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Paradoxes of memory

Lasting peace agreements after wars and civil wars were for a long time considered to be conditional upon *damnatio memoriae* — the deliberate and reciprocal forgetting of violence and injustice. However, the established amnesty clause is only realistic where certain rules were not broken during war. The First World War is beyond its scope of applicability, the extermination war of the National Socialists even more so. Where forgetting is impossible, remembering is all that remains. Such remembrance is inextricably and paradoxically linked to forgetting: only what has been remembered can actively be forgotten.

For H.D.

According to Karl Barth, a paradox is a statement "that is not made via *dóxa*, via 'appearance', but is to be understood *parà tin dóxan*, i.e. contrary to what the appearance as such seems to say, in order to be understood at all."¹ Remembering and forgetting are deeply paradox human capabilities. A heightened capacity for remembering holds the promise of extended human access to the past, hence increased human sovereignty. At the same time, however, it is tied to the oppressive growth of the burden of the past, which hovers over the living like a nightmare. The burden of the past can, in turn, only be cast off through the development and cultivation of the opposite of remembrance, the ability to forget. The more we remember and thereby seemingly extend our power, the more are we in need of its opposite ability, forgetting. Forgetfulness ceases to be a fault — as it is generally understood — and becomes, as Nietzsche says, an "active, strictly speaking positive, capacity for restraint". We need it like a "gatekeeper", an "keeper of the order of the soul, calmness, etiquette".²

This paradox holds true for individuals as much as for peoples and cultures, daily life and the political realm — where it applies particularly to attempts to find a political new beginning after fundamental political disruptions, wars and civil wars. Is a good memory a help or a hindrance in such cases? If mistakes made in the past are forgotten too soon, they will be repeated. Or will a complete inability to act ensue, where the perpetrator does not repeat errors simply because he no longer does anything at all, sinking into a deep depression? If we do not forget, does that mean that we are particularly vengeful and vindictive, or are we just trying to protect ourselves from repeating old mistakes?

Clearly, then, a good ability to remember is tolerable only if active forgetting also increases. At the same time, the opposite applies: transitive forgetting is tied to its opposite, remembering. We cannot remember without also having forgotten, and forgetting only works with the aid of remembering. We can only

actively forget something by remembering what it is we want to forget. A vivid illustration of this is provided by an episode of Kant's life, as told by Harald Weinrich: when, in old age, the Königsberg philosopher had dismissed his trusty butler of many years, he noted down on a piece of paper: "The name Lampe must now be utterly forgotten."³ Thus, remembering paradoxically becomes an aide to forgetting.

Of the advantages and disadvantages of remembering

How many memories can a person stand, and how many does he need? None at all, preferably — or at least no bad memories, says Nietzsche in his *Untimely Meditations*: memories only mar life and the pursuit of happiness. Their disadvantages by far outweigh their advantages. Nothing great, let alone happiness, can develop without active forgetfulness. Happiness can be found only where time stands still, happy are only the animals — they know neither past nor future and live wholly in the moment. Humans, on the other hand, are constitutionally incapable of happiness, since they lack the ability to forget that they so urgently need in order to achieve it. To forget is much more difficult than to remember. Most people never learn how, and are forever enchained and oppressed, tied by the strings of their past. Hence their incapacity for decisive action, their irresolution and inability to settle down "on the threshold of the moment", "like a goddess of victory feeling neither dizziness nor fear".⁴

Humans, peoples, cultures alike are all encumbered by this lot. Those who cannot forget are incapable of renewal and revitalization. This will inexorably lead to their downfall. The burden of their past will suffocate them. Only strong natures, says Nietzsche, can overcome oppressive experiences of the past, the weak will not recover, they will not rise again, cannot forget the pain of their defeats and injuries. True sovereignty of individuals and peoples reveals itself in their ability to master their past. The past is not irrevocably what it is, but what we make of it. True sovereign and absolute will cannot accept the boundary drawn by the past. It must and can act retrospectively and dominate that which is behind it — by forgetting.

