that it would be “controversial.”² David, however, shows the comparison to be compelling and revealing, turning the quirks of her biography, as a citizen of both Serbia and Israel, to intellectual advantage. Not only does she have the advantages of fluency in both Hebrew (though not Arabic) and Bosnian-Croatian-Serbian (which Ron

¹ See, for example, Siniša Malešević, *Nation-States and Nationalisms: Organizations, Ideology, Solidarity* (Cambridge: Polity Press, 2013), and Malešević, *The Rise of Organized Brutality: A Historical Sociology of Violence* (Cambridge: Cambridge University Press, 2017).

² James Ron, *Frontiers and Ghettos: State Violence in Serbia and Israel* (Berkeley: University of California Press, 2003).

lacked), but also cultural intimacy,³ the insider's understanding of the ways in which people in both settings have reacted to each other, of the interactions between people engaged in/ caught up in competing national programs, of the ways in which encounters between them have been framed by internal actors and outsiders, and how the principles of "moral remembrance" have been invoked, manipulated and weaponized by competing social and political actors

Two central chapters detail the ways in which "moral remembrance" mandates have been institutionalized in competing ways in the Western Balkans and Palestine and Israel. David analyzes in detail the competitive interplay between international actors – diplomats, politicians, human rights non-governmental organizations (NGOs), among others – and local ones. Locals do their best to manipulate aspects of the foreign-imposed mandate to their own advantage while trying to deny moral legitimacy to their opponents' comparable manipulations. Of course, the differences in the settings matter greatly. The Israeli state project has been to promote the Holocaust "as a moral measurement for humanity in its entirety" (93) that is also linked to the ideological basis of the Israeli state project, and in so doing effectively nullified the Palestinian project centered on the Nakba, the catastrophe at the hands of Israelis. In the Western Balkans, the international community conditioned the incorporation of the post-Yugoslav republics into international respectability on adoption of the "moral remembrance" framework; but this mandate was applied, or not, in ways that varied depending on the political configurations involved.

But what does any of this mean on the ground? If, as David shows, part of the human rights mandate is to build solidarity among peoples who have been in conflict, how is that working out? In approaching this issue, David's cultural intimacy in both regions also allows her to compare various efforts at building micro-solidarity between Jewish Israelis and Palestinians, or between Bosniaks, Croats, and Serbs in varying combinations, surveying various projects that were structured as face-to-face encounters, over protracted periods of time, and oriented towards the moral remembrance agenda of "facing the past" and being victim-centered (132). She argues that while the results of these projects tend initially to be positive for many individuals involved in them, these results are "crumbling apart or being hijacked by the state" (166), for two reasons. One is that the programs themselves are highly artificial environments, and once participants are no longer within them, there is not sufficient supporting infrastructure to maintain the changed emotional state. The other is that the three core pillars of moral remembrance – facing the past, justice for victims, and duty to remember – inevitably get recast into the separate nationalist rhetorics that they are supposed to counter.

Thus "facing the past" rhetoric ignores the varying signifiers of "the past" that members of different communities may hold: e.g., the Holocaust vs. the Nakba, or Srebrenica for Bosniaks vs. Jasenovac for Serbs; there is, thus, and not in the least surprisingly, no single "past" to be faced. As for victim-centeredness: dividing a society into morally superior victims, immoral victimizers, and morally deficient bystanders destroys grounds for solidarity. Again, this is not surprising. As the great Yugoslav/ Bosnian writer Meša Selimović had noted already in a 1966 novel, psychologically "All injustices are equal, but one always thinks that the injustice committed against him is the greatest of all."⁴

When the victims are dead, an unseemly competition arises, since while all people are supposedly equal, all victims are not. The discourse of genocide makes this clear: As Tzvetan Todorov has noted, "although nobody wants to be a victim in the present, many would like to have been one in the past" because "if some community can claim convincingly to have been the victim of injustice in the past, then it acquires an inexhaustible line of credit in the present."⁵ Competing efforts by politicians of varying nationalist causes to appropriate the label of "genocide victims" uniquely for their own dead and

³ Michael Herzfeld, *Cultural Intimacy: Social Poetics in the Nation-State* (London: Routledge, 1997).

⁴ Meša Selimović, *Death and the Dervish*, trans. Bogdan Rakić and Stephen M. Dickey (Evanston: Northwestern University Press, 1996 [orig. 1966]), 172.

⁵ Tzvetan Todorov, *Hope and Memory: Lessons from the Twentieth Century* (Princeton: Princeton University Press, 2003), 143.

impose that of genocidaires on their opponents have a history in Yugoslavia after World War II and have only accelerated since the wars of the 1990s.⁶

Further, the “duty to remember” reinforces the divisions manifested in facing separate pasts and memorializing competing victims. On this last point, while David does not mention it, Bosnia has almost no memorials to simply “the victims” of the 1992-1995 war, but rather many separate cemeteries and memorials for the *šehidi*, Muslim martyrs murdered by Serbs and/or Croats; Croat *branitelji* (defenders) of the Homeland (*domovina*), which is most definitely not Bosnia-Herzegovina; and Serb *pali borci* (fallen fighters) in the defensive-Fatherland war – the Fatherland (*otadžbina*) also not being Bosnia-Herzegovina.⁷ In recent field research, I have found that newer monuments to the Bosniak and Serb dead in the 1990s also include specific numbers of the dead of these same people in the same regions in 1941-1945. Since that war included mass killings aimed at eliminating specific populations from specific territories,⁸ one has to wonder why this would not be appropriate but clearly it is not “the past” that international actors mandating moral remembrance have in mind, which is only 1992-1995.

David’s conclusions are that efforts to mandate “moral remembrance” are counterproductive. They actually reinforce categories of nation and ethnicity instead of weakening them; create new forms of inequality between “victims” and others and even within victimized groups, as different categories of victims compete for recognition, and do not make people more appreciative of human rights values. These conclusions do not mean that David rejects human rights values themselves, but rather argues that efforts to impose them through moral remembrance not only do not work, but have negative consequences in regard to micro-solidarity.

The reviewers in this symposium, myself included, praise the book highly but have varying questions about it. Staying within the ideological framework that David has identified, Monika Palmberger wonders whether the problems identified could perhaps be addressed by complicating the tripartite division of victims – victimizers – bystanders, perhaps by noting generational differences. Yet a recent article makes one wonder if recognizing this generational complication can counter the hegemony of the ideology: a researcher doing fieldwork among Bosnian Serb youth born after the conflict rejects their comments that they don’t talk about it and their wonderment about why he asks in order to build a theoretical scaffolding to demonstrate that they are actually engaged in denial.⁹ Yuval Benziman is quite open to David’s critique but expresses concern as to whether adopting it could lead to a “totally relativistic approach” in which “there is no ability to distinguish between a victim and a perpetrator, or no way to decide what is normative and what is not.” To this reviewer, however, a major point of David’s analysis is that “moral remembrance” frameworks do not decide these issues but rather are an effort to impose determinations made by external political actors, who simplify the targeted society into the tripartite schema that David finds to be so contrary to building solidarity.

Such imposition might fit into what Sara Dybris McQuaid refers to as the “governance of the past,” and if so, it is most definitely not a form of self-governance. Perhaps “moral remembrance” mandates are the logical extension of the old

⁶ See Robert M. Hayden, “Schindler’s Fate: Genocide, Ethnic Cleansing, and Population Transfers,” *Slavic Review* 55:4 (1996): 727-748; Hayden, “Mass Killings and Images of Genocide in Bosnia, 1941-45 and 1992-95,” in Dan Stone, ed., *The Historiography of Genocide* (London: Palgrave, 2008), 487-516.

⁷ See Anida Sokol, “War Monuments: Instruments of Nation-Building in Bosnia and Herzegovina,” *Croatian Political Science Review* 51:5 (2014): 105-126.

⁸ See Tomislav Dulić, *Utopias of Nation: Local Mass Killing in Bosnia and Herzegovina, 1941-42* (Uppsala: Uppsala University, 2005).