However, Nietzsche also teaches us the opposite in his *Genealogy of Morals*. Without memory and remembrance there is no culture, no society, no stable order. We must keep on wanting what we originally wanted and must not let the varied lures of strange moments, times and circumstances distract us from our wishes and aims — else we will cause "the long chain of the will to crack". It thus appears as the great "paradox task" of humanity to "raise a beast that is allowed to promise", in other words to develop a memory, the ability that will remind man tomorrow of what he promised yesterday. The development of a "long-lasting, indestructible will" is tied to renunciation. To enter into ties and keep commitments is "a monstrous task", which has engaged humanity for an endlessly long time.⁵ The ability to make a promise challenges time, it tries to stop and disempower time, objects to transience and the changes brought on by time.

Without a good memory we would be wholly unreliable, incapable and unworthy of entering into social contact. Our good memory ennobles us, it characterizes us, and turns the "human-animal" into a human, makes man socially acceptable. Promise and memory constitute the good society of those who respect each other as equals because they can deem each other worthy of promising.

The power of forgetting

*In amnestia consistit substantia pacis*⁶ — this principle was upheld in most peace agreements worldwide until the Treaty of Versailles in 1919, which replaced it with the sanctions contained in paragraphs 227 to 230, along with paragraph 231, the notorious war guilt clause. Forgive and forget, *oblivio* and *amnestia*, had for centuries been the basic conditions of transition from war or civil war to peace. The reconstruction of Athenian democracy after the so-called Tyranny of the Thirty in 403 BC followed the principle of forgive and forget just as Cicero did around three-and-a-half centuries later when, shortly after Caesar had been assassinated, in the legendary session of the Roman senate on 17 March 44 BC, he pleaded to let all memory of the dispute pass into "eternal forgetting".⁷ The Peace of Westphalia, which ended the Thirty Years War, referred to this principle in its introductory articles.⁸ The Final Act of the Congress of Vienna in 1815 also declared in article XI: "A full, general, and special amnesty shall be granted in favour of all individuals, of whatever rank, sex, or condition they may be."⁹

The principle of *damnatio memoriae* is still regarded as having been successful at making peace. *The State of the Athenians*, a text ascribed to Aristotle, praises the Athenian amnesty of the year 403 for its wisdom and farsightedness, and most ancient historians continue to agree with this judgment until this day.¹⁰ Cicero, on the other hand, was less successful with his appeal. The enemies of the Roman republic did not forget, abolished the Republic and had Cicero killed. The Peace of Westphalia ended the terrible catastrophe that was the Thirty Years War. However, the secret of its success may not have been the amnesty clause but rather the invention of the reason of state and sovereignty, which took the fire out of confessional conflicts. Louis XVIII, brother to the French King assassinated in 1793, returned to Paris with the entourage of the victors and adopted the principle in the preamble of the new constitution of 1814, according to which the past 25 years were to be consigned to oblivion.¹¹ France's revolutionary volcano was of course hardly appeased by this ruling.

It goes on: the Final Treaty of the Congress of Vienna ended the era of the Napoleonic wars but did not stop the ancestral enmity between France and Germany erupting into another violent conflict in 1870/71. The war that Bismarck started against Germany's neighbours on the other side of the Rhine was thoroughly popular and throughout the war the memory of the Napoleonic Wars were continually aroused. Nothing at all had been forgotten. The peace treaty of 1871 between Germany and France included neither an amnesty clause nor a war guilt clause. The peace held for just over 40 years, until — to use the words of the British foreign secretary of the time, Edward Grey — in 1914 the lights went out across Europe. The war of 1870/71 had not been forgotten in 1914 any more than the First World War had been forgotten during the Second World War. The French got their revenge for 1870/71 in the First World War, while the Second World War was the continuation of the First World War after a twenty year break.

The durability of a peace does not depend on the text of the peace agreement alone, of course. Nor can the assessment of the quality of a peace agreement be reduced to whether or not it includes an amnesty clause. Yet the failure of the Treaty of Versailles has repeatedly been blamed on the absence of an oblivion clause and its replacement by the reparation and war guilt clauses.¹² In this telling, the rapid collapse of the Weimar Republic, the rise of the National Socialists and the eruption of the Second World War were due to the victorious allies' unwillingness to forget and their adding to the military defeat the moral humiliation of the losers of the war. The Germans, on the other hand, would

not accept the outcome of the war, deemed themselves undefeated, and were unable to forget the impositions of the so-called *Schandfrieden* (shameful peace). All Weimar Republic governments demanded the retraction of article 231, and the Nazis' excessive hatred of Versailles successfully exploited this inability to forget.

However, judgements and argument of this kind leave too many questions unanswered. How is the amnesty clause in the peace agreements to be understood precisely, what does it refer to, what are its conditions? Why did it fail to appear in the Treaty of Versailles? Maybe the following four points can help to clarify.

Amnestia -- conditions and effects

First and foremost, the aim of the appeal for amnesty is to waive all kinds of punishment. This does not necessarily have to imply forgive and forget, but simply that there ought not to be any prosecution. That can quite easily be politically managed via a law or dictate that ensures that no arraignment will take place.

Second, the amnesty clause always also means that enmities and acts of violence are to be actively forgotten and ought not occur in public communication anymore. This makes things much more complicated, but not impossible. It is of course possible to prosecute the mention of past conflicts and events, rather like the law in Germany today prosecutes, for example, insulting the memory of the dead or the denial of Auschwitz. Beyond criminal law, the leading sectors of a society can form an informal pact that makes certain utterances taboo -- as happened in Germany after 1945 with antisemitism. Whether this practice is actually conducive to forgetting is another matter. In the first instance it only states that an issue is to be kept out of public communication.

The smaller and more homogeneous the group of involved actors is, the more this version of *damnatio memoriae* is likely to succeed. That remains the case as long as the wars are not wars of peoples or masses but cabinet wars -- wars where soldiers rather than whole nations fight each other. This, for example, greatly eased the reintegration of France into the Concert of Europe. The Congress of Vienna understood the war against Napoleon not as a war against the French nation but took the war personally, so to speak -- in other words as a war against Napoleon himself. Analogously, the revolutionary wars were not aimed against other peoples, but claimed to be a kind of civil war against the oppressors of the peoples, i.e. the sovereigns and the kings.

Third, for an amnesty clause to be successful, war crimes must be exceptions. If they dominate the arena of war and have crossed a certain limit, the demand for oblivion becomes unrealistic. Crimes against the *ius in bello* can be forgotten only if and as long as they did not take place too often and did not cross all lines and boundaries.

In *Metaphysics of Morals* (1797), Kant writes, "That a peace agreement shall include amnesty is entailed in its very term."¹³ Two years earlier, in his text *On Perpetual Peace*, Kant had indirectly referred to the condition of this principle: "No state shall during war permit such acts of hostility which would make mutual confidence in the subsequent peace impossible."¹⁴ Does this statement hide the suspicion that the principle of amnesty will end when the era of cabinet wars is replaced by an era of mass wars and total war?

These sections of Kant were published just after the invention of the *levée en masse* (mass subscription) in revolutionary France. This invention marked the beginning of the era in which war ceased to take the form of an armed conflict between rulers or states with mercenary armies and became a national task, the mission of an entire people. The development ended in the unlimited, total war and turned what Kant had wanted to preclude into normality: hostilities such as to make mutual confidence and hence future peace impossible became routine.

Fourth, the amnesty clause presupposes the mutual recognition of the involved parties as equals on principle. Even in defeat, the opponent remains a *iustus hostis*, a just enemy who is to be respected. In the same way as war is not a crime, the adversary in war is not a criminal. Where crimes have been committed in war, acts committed against the *ius in bello*, they are to be ignored on both sides, by the victor and the defeated. The forgiveness clause therefore implies a form of recognition. The loser may have been defeated but he did not lose his rights or honour, and not only will he not be eliminated, but he is even indispensable for the continuation of the game after the end of the war.

The Greeks and Romans had no problems with this. Herodotus quite naturally sang of the *Barbarians'* glory, and the Romans repeatedly granted citizenship to defeated opponents. That is a very long way from the situation today, where opponents in the War on Terror have their status reduced to that of "unlawful combatants" and are denied legal rights on principle. The crusades and the colonial wars were important stages in this development. In Christendom's Holy Wars, the infidels were considered everything but equals. The Europeans also refused to recognize the peoples they encountered on the African continent as peers, or to understand the wars with them as wars between equals. In 1904, the commander of the German imperial protection forces in German South–West Africa systematically allowed large parts of the Herero and Nama indigenous populations to die of thirst, and in his infamous Order to Exterminate threatened that "every Herero with or without a rifle, with or without cattle" within the German borders would be shot.¹⁵