⁹ Michele Bianchi, “Nothing Much Has Happened Here: Memory, Denial and Identity among Postwar Youth in Republika Srpska,” *Cultural Analysis* 19:1 (2021): 49-71.

imperialist trope that some places in the Orient ‘produce more history than they can consume locally,’ and thus it must be governed non-locally. McQuaid suggests that moral remembrance, as a form of externally driven governance of history, may show less than fortunate connections between the fields of transitional justice and peacebuilding, both of which have been critiqued as often treating people not as differentiated individuals but rather only as members of groups. In David’s analysis of moral remembrance, McQuaid sees a way to amplify critiques of liberal peacebuilding as hegemonic, neoliberal, routinized, and technocratic, with little positive effect on peoples’ lives. Whether escaping such moralistic frameworks can facilitate peacebuilding is another question, however. David’s work indicates that pessimism may be warranted.

Since David explicitly draws on Malešević’s theories, it would be surprising if he were not in agreement with her final argument that the lack of organizational capacity of the human rights ideology renders it unable to compete with nationalism, supported as the latter is by nation-states. We might ask, though, if there is any known precedent for a society composed of undifferentiated equal citizens – *Homo aequalis*, in Louis Dumont’s rephrasing of the basic concepts of Alexis de Tocqueville’s analysis of democracy in America,¹⁰ even though that putative American equality was and is still limited by race, ethnicity, class, and gender. No polity of equal citizens was ever feasible for Palestine/Israel in 1948, and none was envisioned for the republics of Yugoslavia as that federal state fell apart.¹¹ Or rather, the ones that were envisioned got very few votes anywhere. Thus, it may be that comparing the success of an ideology positing no identity other than “human” vis-à-vis nationalism, or socialism, is not a meaningful exercise.

A question might thus be raised as to where and when efforts to impose “moral remembrance” take place. Benzamin notes in his comment that “most conflicts end when both sides firmly believe they are right and the other is wrong,” but this is not yet sufficient. Conflicts over history end when the ethno-territorial distribution of peoples and polities renders them not practically relevant. Thus, the Palestinian Catastrophe, the Nakba of 1948, was less thorough than the “Great Catastrophe” (η Μεγάλη Καταστροφή) of the Greeks in Asia Minor in 1923, as there are still Palestinians in parts of Palestine but almost no Greeks left in Asia Minor. Yet it is the very incompleteness of the Nakba that makes efforts at “reconciliation” so difficult: the Occupation and disappropriation of the Palestinians continues, whereas that of the Greeks (and of most Turks expelled from Greece in the “population exchange”) ended quickly.¹² Closer in time and place to David’s book, people in Belgrade and Zagreb can watch competing television broadcasts on August 4-5 every year, the Croatian ones celebrating the Croatian Army victory in “Operation Storm” in 1995 that ended Serb control since 1991 over parts of the country, while in Belgrade the programs document the expulsion of 200,000 or more Serbs from Croatia during that operation in what Serbs often refer to as the ‘single greatest episode of ethnic cleansing’ of the wars in ex-Yugoslavia. There is no agreement over the moral weighting of these factually correct counter-histories; but there need not be, either, since neither state will fight over these territories and the remaining claims for compensation and the like can drag on.

Finally, largely missing from all of these accounts is the bizarre way that mandating “facing *the* past” is an attempt to freeze a country and its people in time, with no relevant past before only some of the most recent atrocities, but also no future at all. In this regard, Yugoslav Communism’s efforts to indoctrinate a specific historical narrative was at least taking place in a society that was self-consciously working for a better future – ‘Progress’ and ‘the Future’ being names for factories or football teams, as well as hortatory goals. The mandate to constantly “face the past,” however, gives new meaning to the graffiti seen now in the parts of the former Yugoslavia: “The Future is Behind Us” (*Budućnost je iza nas*). No, the past can’t heal us, but always facing it diverts us from thinking of the future.

¹⁰ See Louis Dumont, *Homo Hierarchicus: The Caste System and Its Implications* (Complete Revised English Edition) (Chicago: University of Chicago Press, 1980).

¹¹ See Hayden, “Constitutional Nationalism in the Formerly Yugoslav Republics,” *Slavic Review* 51:4 (1992): 654-673.

¹² Bruce Clark, *Twice a Stranger: How Mass Expulsion Forged Modern Greece and Turkey* (Cambridge: Harvard University Press, 2006).

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(New York: Berghahn, 2018), and *Memories on the Move: Experiencing Mobility, Rethinking the Past* (with Jelena Tošić) (London: Palgrave Macmillan, 2016).

 REVIEW BY YUVAL BENZIMAN, THE HEBREW UNIVERSITY OF JERUSALEM

The ultimate power of hegemonic discourse is felt when it becomes transparent; when it is so embedded in the life of a society that people believe it to be the only and obvious way to see and understand reality. It prevails when questions are not asked and no criticism is expressed – not out of fear or censorship, but simply because we have been socialized to believe that this is just “how things are” and are not aware that this thinking is ingrained in us. Antonio Gramsci,¹³ Michel Foucault,¹⁴ and many of their followers in different disciplines and from diverse fields of study have shown how this phenomenon occurs, and how politics, power struggles and agendas dictate what eventually comes to be incorrectly and rather naively understood as the so-called natural way to perceive and understand reality.

In her book, Lea David takes the reader on an intellectual journey to show how concepts related to human rights are also seen as the “right” and only way to perceive reality. She shows how this understanding has become transparent and is shared universally. Scholars and practitioners, countries, non-governmental organizations (NGOs), and individuals – those dealing with conflict resolution, transitional justice, and reconciliation – have been led to think that there are certain ways to perceive such issues. David attempts to show how and why this way of thinking should be challenged and questioned – and that assumptions such as a “duty to remember,” “facing the past,” and creating “justice for the victims” should be overturned since these are not necessarily the only or the right way. The very fact that these concepts have been the ruling practice in the field and copy-pasted from one society to another, from one culture to another, does not validate them as being the only way to perceive human rights.

David’s study is therefore eye-opening. She raises a voice that is rarely heard in the field and asks questions such as: Could it be that we should not face the past? Maybe we do not necessarily have to remember? Is it fair to assume that a practice that might be appropriate for one society is wrong for another? Is there proof that facing the past actually brings about change? Could it be that dealing with the past preserves a conflict instead of healing it? And probably the most important question of all – is there a “proper” way of remembering, a “moral” way of remembering that everyone should follow?

These questions are both normative-theoretical and practical. David claims that it is wrong to believe that there is only one way of remembering – that there is a “proper” way of dealing with the past. Moreover, she also provides evidence – from the Israeli-Palestinian conflict and from certain Balkan states – that this approach is not effective, thereby supporting her claim that mandating memory is not the solution.

David’s claim that it is fundamentally wrong to mandate a certain way to remember, and that in order to heal past wounds and restore human rights, there is one passage that every society has to go through is solid and thought-provoking. Furthermore, this is not only a normative claim: David shows how in practice such social processes happen. The process of accepting a country into the European Union, for example, is dependent on an examination of how it deals with its past – does it accept mechanisms of transitional justice and international courts and laws? These and other questions are all part of a specific way of looking at what remembering means and how human rights issues should be tackled. Likewise, allocating money to countries and selecting which NGOs to sponsor also entails judging how they decide to deal with their past and with violations against human rights, a process which results in forcing them to take a well-marked path.

If there was actually one way, a “right” way of dealing with such issues – then it would perhaps make sense to force everyone to follow the same process. But this is exactly David’s point: there is not one way and it is therefore wrong to force everyone to think in the same way. At times such thinking does not conform with the actual perception of society, as seen in some former Yugoslavian countries where there were attempts to rename streets so they would not have any Yugoslavian-connotation, although society itself (at least to some degree) did not necessarily want to erase threads of its identity. And

¹³ Antonio Gramsci, *Prison Notebooks*, vol. 2 (New York: Columbia University Press, 2011).

¹⁴ Michel Foucault, *The Order of Things: An Archaeology of the Human Sciences* (London: Routledge, 2002).

even if society as a whole were to accept the imposition of mandated memory, this approach would not accommodate those sections of society that do not necessarily subscribe to it.

This observation not only seems interesting and sensible, but it is one that is also very well connected to real life. Since conflicts differ from one another, it is also logical to believe that there is no one-way-fits-all approach to resolve them. Furthermore, and more importantly, most conflicts end when both sides firmly believe they are right and the other is wrong – they are the “good” side and the other the “bad.” Therefore, trying to establish a human rights system and a memory mechanism built on the basis of there being a “right” side and a “wrong” side is doomed to fail since neither side will accept this dictate and, were they to do so, it would be through coercion rather than belief. In practice, it is a very large gray area, and conflicts are almost never a black-and-white story.

Taking David’s argument to its extreme may result in a totally relativistic approach; as if there is no ability to distinguish between a victim and a perpetrator, or no way to decide what is normative and what is not. This, in itself, is extremely problematic, especially in the “fake news” era in which we live, where it is increasingly difficult to grasp what is real and what is fabricated, and where there seems to be a growing tendency to try and understand how people perceive reality rather than to examine what that reality actually is. Although this is an issue that David does not deal with in much depth, her focus on the disturbing counter-problem, the common practice of understanding that there is one proper-moral way to remember, is as important.

While David’s theoretical argument is well established, her claim that the remembrance practices that are currently used are ineffective is in need of further evidence. To make her case, David argues, among other things, that there is no concrete evidence and/or proof that such attempts to deal with the past have been shown to bring about change; she mentions that when intergroup meetings are held, there is more focus on the collective (we) than on the individual (I); she reminds us that it is not clear how much influence – if any – participants have on their society following such meetings; she highlights the fact that when people from one side are exposed to people from the opposing side whom they see in a favorable light, they tend to label these individuals as exceptions to the rule, so to speak, and therefore to consider them to be not representative of their respective national groups; and more.

While all these claims may be true and have indeed been previously addressed, they do not relate specifically to issues of mandated memory, human rights or restorative justice – the issues on which David focuses in this book. In his classic “contact hypothesis” theory, Gordon Allport¹⁵ discussed the need to have institutional support if intergroup meetings between opposing groups are to be effective. He also pointed out that without such support they are more likely to prove to be ineffective, even if he was not dealing specifically with questions of memory as David does. Likewise, the research on stereotypes has long shown the tendency to believe in a sub-group not perceived as a reflection of their society – a mechanism that helps deal with the cognitive dissonance arising when meeting people ‘from the other side’ who contradict existing assumptions.¹⁶

Previous research on groups – especially in the context of the Israeli-Palestinian conflict – has discussed the creation of an “easy coalition” of moderate people from opposing sides who find common ground mostly because their thinking was alike even before meeting. If this is the case, it begs the question as to whether such encounters are effective at all and, if so, and to what extent, participants are able to create change in the real world outside of the meeting room.¹⁷ Psychological research

¹⁵ Gordon Allport, *The Nature of Prejudice* (Reading: Addison-Wesley, 1954).

¹⁶ Thomas F. Pettigew, “The Ultimate Attribution Error: Extending Allport’s Cognitive Analysis of Prejudice,” *Personal and Social Psychology Bulletin* 5: 461-476.

¹⁷ David Kellen, Zvi Bekerman, and Ifat Maoz, “An Easy Coalition: The Peaccamp Identity and Israeli–Palestinian Track Two Diplomacy,” *Journal of Conflict Resolution* 57:4 (2013): 543-569.

into such meetings has even claimed that the supposed “harmony” in the meeting is actually a double-edged sword since it leads both sides to believe that nothing needs to be done since they think alike. In consequence, the status quo is preserved, which in practice hurts the weaker group and not the stronger one.¹⁸ All these aspects, which have been well researched, are true for any kind of intergroup dialogue dealing with conflicts, but do not necessarily show ineffectiveness in the specific context dealt with by David in her book.

Furthermore, when trying to prove that such meetings are ineffective, at least when considering the Israeli-Palestinian case, David does not differentiate between the kinds of meetings that are held. In her book, Arab-Jewish meetings of citizens of Israel, and Israeli-Palestinian meetings, are observed in the same light, without making the necessary differentiation between them. Although these conflicts are connected to each other, they are also very different: one is between citizens of the same state, and the other is not; one type of intergroup meeting is practiced in some high schools as part of the curriculum while the other is totally voluntary; one is technically easier to practice while the other is harder and involves getting permits and is often held outside of the region; the NGOs dealing with these conflicts are different, and there is a relatively clear distinction between those who focus on the Jewish-Arab conflict and those who focus on the Israeli-Palestinian conflict; and more. Since one important claim of David’s is that there is a need to understand the difference between conflicts, between the wills and intentions of different groups, this argument deserved to be carried over to take into account and give recognition to the diverse groupings and aspirations within the context of the Jewish-Israeli-Arab-Palestinian conflicts. Grouping the many layers of the conflict into one can never portray a sufficiently accurate reality.

I agree with David that a specific kind of mandated memory mechanism could be wrong. In one of my studies, I showed that the partial success of a particular round of Israeli-Palestinian track-two dialogue was due to the fact that the past was not discussed. The ability to create a dialogue without talking about the history, narratives, and deep beliefs of the sides was a crucial tool in the attempt to bring them to understandings.¹⁹ Therefore, it may be that the past does not have to be discussed and, perhaps, as David claims, discussing it, especially in a very concrete and deliberate way, is not necessarily the right way. But this claim is in need of more robust support.

To conclude, Lea David offers a fresh, insightful, and very important contribution to the field of human rights, memorialization, and conflict research. She sheds light on an assumption that most scholars take for granted – namely, that there is one main dominant approach of how to deal with the past and how to confront its wrongs. Her book forces the reader to rethink and reevaluate notions that seem indisputable. As mentioned, what seems to be her main contribution is that she initiates a discourse about issues that are rarely challenged because of the hegemonic discourse that causes countries, individuals, institutions, and NGOs to not even question – let alone contest – the idea that there might be other ways to think about such issues. While I do not totally agree with the examples she provides, and while I think that her approach could lead to a total relativistic school of thought which denies the ability to say that there is a right way and a wrong way, this book is a very important step in a long journey to getting a better understanding of the ways to remember, deal with the past, and move forward to resolve conflicts and reach reconciliation. Both from a theoretical perspective, and from the examples she provides, David shows that the traditional way of creating and using memorialization agendas seems not to work. Something has to change, and David’s contribution to the discourse lies both in her explanations as to why things are not working and what changes are needed, and in her inspiring discussion regarding why the current assumptions have to change.

¹⁸ Tamar Saguy, Nicole Tausch, John F. Dovidio, and Felicia Pratto, “The Irony of Harmony: Intergroup Contact Can Produce False Expectations for Equality,” *Psychological Science* 20:1 (2009): 114-121.

¹⁹ Yuval Benziman, “Dialogues without Narratives: The “London Talks” of the Negotiation for the Geneva Initiative,” *Dynamics of Asymmetric Conflict* 7:1 (2014): 76-94.

 REVIEW BY SINIŠA MALEŠEVIĆ, UNIVERSITY COLLEGE, DUBLIN

At the end of the nineteenth century, French sociologist Gabriel Tarde formulated his now largely forgotten theory of imitation. He challenged Emile Durkheim's collectivism and argued that social change is generated by "individual renovative initiatives" such as inventions and innovations which are then spread by imitation. Hence for Tarde, imitation is one of the most important mechanisms in social life. Much of social development throughout history has happened through repetition, reproduction, and replication of existing ideas and practices. Hence for Tarde, "socially, everything is just inventions and imitations"²⁰ As Lea David shows in her excellent book, the historical trajectory of human rights has followed a similar pattern. Over the last few decades, the human rights principles, together with specific policies inspired by these principles such as the moral remembrance rituals, have spread globally by imitation and reproduction.

Although conceived during the Enlightenment and formulated in the wake of the French and American revolutions, it was the 1948 Universal Declaration of Human Rights that initiated the global proliferation of human rights. The allied victories in World War II spearheaded a new set of moral principles that privileged certain fundamental rights "to which a person is inherently entitled simply because she or he is a human being."²¹ The geo-political dominance of liberal democratic states such as the United States, the United Kingdom, France, and West Germany contributed to the expansion of human rights principles and policies all over the world. With the collapse of Soviet political order in the early 1990s, the human rights agenda attained nearly hegemonic position. Thus, today even authoritarian states have to justify their actions in reference to their being fully committed to protecting the human rights. The human rights agenda involves specific normative principles that often require legislative changes and implementation of new practices. Therefore, the global spread of human rights policies firmly follows in the footsteps of Tarde's notion of imitation through replication of ideas and practices.