During the Second Boer War, both parties indiscriminately ignored the *ius in bello*. The Boers used guerrilla tactics, while the English invented concentration camps for the civilian population.¹⁶ The Treaty of Vereeniging of 1902, which ended the war, was relatively lenient towards the defeated Boers — however it did not include an amnesty clause but instead announced court martial proceedings for war crimes.¹⁷

Versailles and the end of forgetting

The Treaty of Versailles marked a turning point in that what had previously been tried on the infidels of the Orient and "in-humans" of Africa was for the first time transferred onto relations between Europeans themselves.¹⁸ Maybe it was the impression that the Germans had been treated like African natives by the victorious allies that led to Max Weber's furious reaction to articles 227 to 231. According to Weber, the search for a guilty party and the planned prosecution amounted to "old wives' methods" and were wholly inappropriate, devoid of dignity and responsibility.¹⁹ Weber's rage was only possible because he ignored the reality of the war that had just ended and failed to take notice of, for example, the devastation German soldiers had wreaked in northern France. That is something that can be generalized:²⁰ no German leading post-war politician had ever seen with his own eyes the extent of the cruel deportation of workers and surplus civilian population, or the consequences of the systematic

destruction and industrial devastation of France. The Germans saw themselves as victims of the war. Hardly any battles had taken place on their own territory and they could clearly not imagine it had been very different in France. In reality, ten French *departements* had been almost wholly destroyed. When the honourable rules of war have been forgotten to such an extent, general amnesty can hardly be expected afterwards. Such an expectation would be as absurd as Eichmann's generously intended announcement before the Jerusalem court that he was now willing to make peace with the Jews.

The peace negotiations in Versailles,²¹ with all the mutual insults, slights and harassments, became a verbal and symbolic continuation of the war by other means. Initially the Americans did not take the position that the German attack of 1914 had been a crime. But soon the issue of war guilt became the vehicle for asserting demands for reparations. This was not in fact intended to entail moral judgement of the Germans, but only to provide a reason for the apparently unusually high sum being demanded. These demands were by no means arrived at arbitrarily, but resulted from the fact that huge financial means were necessary in order to rebuild the ravaged areas of Belgium and France.

The initiative for the treaty's penalty stipulations came from Great Britain and was motivated among other things by banal domestic political considerations to do with the so-called khaki elections in December 1918. The nationalist press demanded punishment for the German war criminals, and Lloyd George adopted these demands for tactical reasons during his election campaign. Again, the Americans initially had strong objections and only gave their agreement after many compromises, as was characteristic for the conclusion of the Treaty of Versailles.

However, the real reasons for the punitiveness of Versailles lay far beyond the concrete circumstances of the negotiations. They result from the structural change brought about by the war. The battles of the First World War bore no resemblance to a clash between courtly, knightly warlords who respect principles of honour and keep to the rules of a limited war, in which the involved parties risk only low stakes. Resentment is not in line with the principles of knightly conflict: the victor in such a conflict is not understood to have morality, justice and truth on his side, but only *fortuna* or *mars*, in other words better weapons and soldiers. The conquered party is not a demon infidel or uncivilized barbarian, but remains, even in defeat, a righteous enemy to whom the rules of chivalry apply. However, when the whole nation is at war, the stakes are far higher and must be raised continuously. The war is aimed not only against the combatants but also against the civilians. After the French *levée en masse*, national wars mean that the whole population must be ready to fight, die and kill. Under these conditions, the temptation to break rules in order to achieve victory is high. An honourable retreat is no longer an option. Although the actual hostilities are halted sooner or later, the war in the mind cannot simply be reversed with a straightforward declaration of volition and intent.

Paradox historians and the provincialism of German memory

The ancient historian Christian Meier tries hard to rescue the "imperative to forget" as the "only proper solution": after all, it has repeatedly proved itself throughout world history.²² In the face of the Shoah, he says, this rule was rightly displaced by the "irrefutability of remembrance". However, the only valid argument for this displacement, according to Meier, is that remembering

is the "last tribute" that "can be paid to the victims and their descendants".²³ He does not explain why this should be the case for the Shoah but not for the victims of other, "ordinary" massacres, say for the victims of Katyn. Meier ascribes much of the German imperative to remember to indirect international pressure: if the others cannot forget the atrocities committed by us or our forebears, we shall also have to remember them, for better or worse. "What the world knows and, in large parts, cannot forget, must for this reason be remembered by the nation who bore responsibility for it."²⁴ Generally, Meier acknowledges the irrefutability of remembrance, especially in the case of genocide²⁵ — though, again, without providing plausible reasons. And having once more advocated forgetting as the "rule",²⁶ he finally states resignedly that there is obviously "no abstract measure" and that everything is somehow open:

Every case is different. Hence it is in no way certain that everything is different since the irrefutable German remembrance of Auschwitz. The ancient experience that such events are better forgiven and forgotten than ruled by active remembering is certainly not obsolete. And it is in no way certain that active remembering precludes repetition.²⁷

It seems strangely paradox to try to elevate *damnatio memoriae* to a principle for ending enmities, particularly coming from a historian. According to Peter Burke, it is a historian's business to be a "remembrancer".²⁸ That role can hardly be limited to remembering the advantages of forgetting. Any historian serious about their work cannot but record the past in all its details and therefore must also recall all the enmities and turpitudes supposed to have been forgotten with the amnesty. This will inevitably bring the historian into conflict with the postulate to forget.

This conflict emerges more clearly where the demand for forgetting includes the destruction of all acts and documents bearing witness to past enmity and disgrace. This idea is no less paradox than Hobbes' absurd formulation in the penultimate chapter of the *Leviathan*, where he makes the philosophical search for truth dependent on conditions that can only be guaranteed through the spread of falsehoods.²⁹

Forgetting is unavoidably paradox. To demand active forgetting requires stating what is to be forgotten, in other words opening it up to memory. Otherwise forgetting turns into denial. And denial appears to be precisely what created Germany's rage after the Treaty of Versailles. Those who demanded an amnesty clause would not or could not acknowledge the very events they so wanted to consign to oblivion.

In the First World War and even more so in the Second World War, hostilities such as would fundamentally destroy mutual confidence, the basic condition for an amnesty clause, had become the rule. Kant's far-sighted warning proved correct: hostilities had turned into an "war of extermination (*bellum internecinum*)"³⁰ and now there were things in the world that could not be removed via *oblivio et amnestia*. Churchill did return to the old principles in his famous Zurich speech of 1946, in which he demanded a "blessed act of oblivion".³¹ Many others followed suit. But in vain. A war of extermination cannot be forgotten. The most appropriate attempts at description seem to be those that use *litotes*, understatement: "This ought not to have happened" (Arendt); it is the "intolerable too much", the "excess of the inadmissible" (Ricoeur); the "inacceptable" (Friedländer). In the light of its immeasurable terrors, there remains nothing but remembrance. Not, however, because the

secret of deliverance is remembrance. This sentence has no place in connection with the overcoming of enmity and violence, it rather belongs to the memory of the will, in other words to the keeping of promises and the role memory plays therein. It holds a very precise meaning in the context of the Jewish memory of the covenant made with Yahweh, where remembering denotes renewal and confirmation of the covenant, and where forgetting would be tantamount to treason.³² In the profane context of overcoming enmities and atrocities, it is not the hope for deliverance that is associated with memory but the promise of forgetting.

What links remembering and forgetting is their paradoxes. Remembering and forgetting are there to eliminate the past's oppressive power and burden. However, active forgetting as an act of will by a sovereign person does not change or effect anything. One cannot forget without remembering, and remembrance serves the desire to overcome loss, suffering and pain, atrocities and violence, to find a new beginning.

Proponents of putting the past behind should not start celebrating, however. It will be a long time before the memories of the atrocities of World War II and the Shoah pass into forgetting. Even 65 years after the end of the War, memory in Germany bears provincial characteristics. Stalingrad and Auschwitz — those places of memory are generally known. However this knowledge also entails a completely inappropriate reduction and limitation: the countless other places of terror left by the murderous campaigns and camps, the unspeakable massacres and slaughters, remain *terra incognita* until today, a no man's land in the political consciousness. The National Socialists knew Europe well. They travelled far and wide, had a plethora of plans and intentions, while a good number of highly-educated scholars busied themselves, especially in the East, with pushing huge populations back and forth, resettling them, deporting them, locking them up in camps, killing them. How many people in Germany, however, still know today what happened in Babi Yar or in Ponary, in Simferopol, Kharkiv and Zhytomyr, in Lublin, Belzec or Westerbork, and what the significance was of the battles of Kursk and Oryol? Not to mention the horrendous concert of actions of the totalitarian regimes of the twentieth century in the territories of eastern and east central Europe?