Nevertheless, while Tarde focused mostly on the individual acts of imitation, David is more interested in the organisational and ideological reproduction of standardised norms and rituals associated with human rights. More specifically, she explores how over the last several decades the politics of moral remembrance has become ever more coercive and ideologically inflexible in mandating and formalising the commemoration of human rights abuses. By zooming in on the cases of Israel/Palestine and Serbia/Croatia/Bosnia and Herzegovina, David shows convincingly that the decontextualised, standardised, and formulaic attempts 'to face the difficult past' are not likely to achieve reconciliation among groups who had history of violent conflicts. Moreover, such bureaucratic and ideologically obstinate policies, which are often imposed by the powerful international actors, seem to be counterproductive – they enhance group boundaries and strengthen nationalist politics. David rightly questions the validity of many claims made by the advocates of a moral remembrance agenda and shows that mandating collective memory practices generates new social inequalities, unwittingly establishes hierarchies of victimhood, and ultimately contributes little towards making ordinary individuals more supportive of human rights values.

David argues that rather than treating human rights as a set of normative principles, it is sociologically more valuable to analyse human rights as an ideology. This is not to say that human rights are form of false consciousness or something inherently manipulative. David is clear that her understanding of ideology differs from Slavoj Žižek, Edward Herman, Spike Peterson, and others who see ideology through the prism of distortion or deception. What she argues is that as any developed set of ideational prescriptions, discourses, and principles, human rights require an empirical analysis of their social influence. Hence, she identifies the key ideas and postulates associated with this ideological doctrine and then explores how they operate in reality. She also focuses on the organisational capacity of institutions that are directly involved in the creation and institutionalisation of specific memorialisation practices. The book nicely shows that since the 1980s, many

²⁰ Gabriel Tarde, *Les lois de l'imitation* (Paris: Editions Kimé, Paris, 1993 [1890]).

²¹ United Nations, "Universal Declaration of Human Rights," 10 December 1948, <https://www.un.org/en/universal-declaration-human-rights/>.

social organisations including the representatives of nation-states have reproduced almost identical ritualistic practices to commemorate mass-scale abuse of human rights. This organisational isomorphism, or standardised imitation of memorialisation, has become a cornerstone of the mandatory remembrance.

The book is particularly good at examining how prescribed moral remembrance operates in the microcosms of everyday life. David focuses on the ‘facing the past’ initiatives in the Western Balkans and Israel/Palestine where ordinary individuals participate in dialogue groups with the people from the ‘opposite side’ (i.e. Israelis and Palestinians or Serbs, Croats and Bosniaks). David’s analysis shows that such initiatives can generate an initial sense of empathy and trans-ethnic solidarity among the participants. However, since human rights discourses lack organisational capacity, they cannot successfully compete with the established nationalist discourses that are continuously reproduced by the institutions of their respective nation-states. Hence in the long run, empathy and trans-ethnic solidarity evaporate, and the short-term encounters with the Other often “end up strengthening ethnic homogenisation, essentialisation and group polarisation” (19).

The book offers a powerful and counterintuitive sociological analysis that challenges the established understanding of human rights. Nevertheless, David is not dismissive of human rights as such. Instead, she is interested in probing the limits of the standardised and decontextualised use of human rights norms. By dissecting the workings of prescribed moral remembrance policies and rituals, she successfully deconstructs the popular Platonic myths and beliefs that exposing individuals to truths from the past is bound to bring more mutual understating and reconciliation. David’s meticulously researched and comprehensively argued study indicates clearly that the truth does not set one free. Opening the wounds from the past often does the opposite of what was intended. Nevertheless, this is not to say that past atrocities should be forgotten or ignored. The point is that the formulaic and ritualistic imitation of norms and practices of remembrance that is often imposed from the outside is likely to backfire and lead to more animosity between the groups. Genuine reconciliation after the conflict cannot be achieved through the standardised commemorations that are mandated by the external bodies. Instead, this is a process that works better if directed internally by individuals and groups who are personally affected by the legacies of their own conflicts.

David’s key argument is highly convincing: when directly confronted with nationalism, human rights concerns cannot win because they lack organisational capacity, society-wide ideological penetration, and the ability to maintain empathic emotional energy that is temporarily generated in the networks of micro-solidarity. However, while the book is excellent at dissecting the workings of the human rights agenda, it does not explore much the other side of this relationship – nationalism. Why is nationalism such a powerful force that human rights ideology cannot overpower or even successfully challenge? Although David’s focus is on the human rights and memorialisation policies, it is also worth exploring how and why nationalist discourses generally tend to dominate the human rights agenda and especially memory politics.

The scholars of nationalism who have extensively dealt with the collective memories and the politics of remembrance, such as Anthony D. Smith and John Hutchinson, have argued persistently that cosmopolitan, internationalism, globalism, and other universalist creeds cannot trump nationalism as they lack recognisable and durable cultural resources that would appeal to ordinary individuals. For example, Smith contends that “the power of nationalism and the continuous appeal of national identity” stems from “their rootedness in pre-modern ethnic symbolism.”²² More specifically, he attributes the strength of modern nationalism to the historical continuity: ‘sacred foundations’ such as the shared myths, collective memories and symbols invoke persistence of groups through time and make nations into communities of destiny. In this understanding nations are ‘sacred communions of citizens’ while nationalism is a form of political religion. In this context nationalism supplements religious belief: “identification with the nation in a secular era is the surest way to surmount the finality of death and ensure a measure of personal immortality.”²³

²² Anthony D. Smith, *Nations and Nationalism in the Global Era* (Cambridge: Polity, 1995), viii.

²³ Smith, *National Identity* (Harmondsworth: Penguin, 1991), 160.

Other scholars of nationalism have attempted to find the middle way between nationalism and human rights by arguing that the project of liberal nationalism can successfully accommodate both. Thus Yael Tamir and David Miller argue that liberal values can only be preserved within the framework of nation-state as this organisational form allows for collective self-determination while also allowing space for individual autonomy.²⁴ In this understanding, nationalism is a precondition of cross-class solidarity, fraternity, liberty, equality including the project of the welfare state. In this context, the human rights are to be embedded within the national framework, and the success of remembrance rituals are dependent on the ability to integrate liberal principles with the shared nationalist narratives.

However, neither of these two diagnoses are correct. While the neo-Durkheimians, such as Smith and Hutchinson, wrongly overemphasise the imaginary cultural continuity, the liberal nationalists such as Miller and Tamir offer historically unrealistic and sociologically inchoate visions of nationalism. Hence these models cannot adequately account for the organisational and ideological incompatibility between nationalism and human rights ideology.

Nationalism is not so powerful in modernity because of this imaginary cultural continuity or the alleged popular hunger for self-determination. Instead, its strength resides in its organisational and ideological monopoly, and the ever-increasing coercive capacities of nation-states.²⁵ Once the nation-states replace empires, patrimonial kingdoms, and city-states as the dominant and only legitimate form of territorial organisation, they also successfully delegitimise and ultimately dismantle the competing sources of political legitimacy – from the notion of divine origins of rulers, to imperial civilising missions or specific religious creeds among many others. Hence nationalism is not a simple outgrowth of premodern ethnic identities; it is a novel ideological doctrine that successfully justifies the hegemony of nation-state in modernity.

It is true that this doctrine appeals to contemporary populations because it promises a more egalitarian membership in the polity as it promotes the ideas of popular sovereignty and the morally equality of all citizens. Nationalism also invokes the grand vistas of collective liberation and emancipation where nation-state is posited as a superior ethical project of collective belonging that represents the pinnacle of human progress. Nevertheless, the contemporary dominance of these ideas was not attained through the voluntary decision-making of ordinary people, as Tamir and Miller imply. Instead, nationalism became the dominant operative ideology of modernity through violence – revolutions, wars, genocides, insurgencies, and terrorisms.²⁶ It also spread across specific societies and throughout the globe by relying on the variety of coercive policies – from ethnic cleansing, coercive military drafts, destruction of minority languages, coercive judiciaries, and the rampant policing of difference and cultural assimilation. In most cases, the relative cultural homogeneity of contemporary nation-states has been achieved through the violent suppression of cultural difference. For example, France achieved linguistic unity through coercive social engineering - from the 1794 official policy of the French revolutionaries to annihilate ‘highly degenerate’ regional languages to the 1925 French minister of education’s view that “for the linguistic unity of France, the Breton language must disappear.”²⁷

All nation-states operate on the principle, which is also recognised by international organisations such as the United Nations, that there is no higher authority above them – the idea of national sovereignty implies that the nation-state is the ultimate arbiter of life and death within its territory. Nation-states also possess a monopoly on the legitimate use of violence

²⁴ Yael Tamir, *Why Nationalism* (Princeton: Princeton University Press, 2019); David Miller, *Strangers in Our Midst: The Political Philosophy of Immigration* (Cambridge: Harvard University Press, 2016).

²⁵ Siniša Malešević, *Grounded Nationalisms: A Sociological Analysis* (Cambridge: Cambridge University Press, 2019); Malešević, *Nation-States and Nationalisms: Organisation, Ideology and Solidarity* (Cambridge: Polity Press, 2013).

²⁶ Malešević, *Grounded Nationalisms*; Malešević, *The Rise of Organised Brutality: A Historical Sociology of Violence* (Cambridge: Cambridge University Press, 2017).

²⁷ Gibson Ferguson, *Language Planning and Education* (Edinburgh: Edinburgh University Press, 2006), 95.

over their territory, and they have also monopolised taxation, education, and judiciary. Thus, this organisational power has secured and continues to uphold the ideological hegemony of nationalism in the contemporary world. The nationalist narratives of superiority, historical victimhood, or uniqueness resonate with the wider audience not because they invoke shared collective memories, as Smith argues, or because they “nurture national identity” as Tamir puts it, but because they are firmly grounded in the organisational and ideological monopolies that the nation-states possess.²⁸

David is absolutely right that the human rights ideology cannot compete with the established nationalist discourses as this ideology lacks an organisational equivalent of the nation-state. Although human rights ideas are promoted by variety of social organisations from non-governmental organizations (NGOs), religious institutions, and private and public bodies, none of them has the organisational capacity and geo-political monopoly that the nation-state possess. Hence the power of nationalism in modernity is deeply tied to the fact that nation-state is the only legitimate mode of territorial rule in the world.

The attempts by Tamir, Miller, and others to reconcile nationalism and human rights cannot succeed since the proscribed global memorialisation rituals regularly clash with the organisationally and ideologically well embedded nationalist practices of memorialisation. Moreover, the nationalist mythologies that prioritise and glorify one’s own co-nationals go directly against the idea of universal ethics that the human rights ideology represents. Human rights cannot be nationalised, as this directly contradicts their *raison d’être*. If a particular human being is more valued because she belongs to our nation, then this represents the exact opposite of what human rights ideology advocates.

Furthermore, the strength of nationalism also resides in its historical and geographical plasticity. Unlike human rights, which propagate fairly stable and universal set of principles and practices, nationalism is much more flexible and can successfully accommodate a variety of political doctrines – from the far left to the far right and everything in between. Hence nationalist principles have effectively underpinned as different political systems as the liberal democratic United States, theocratic Iran, and Communist North Korea. Similarly, a variety of social movements in modern history have relied on the nationalist discourses to widen their popular appeal – from nineteenth-century European liberals, to the variety of fascist associations in early twentieth-century to the mid-twentieth-century anti-colonial resistance movements in Africa and Asia. This historical and geographical malleability also indicates that nationalist ideas and practices are even more receptive to imitation than the human rights ideology. Hence nationalism is much more of an isomorphic phenomenon than human rights and as such is likely to spread faster and deeper than other ideological projects.

Although it does not focus much on the workings of nationalist ideology, David’s excellent and innovative book recognises this power of nationalism over human rights ideology. Hopefully, her next book will explore further the historical dynamic of nationalism and perhaps offer a way out of this historical maze. *The Past Can’t Heal Us* is a wonderful book that offers a sobering and realistic account of the power of human rights and memorialisation politics in the contemporary world.

²⁸ Tamir, *Why Nationalism*, 179.

REVIEW BY SARA DYBRIS MCQUAID, UNIVERSITY OF COPENHAGEN

The paradoxes inherent in human rights are well known: the difficulty of translating global standards into local contexts and complexities; the symptomatic focus on facts and accountability, rather than underlying causes and systemic patterns causing violations in the first place; the limits of challenging social problems and redistributing power in the name of human rights. Lea David's provocative book, *The Past Can't Heal Us*, enters this critical field by mapping another emerging paradox: how human rights have increasingly come to frame, infuse, and mandate the *memorialization* of violent conflicts and how this all-pervasive framework, in fact, risks narrowing the available past(s), reinforcing sectarianism and nationalism, and creating new inequalities both in international relations and on the ground.

The book starts from a main claim that human rights should be understood as an ideology, defined by its accumulated organizational and doctrinal power as well as its ability to inspire emotional attachment and bonding capital in society. Identifying memorialization as an increasingly important entry point for the inculcation of human rights, the book traces the steady growth of international institutions and the gradual shaping of governing ideas, which together structure transnational efforts to 'deal with the past' and constitute a human rights ideology. In ideational terms, the author coins the neologism 'moral remembrance' to capture a specific tripartite doctrine, which has developed through accumulated norms and practices into a standardized format of human rights memorialization. Moral remembrance, she argues, has come to consist of the moral presuppositions that it is necessary to face the past in order to heal; that societies have a duty to remember in order to prevent reoccurrence; and that victims must be placed at the center of these processes. The empirical question then becomes how this flat packed and standardized ideology of 'human rights memorialization' makes its way into ongoing peace and conflict processes. Through case studies in Palestine, Israel and the Western Balkans, David first examines how this form of memorialization interacts with the existing peace agreements (the Oslo Accords and the Dayton Agreement) and then moves on to scrutinize how a standardized framing of experiences affects organized social encounters in both settings. The conclusion is that, when defined as an ideology, human rights memorialization partially fails because its organizational and doctrinal power does not translate into solidarity on the ground.

The overall analytical framework as well as the comparative case studies reveal a number of important dynamics in the transnational politics of memorialization, not least about who becomes instigators (Israel) and recipients (Palestine, Western Balkans) of the memorialization agenda. In what follows I will draw out two main contributions which the book offers to contemporary scholarly debates about both the multilevel governance and administration of memory in peacebuilding and the contradictory and converging relationship between the field of human rights and peace building/conflict resolution.

Although the author does not explicitly draw on theories of transnationalism, her engagement with memory politics across different scales of political community helps us understand how international, national, and local interests intersect. Mapping the growing field of institutions, policies, and actors, she lays bare the expansive proliferation and investment in 'governing the past,' as a key category of public intervention and social transformation. What emerges in the study is not so much *government* but *governance* of the past, where there are several modes of intervention, indirect and contingent patterns of authority. Memorialization appears as a hybrid site of administration, where international organizations, states and societies each undertake governance roles in shaping the past. Importantly, David shows how the national and state level may "shape, absorb, filter and promote" the human rights memorialization agenda as it makes its way to settle on the ground (66). While this happens in very different ways in Palestine-Israel and the Western Balkans, their peace agreements work as tight funnels in both cases. By circumscribing available pasts (the Oslo Accords) and entrenching ethno-national communities through power sharing (the Dayton Accord), the agreements produce particular political economies that remain resistant to, or even distort, the ideals espoused by human rights memorialization. David argues that memorialization is used as "part of the grab by promoters of human rights for control of the democratization and peacebuilding process" [in the Western Balkans] (123), but perhaps the more decisive point is that there is a clash of paradigms in the *realpolitik*, which informs peace-making (ceasefires, political accords), and the "*idealpolitik*" that informs further peacebuilding (societal transformation, memorialization, reconciliation).

Clearly, political agreements are only part of a wider transition from violence to peace in contested societies, but as David shows, these documents and the political institutions and logics they create at the national level continue to precondition and determine the effects of transnational human rights memorialization from above and on the ground. That is to say, the memorialization agenda is not so much a spearhead in ongoing conflict interventions, as a subordinate and dependent auxiliary. In some ways it seems memorialization becomes an instrument for many different actors to improve and rectify the flaws accepted in political peace agreements, to fill in the normative gaps created by the art of the possible – or even to undo what was agreed in principle. From a governance perspective, moral remembrance comes to function as a narrative which relates people, ideas, and events to each other in ways that explain and project actions and practices. Moral remembrance is imagined to act as both Panacea and Hygeia – at once cure, healing, and prevention; as the doctrine moves through different scales of administration, however, it ends up exacerbating the sectarian and exclusionary power logics and structures, which flow from the peace accords.