¹ Karl Barth, *Die kirchliche Dogmatik. Die Lehre vom Wort Gottes* [Church Dogma. Teachings of the Word of God], Zollikon/Zürich 1955, 172.

² Friedrich Nietzsche, *Zur Genealogie der Moral* [On the genealogy of morals], in: *ibid.*: Werke III [Works III], ed. Karl Schlechta. Frankfurt/Main a.o. 1972, 245.

³ Harald Weinrich, *Lethe. Kunst und Kritik des Vergessens* [Lethe. Art and Critique of Forgetting], Munich 1997, 92ff.

⁴ Friedrich Nietzsche, *Unzeitgemäße Betrachtungen* [Untimely meditations], in: *ibid.*: Werke III [Works III] [fn. 2], 212.

⁵ All quotations by Friedrich Nietzsche, *Zur Genealogie der Moral* [Genealogy of morals], in: *ibid.*: Werke III [Works III] [fn. 2], 245–247.

⁶ Fritz Dickmann, *Der Westfälische Friede* [The Peace of Westphalia], Münster 1965, 6.

⁷ On the Athenian amnesty, see Nicole Loraux, "Das Vergessen in der Erinnerung der athenischen Demokratie" [Forgetting in the memory of the Athenian democracy], in: Gary Smith, Hinderk M. Emrich (eds.), *Vom Nutzen des Vergessens* [On the uses of forgetting]. Berlin 1996, 78–104; Wilfried Nippel, "Bürgerkrieg und Amnestie. Athens 411–403 [Civil war and amnesty. Athens 411–403], in: Gary Smith, Avishai Margalit (eds.), *Amnestie oder Die Politik der Erinnerung in der Demokratie* [Amnesty or The politics of memory in democracies], Frankfurt/Main 1997, 103–119. On Cicero see: Helmut König, "Cicero. Politik und Gedächtnis" [Cicero. Politics and Memory], in: Emanuel Richter, Rüdiger Voigt, Helmut König (eds.), *Res Publica und Demokratie. Die Bedeutung von Cicero für das heutige Staatsverständnis* [Res Publica and democracy. The meaning of Cicero for the current day understanding of the state], Baden–Baden 2007, 35–61. Cicero *verbatim*:

- "omnem memoriam discordiarum oblivione sempiterna delendam censui" (All memory of our dispute shall according to my suggestion be passed over to eternal forgetting), Marcus Tullius Cicero: *Philippische Reden gegen M. Antonius. Erste und zweite Rede* [Philippic speeches against M. Antonius. First and second speech], Latin/German, translated and edited by Marion Giebel. Stuttgart 2003, 5f.
- ⁸ Dickmann, *Der Westfälische Friede* [The peace of Westphalia] [fn. 6], 6 and passim.
- ⁹ Hauptvertrag des zu Wien versammelten Congresses der europäischen Mächte, Fürsten und freien Städte, nebst 17 besonderen Verträgen [General Treaty, signed in Congress of European Powers, Sovereigns and Free Cities at Vienna, with the Acts thereunto annexed], in: *Der Deutsche Bund. Eine Zeitschrift für das öffentliche Recht Deutschlands und der gesammten deutschen Länder* [German Confederation. A journal for public law in Germany and all German lands], Volume I, issue III. Hildburghausen 1815, 17.
- ¹⁰ Aristotle, *Staat der Athener* [The state of the Athenians.], Translated [into German] and with notes by Mortimer Chambers, Berlin 1990, 45; Christian Meier, *Das Gebot zu vergessen und die Unabweisbarkeit des Erinnerns* [The imperative to forget and the irrefutability of remembrance]. Munich 2010, 15ff.
- ¹¹ See Reiner Marcowit, "Vergangenheit im Widerstreit. Die Restauration 1814/15–1830" [The past in conflict. The restoration 1814/15–1830], in: *ibid.*, Werner Paravicini (eds), *Vergebung und Vergessen? Vergangenheitsdiskurse nach Besatzung, Bürgerkrieg und Revolution* [Forgive and forget? Dealing with the past after occupation, civil war and revolution], Munich 2009, 111ff.
- ¹² Jörg Fisch, "Vom Gottesurteil zur Polizeiaktion. Die Rolle der Kriegsschuld im Friedensschluß" [From God's judgement to police action. The role of war guilt in peace-making], in: Otto Kraus (ed.): *"Vae victis!" Über den Umgang mit den Besiegten* ["Vae victis!" On the treatment of the defeated], Göttingen 1998, 197–214.
- ¹³ Immanuel Kant, *Die Metaphysik der Sitten* [The metaphysics of morals], in: *ibid.*: Werke in sechs Bänden [Works in six volumes], ed. Wilhelm Weischedel, V. IV. Darmstadt 1956, 472.
- ¹⁴ Immanuel Kant, *Zum ewigen Frieden* [On eternal peace], in: *ibid.*: Werke in sechs Bänden [Works in six volumes], ed. Wilhelm Weischedel, V. VI. Darmstadt 1956, 200.
- ¹⁵ "Proklamation des Oberbefehlshabers der deutschen Schutztruppe in Südwestafrika, General Lothar von Trotha, an die besiegten und überlebenden Hereros" [Proclamation by the commander in chief of the German imperial protection forces in South West Africa, General Lothar von Trotha, to the defeated and surviving Hereros], in: Jürgen Petschull (ed.), *Der Wahn vom Weltreich. Die Geschichte der deutschen Kolonien* [The illusion of a global empire. The history of the German colonies]. Hamburg 1986, 94.
- ¹⁶ See Pierre Bertaux, *Afrika. Von der Vorgeschichte bis zu den Staaten der Gegenwart* [Africa. From prehistory to the contemporary states], Fischer–Weltgeschichte [Fischer World History], V. 32. Frankfurt/Main 1966, 194ff.
- ¹⁷ See http://en.wikisource.org/wiki/Peace_of_Vereeniging, art. 4.
- ¹⁸ Jost Dülffer, "Versailles und die Friedensschlüsse des 19. und 20. Jahrhunderts" [Versailles and the peace agreements of the nineteenth and twentieth centuries], in: Gerd Krumeich (ed.), *Versailles 1919. Ziele – Wirkung – Wahrnehmung* [Versailles 1919. Aims – Effects – Perceptions], Essen 2001, 24f.
- ¹⁹ Max Weber, *Politik als Beruf* [The profession of politics], Berlin 1982, 54.
- ²⁰ See on the following Gerd Krumeich, *Versailles 1919. Der Krieg in den Köpfen* [Versailles 1919. The war in the minds], in: Krumeich, *Versailles* [fn. 18], 54ff.
- ²¹ See Jean–Jacques Becker, Gerd Krumeich, *Der Große Krieg* [The Great War], Essen 2010, 297ff; Klaus Schwabe (ed.), *Quellen zum Friedensschluß von Versailles* [Sources on the peace treaty of Versailles], Darmstadt 1997; Klaus Schwabe, "Gerechtigkeit für die Großmacht Deutschland. Die deutsche Friedensstrategie in Versailles" [Justice for the great power Germany. The German peace strategy in Versailles], in: Krumeich, *Versailles* [fn. 18].
- ²² Christian Meier, *Das Gebot* [The imperative] [fn. 10], 49.
- ²³ *Ibid.*, p. 74.
- ²⁴ *Ibid.*
- ²⁵ See *ibid.*, p. 89.
- ²⁶ *Ibid.*, p. 90.
- ²⁷ *Ibid.*, p. 97.
- ²⁸ Peter Burke, "Geschichte als soziales Gedächtnis" [History as social memory], in: Aleida Assmann, Dietrich Hardt (eds), *Mnemosyne. Formen und Funktionen der kulturellen Erinnerung* [Mnemosyne. Forms and functions of cultural memory], Frankfurt/Main 1991,

302.

²⁹ Cf. Thomas Hobbes, *Leviathan*, translated [into German] by Walter Euchner, edited and introduced by Iring Fetscher. Frankfurt/Main a.o. 1976, 524.

³⁰ Kant, Zum ewigen Frieden [On eternal peace] [fn. 14], 200.

³¹ Winston Churchill, *European Unity*, "Something That Will Astonish You", in: David Cannadine (ed.), *Blood, Toil, Tears and Sweat. Winston Churchill's Famous Speeches*, London 1989, 312.

³² See Helmut König, *Politik und Gedächtnis* [Politics and memory], Weilerswist 2008, 210ff.

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