In assembling the growing institutional and ideational power of human rights memorialization, David also usefully begins to identify contact points between a human rights approach and a peacebuilding approach to dealing with the past. These overlaps are most apparent in those elements of transitional justice, which centre on questions of *reconciliation* as a prelude and gateway to functioning democracy. Traditionally, the two fields have been considered to offer somewhat contradictory conceptual and practical paths towards conflict resolution and change. Human rights are grounded in law, work on the premise of one moral universe, and focus on the vertical relationship between individuals and the state, with accountability and retributive justice as the main objective. Peacebuilding, on the other hand, is (mostly) grounded in the social sciences, and works on the premise of contextual moral differences, focusing on horizontal identity groups and other non-state actors, with reconciled relationships and restorative justice as the desired outcomes. Where human rights operate through rules and standards, peacebuilding operate through facilitation and dialogue.²⁹ It might be argued that the two approaches collapse into each other in those memorialization projects which bring together people in semi-standardized face to face dialogues (which the book dedicates a full chapter to). In human rights, the state is considered both the principal promoter and the principal violator of human rights, but the memorialization projects which are discussed are not interested in relationships between individuals and the state as much as between groups. Here the human rights agenda becomes much more like a peacebuilding project, which is about reconstituting relationships, reducing antagonism, breeding and bridging understandings and narratives of conflict.

Through her case studies, David shows how the human rights framework at this level effectively loses sight of individuals (who are piled up into collectives of victims), while the peacebuilding framework loses its appreciation of complex moral, spatial, and temporal diversity. The net result of such projects, David argues, is an interaction ritual which works to bracket out diverse realities and histories and reinforce sectarian and nationalist identities. To the extent that dialogues may work, participants come up against what peace builders would call ‘the re-entry’ problem. That is, how do you move from individual transformation to wider political change, if the necessary infrastructure and networks are absent or work against you? The discussion that the book offers here, on the intersections (and clashes) of human rights and peacebuilding, is hugely important.

At times, however, *The Past Can't Heal Us* reads as if people on the ground are merely recipients of the ‘human rights sponsored memorialization’ from the top down and as if ideology is somehow all pervasive, even if it does not stick. While a fascinating chapter on micro-solidarities shows how moral remembrance impacts face-to-face dialogues in particular settings, the methodological choices and analytical strategies do not foreground local agency: how moral remembrance can also be tailored to size by actors in context or create potential policy feedback loops that may carry these experiences back into redefining the international policy agenda. David’s close reading of transcripts (drawing specifically on Randall Collins’ interaction ritual) works well to tease out negative co-constructions of identity and the ritualization of entrenched historical

²⁹ Michelle Parlevliet, *Embracing Concurrent Realities: Revisiting the Relationship between Human Rights and Conflict Resolution* (Ph.D. diss., University of Amsterdam, 2015), 102-109.

narratives, but is less useful in revealing different dynamics and specific terms of dialogue.³⁰ The book shows us how to understand the ideology of human rights memorialization on the macro and meso level, but at the micro level these understandings remain more in the abstract. I gather that the point being argued is that moral remembrance and a 'balance formula' in recruitment strategy are the super-structure which ultimately determines the parameters of the past in face-to-face dialogues, but a more hybrid analysis³¹ including how local actors not only resist or ignore, but also adapt these interventions would be productive. This would showcase how local actors, networks, and structures present and maintain alternative forms of embedding human rights and redefining categories in memorialization and peacebuilding from the bottom up.

The book impressively stretches across disciplinary literatures of human rights, sociology, memory studies, transitional justice, as well as regional literatures on Palestine, Israel and the Western Balkans. Though it does not engage directly with debates on peacebuilding, the book could enter a productive conversation with this literature.³² 'Liberal peacebuilding' has long been critiqued on the counts that David charges against human rights memorialization: Liberal peacebuilding is considered to be hegemonic (with dominant western, neo-imperial controlling ideas); routinised and technocratic; neoliberal (depending on free market capitalism and forms of new public management) and has little positive effect in the everyday lives of people.³³ When read alongside these ongoing debates, David's book contributes powerfully to an overall critique of the shortcomings of liberal peacebuilding with an original focus on the role of human rights memorialization.

In peace and conflict studies, the international orthodoxy of liberal peacebuilding has been challenged by a number of new schools which allows for deeper participation, emancipation, ongoing (social) conflict and politicization across different domains: a 'local turn,' the 'everyday of peace,'³⁴ 'welfare peace,'³⁵ 'agonistic peace'³⁶ as well as the composite turn towards hybrid peace³⁷ as discussed above. Some of these conceptual and analytical developments have critical counterparts in

³⁰ The author states that her focus is not on "assessing the work of any particular NGO or any particular project" and that she uses "a wide variety of materials" (143). But I would have liked to know much more about the selection criteria and the use of different project frameworks and materials (e.g. the Nansen project is well contextualized and employed in detail, while the shape of other projects is less visible and sporadically engaged).

³¹ Roger MacGinty, "Hybrid Peace: The Interaction Between Top-Down and Bottom-Up Peace," *Security Dialogue* 41:4 (2010): 391-412.

³² Although Johan Galtung's work which distinguishes between peace-making, peace-keeping and peace-building is cited on page 71.

³³ For an overview of two decades of debates, see Oliver Richmond and Roger MacGinty, "Where now for the critique of the liberal peace?," *Cooperation and Conflict* 50:2 (2015): 171-189. DOI: <https://doi.org/10.1177/0010836714545691>.

³⁴ See, for example, Elise Boulding, *Building a Global Civic Culture: Education for an Independent World*, (Syracuse: Syracuse University Press, 1990) and John Paul Lederach, *Preparing for Peace: Conflict Transformation Across Cultures* (Syracuse: Syracuse University Press, 1995).

³⁵ Michael Pugh, "Welfare in War-torn Societies: Nemesis of the Liberal Peace?," in *Palgrave Advances in Peacebuilding*, ed. Oliver P. Richmond (London: Palgrave Macmillan, 2010), DOI: https://doi.org/10.1057/9780230282681_14.

³⁶ Rose Shinko, "Agonistic Peace: A Postmodern Reading," *Millennium: Journal of International Studies* 36:3 (2008): 473-491.

³⁷ Oliver Richmond and Audra Mitchell, *Hybrid Forms of Peace: From Everyday Agency to Post-Liberalism* (Basingstoke: Palgrave Macmillan, 2012).

memory studies (notably transnational memory,³⁸ administrations of memory,³⁹ and agonistic memory⁴⁰) which are particularly important for memorialization as part of peacebuilding processes. David's critical engagement with the constitution of moral remembrance and her careful analysis of its impact on her two cases provides a fruitful opportunity to bring these developments even closer together.

³⁸ Chiara de Cesari and Ann Rigney, eds., *Transnational Memory: Circulation, Articulation, Scales* (Berlin: De Gruyter, 2014).

³⁹ Sara Dybris McQuaid and Sarah Gensburger, "Administrations of Memory: Transcending the Nation and Bringing Back the State in Memory Studies," *International Journal of Politics, Culture and Society* 32 (2019): 125-143.

⁴⁰ Anna Bull and Hans Lauge Hansen, "On Agonistic Memory," *Memory Studies* 9:4 (2016): 390-404, DOI:[10.1177/1750698015615935](https://doi.org/10.1177/1750698015615935).

REVIEW BY MONIKA PALMBERGER, UNIVERSITY OF VIENNA

The book *The Past Can't Heal Us* by Lea David is an ambitious endeavor that tackles the morally charged question of how to address past atrocities for a better future. In response, David poses the following question: "Can there be universally correct ways of remembering past atrocities?" (4). From this starting point, David engages in a rigorous analysis of the global phenomenon of the human rights memorialization agenda, of 'moral remembrance.'

What makes David's analysis original is that she looks at human rights as an ideology; an ideology that, as she convincingly shows, is deeply culturally and historically situated. In her detailed discussion, David questions some key assumptions of human rights and transnational justice, such as that the idea of moral remembrance can be exported and implemented in any post-war and post-conflict setting. And even more provocatively, David questions the assumption that proper remembrance or dealing with the past ultimately leads to reconciliation. The analysis is underpinned by empirical evidence from Bosnia and Herzegovina, Croatia and Serbia, as well as Israel and Palestine.

In her compelling examination, David outlines key problems of moral remembrance, which she identifies as a victim-centered agenda. Moral remembrance, with its imperative of 'the duty to face the past' and the 'duty to remember,' is likely to produce competition over victimhood and hierarchies of suffering. Moreover, David convincingly shows that the implementation of certain memorialization standards requires fixed categories of victims, perpetrators, and bystanders. This normatively purified and also ahistoric understanding of such categories erases social complexities, David argues. This is why moral remembrance may not ultimately lead to the hoped-for reconciliation and not even to an improvement of the situation; rather, it often strengthens national resentments and divisions.

The book's motivation and at the same time its provocation is the disclosure of negative side effects/consequences and undesired implications that human rights regimes may bring about when prescribing dealing with their contested histories as the one and only panacea for conflict and post-conflict societies. The rigor with which David dismantles the undesired consequences that these standardized and exported forms of moral remembrance and transitional justice bring with them is impressive. Despite my admiration for this clear and straightforward analysis, I did feel a little lost at some points, as David barely addresses the question of how to resolve the dilemma. Indeed, it would be too much to expect her to have the answer to such a complex problem, which is likely to present itself differently in distinct political-historical contexts; furthermore, given that moral commemoration itself evidently does not offer a panacea, we cannot count on finding one single, ultimate solution in any case.

Some suggestions for possible alternatives, even vague ones, would be helpful for the reader. In some parts of the text, one can perhaps already indirectly discern these, for example, when David shows the problematic side effects of moral remembrance, i.e., when the categories of victims, perpetrators, and bystanders are presented as normative, purified, and ahistorical. The questions at this point are: Could the opposite agenda, i.e., complicating these categories, be a better way forward? And what would that mean in practice? How could one work toward complexifying these categories and at which levels and in which settings? What steps would have to be taken? And what role do different actors, i.e., politicians, historians, teachers, journalists, practitioners, play in this? This and related questions remain widely unaddressed but are of particular importance not least for non-governmental organizations (NGOs) and their practitioners, working on the ground in the name of reconciliation.

In addition to the argument outlined above that is related to the complexity of categories, David opens up two other significant strands of analysis in her book concerning the importance of generation and of silence in post-war/post-conflict societies. These strands are, I think, in similar ways suitable for thinking about alternative approaches to post-war societies and how to deal with difficult pasts. Concerning generation, David draws on examples from the post-Yugoslav region – particularly Bosnia and Herzegovina, Croatia and Serbia. She shows how generational divisions are often more prominent than ethno-national ones in relation to memories of the wars in the 1990s. This also coincides with my own work in post-war Mostar, Bosnia and Herzegovina, which looks at the multiple entanglements between official histories and transmitted and personal memories within generations and reveals significant differences between generations in dealing with the recent

past.⁴¹ Here it would be interesting to think further about how the engagement with generation could be useful in finding new and alternative ways of addressing the past and envisioning a shared future.⁴² Concerning practices of silencing, David argues convincingly, drawing on Carol Kidron's work with Holocaust survivors, that addressing the past in a direct manner is not always the best way forward, especially when relationships lack trust due to past experiences.⁴³ By engaging in this discussion, David points out another alternative to the moral remembrance agenda, even if concrete possibilities for implementation could be discussed in more detail.⁴⁴ Here cross-references to other regions and to other conflicts might be helpful.

These points and pointers for further reflection are in no way meant to detract from the author's great achievement in writing this book. The book has significant potential to inspire new research directions and ways of thinking, and I highly recommend it to researchers, students, and practitioners alike.

⁴¹ Monika Palmberger, *How Generations Remember: Contested Memories in Post-War Bosnia and Herzegovina* (London: Palgrave Macmillan, 2016).

⁴² Palmberger, "Why Alternative Memory and Place-making Practices in Divided Cities Matter," in Giulia Carabelli, Aleksandra Djurasovic and Renata Summa et al., eds., "Challenging the Representation of Ethnically Divided Cities: Perspectives from Mostar," in *Space and Polity* (2019): 243–249.

⁴³ Carol A. Kidron, "Toward an Ethnography of Silence: The Lived Presence of the Past in the Everyday Life of Holocaust Trauma Survivors and Their Descendants in Israel," *Current Anthropology* 50:1 (2009): 5–27.

⁴⁴ Palmberger, "Practices of Border Crossing in Post-War Bosnia and Herzegovina: The Case of Mostar," *Identities: Global Studies in Culture and Power* 20:5 (2013): 544–560.

RESPONSE BY LEA DAVID, UNIVERSITY COLLEGE, DUBLIN

To start with, I would like to thank Masami Kimura for this initiative, organizing a debate centred on my book *The Past Can't Heal Us: The Dangers of Mandating Memory in the Name of Human Rights*. I would also like to thank the distinguished roundtable participants: Robert Hayden, Siniša Malešević, Monika Palmberger, Sara Dybris McQuaid, and Yuval Benziman for their valuable insights, comments, and questions.

We are living in a world where amnesia abounds, and yet there is a surplus of memory demands. With so many collective appeals to repair historical injustices, such as, most recently, the Black Lives Matter movement, there is almost an instant need for the 'proper' memorialization of past injustices and massive human rights abuses. In my book, I show how we came to think about memorialization processes the way we currently do, what the human rights memorialization agenda is, and how we ended up standardizing our understanding of what a 'proper' memorialization should look like. This book brings into question one of the most basic, deeply-embedded presumptions in human rights and transitional justice: that 'proper' memorialization is a crucial step in establishing moral responsibility for past atrocities and, consequently, human rights values in conflict and post-conflict settings. The book traces the emergence of the global human rights memorialization agenda, called Moral Remembrance, asking one crucial question: when the discourses, practices, and logic of moral remembrance are applied to different conflict and post-conflict settings – do people internalize human rights values in the long run?

Whether we speak of conflict and post-conflict settings, the transition from totalitarian regimes, or institutional abuses, we are witnessing very similar, isomorphic-like responses and demands, both at the international and grassroots level, to address those human rights abuses and to repair injustices. But how can one understand the striking similarities in discourses, vocabulary and practices when those historical injustices are often profoundly different in character, causes, and outcomes? What enabled the rise of the idea that 'proper' memorialization, a single 'correct' way to deal with past atrocities, is applicable to the huge variety of cases? How do particular ideas, such as 'dealing with the past,' the 'duty to remember,' and the 'justice for victims' approach, all of which have their unique historical-sociological trajectories, transform and alter once they move from one realm to another, from the international, to the national, and finally the local level? What changes along the way once those noble ideas are transformed into values, discourses, and practices? And, most importantly, what are the effects on the ground once this human rights memorialization agenda, coined here as Moral Remembrance, reaches the local setting?

To that end, the book makes three, I think, important contributions.

First, it proposes that we understand human rights not only as a normative system of values, but as an institutionalized system, potent with organizational power, that operates and develops in a similar way to any other ideology. This research argues that it is necessary to apply theoretical knowledge from the sociology of ideologies when assessing how values become embedded and accepted on the ground. I use the Malešević⁴⁵ model which shows that an ideology needs three conditions to successfully implement ideological messaging and values. Instead of conceptualizing human rights in a normative fashion, as a desirable set of values designed to bring a liberal peace – a discourse which major authors present as non-ideological – human rights is understood and analysed as an ideology which, like any other ideology, can be traced through three long-term historical processes: 1) cumulative organizational power; 2) cumulative ideological power; and 3) the envelopment of micro-solidarity. The organizational power of human rights, defined as an ongoing historical process that grows through discourses, knowledge, and institutions, involves the constant growth of its organizational capability for coercion. Through its coercive foundation, the organizational power of human rights attempts to institutionalize and mandate content – normative standards understood here as ideological or dogmatic power. It is precisely this tendency to monopolize and homogenize that places human rights in line with other ideologies. But does the organizational and ideological/dogmatic

⁴⁵ Siniša Malešević, *The Sociology of War and Violence* (Cambridge: Cambridge University Press, 2010); Siniša Malešević, *The Rise of Organised Brutality: A Historical Sociology of Violence* (Cambridge: Cambridge University Press, 2017).

power of human rights produce effective emotional attachment and solidarity in small groups, and can it be sustained in the long run? In other words, the main question is whether, and to what extent, human rights, with their core source of power at the global polity level, i.e. the international and supranational level, can compete with other ideologies, first and foremost that of nationalism which draws its power from the nation-state level. It is precisely here, the book argues, in the tension between those two ideological positions and their sources of power that we see the weakness of human rights ideology. Human rights are inevitably filtered through the nation-state apparatus, and once they are applied to different national settings, human rights become diluted from their core values and are largely adapted to serve nationalism. Their capability to create solidarity in micro-structure encounters and hence to push people into a human rights-based action becomes limited and dependent on the varying interests of the nation state, and they are often placed at the service of nationalist ideology.

Second, the book uses historical sociological methods to trace the rise of the human rights memorialization agenda, called Moral Remembrance. Moral Remembrance refers to the standardized ways, promoted through human rights infrastructures at the global level over the past 40 years or so, in which societies are supposed to deal with legacies of mass human rights abuses. This process refers to a gradual, accumulative development from 'duty to remember' as an awareness-oriented approach to a contested past, to the policy-oriented 'proper memorialization' standards that are understood and promoted as an insurance policy against the repetition of massive human rights abuses. The book goes against much of the existing research in human rights, transitional justice, and memory studies in (post-)conflict states that has been heavily normative, based on idealistic beliefs that, when it comes to memory, the same standards should be applied worldwide. Those ideas, grounded in the presumption that a 'proper memorialization' is essential for 'healing' societies with a difficult past and for moving beyond trauma and violence, are challenged and disputed.

Moral remembrance is a new global phenomenon that has become deeply rooted in human rights memorialization practices and norms. It is meant to force states to face up to, and become accountable for, past human rights abuses. States are expected (albeit not in an even or equal manner) to conform to the international human rights norms of facing their criminal past and becoming accountable for massive, past human rights abuses. The way we understand today human rights-led memorialization efforts and claims for correcting historical injustices around the globe is shaped predominately by human rights memorialization standards that have, over the years, adopted three main principles: 1) the necessity to collectively face a troubled past; 2) a collective duty to remember human rights abuses; and 3) a victim-centred approach that puts victims at the heart of memorialization efforts. Though all three of these principles have very different sociological-historical trajectories and are rooted in distinct ethical and philosophical ideals, they merged and became pillars of the human rights memorialization agenda, i.e. moral remembrance. In fact, the emergence of moral remembrance, and its extensive promotion via human rights bodies and advocates, has shaped our current understanding of how the 'proper' way to remember past atrocities and massive human rights abuses should look.

Third, and finally, the rise of a moral remembrance model at the world polity level, and its alleged ability to transform values, is best tested, the book argues, if we apply theoretical knowledge about ideologies when assessing how values get embedded and accepted on the ground. Based on accounts compiled in a comparative and systematic fashion, to assess the impact that memorialization standards have on conflict and post-conflict states, from Serbia, Croatia, Bosnia and Herzegovina, Israel and Palestine, I demonstrate that the outcome of this external mandating of memorialization standards has quite disturbing results – it rarely has transformative power on the ground. Following the Interaction Ritual Chain model, in terms of the dynamics involved in face-to-face encounters, as developed by Randall Collins,⁴⁶ I show that, contrary to expectations, very often, the forging of feelings of solidarity in small groups – which is key to the ideological implementation of human rights – is in fact harvested back by the nation-state in order to promote nationalist, ethnically-based agendas. Finally, the book presents in detail four major claims demonstrating the potential and real dangers when mandating memory in the name of human rights arguing that: 1) moral remembrance clashes with the nation-state-sponsored memorialization agenda; 2) moral remembrance strengthens the categories of 'nation' and 'ethnicity'; 3) moral remembrance produces new social

⁴⁶ Randall Collins, *Interaction Ritual Chains* (Princeton: Princeton University Press, 2004).

inequalities; and 4) moral remembrance does not make people more appreciative of human rights values. Hence, despite the good intentions of prescribing moral standards to repair historical injustice, moral remembrance, as a standardized technocratic-like toolkit of policies and practices that ambitiously aims to advance a human rights vision of memorialization processes for the sake of promoting democratic human rights values across the globe, ends up not only merely achieving justice for a few, (while many others are silenced and pushed into darkness) but, tragically, it does not lead to more people being appreciative of human rights values.

Having said that, the reviewers rightly pointed out certain issues that need to be further debated and analysed. As with any other sociological analysis that follows a certain theoretical construct, the book tends to generalize and even at times oversimplify, which is both necessary and dangerous. The reviewers raise a number of points that I will try to group here into three different sections.

To start with, Siniša Malešević is completely right – nationalism is the *force majeure* in the current global constellation. The relationship between nationalism and human rights is greatly neglected in the literature, and it is reduced to the idea that human rights are essential for good democracies. Yet, apart from this normative view, the linkages between these two are rarely addressed. When do nationalism and human rights overlap or collide, when do they exclude each other, when are they in contradiction, and when do they become a supplementary project? All these questions, and more, are neglected, mostly because human rights have rarely been conceptualized, in a theoretical sense, as an ideology, but more as a ‘soft power.’ Placing nationalism and human rights on the same theoretical grounds deserves, as Malešević points out, a much deeper and extensive analysis as it would prove to be beneficial not only for our understanding on why nationalism succeeds in remaining a dominant ideology, but also how human rights operate, not only as a legal system but as an ideological one.

Probably the most burning issue concerns the wide variety of questions raised by different reviewers on the potentially very diverse effects the human rights memorialization agenda produces on the ground. To start with, Sara Dybris McQuaid points to wide conceptual tools that can help us understand and get a more nuanced picture on what is actually taking place on the ground in local communities that are in conflict and post-conflict settings. She rightly recognizes that this study reflects on some contact points between a human rights approach and a peacebuilding approach to dealing with the past that meet and overlap in their encounter with transitional justice, and which centre on questions of reconciliation as a prelude and gateway to functioning democracy. Dybris McQuaid is correct in suggesting that introducing concepts such as ‘liberal peace’ vs. ‘hybrid peace’; ‘agnostic peace’ or ‘welfare peace,’ accompanied with notions of ‘transnational memory,’ ‘multidirectional memory,’ ‘cosmopolitan memory,’ or ‘administrations of memory,’ can help us gain more clarity on the complexities and possible myriad outcomes that Moral Remembrance creates. Not only do I agree with her, but I think it is actually necessary to start further unpacking how people are affected by the human rights memorialization agenda to disclose a more nuanced and balanced approach. Similarly, both Monika Palmberger and Yuval Benziman raised questions that call for bringing additional layers and distinctions to the fore in order to properly comprehend what is in fact happening on the ground. Palmberger rightly points out the need to better understand both the role of silence and the transgenerational transmission of memories. Benziman accurately diagnoses the need to understand the context in which different conflicts operate as they may, and often do, produce diverse outcomes and serve different purposes. All of this is welcomed; however, my point is that, without understanding what and how the standardized practices and discourses are being shaped and promoted through the meta-narrative of Moral Remembrance, we cannot fully understand any of the given concepts and mechanisms that are put in place.

Finally, the question raised, implicitly or explicitly, by all of the participants, is ‘if not this, then what?’ Or ‘what is the alternative if what we’ve believed in so far is, if not counter-productive, then at least unproductive?’ And if we abjure the paths and pathways paved by the human rights memorialization agenda, how can we stay protected and not slip into relativism, revisionism, and ‘fake news’? What will our compass be in confronting and remembering massive human rights abuses? What will happen if we remain without solid ground beneath our feet, and how can we navigate complex social realities? I offer no clear answer to that. But it is never all or nothing. We need to start a frank conversation about alternatives – the different available, yet hidden, human, cultural, and community resources that are being pushed away as they don’t align with the agenda of Moral Remembrance. We need to deconstruct the notions that shape our moral views

and distinguish between our ‘wishful thinking’ and the real effects those ideas produce on the ground. In the end, this book is designed to open up a space for a frank and fresh debate, and finding answers to those burning questions should be, and is, a collective endeavour.