JUST REMEMBERING: THE EXPERIENCE OF RHETORIC AND PUBLIC MEMORY

A Dissertation in
Communication Arts and Sciences

by

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ABSTRACT

In *Just Remembering: The Experience of Rhetoric and Public Memory*, I analyze how the rhetoric of public memory texts is experienced, how such experience informs the character and practices of ethics, politics, and justice in the United States, and how we might re-experience public memory in a way that does it justice. The chapters focus on the memorial function of Plato’s *Republic*, Hannah Arendt’s *Eichmann in Jerusalem*, and *The President’s Commission on the Holocaust: Report to the President*.

My primary concern in this dissertation is to analyze how fundamental predispositions limiting human judgment, knowledge, and agency are forged through the experience of the rhetoric of public memorial texts. Although the valence of “limiting” might suggest that this is an undesirable condition, I contend that this limiting is both necessary, and that accounts of human judgment, knowledge, and agency failing to take the role of the experience of rhetoric seriously do more to alienate than enlighten their audiences from themselves and each other.

The critical task of rendering the limits of human judgment, knowledge, and agency explicit allows self-conscious reflection on what is guiding our choices.” Human agency (including the capacities of thinking and judging) can be invigorated by coming to a better understanding of how the rhetoric of public memory works. Thus, the primary significance of my dissertation on the experience of rhetoric and public memory is that it offers a way of reclaiming and augmenting ethical, juridical, and political action.
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To Penelope.

For her there are no wounded attachments.
Chapter 1

Introduction: Just Remembering: The Experience of Rhetoric and Public Memory

We are unknown to ourselves, we [knowers and judges]—and with good reason. We have never sought ourselves—how could it happen that we should ever find ourselves?

Friedrich Nietzsche, *On the Genealogy of Morals*

You can’t build a house without nails and wood. If you don’t want a house built, hide the nails and wood. If you don’t want a man unhappy politically, don’t give him two sides to a question to worry him; give him one. Better yet, give him none. Let him forget there is such a thing as war. If the government is inefficient, top-heavy, and tax-mad, better it be all those than that people worry over it. Peace Montag. Give the people contests they win by remembering the words to more popular songs or the names of state capitals or how much corn Iowa grew last year. Cram them full of noncombustible data, chock them so damned full of “facts” they feel stuffed, but absolutely “brilliant” with information. Then they’ll feel they’re thinking. They’ll get a sense of motion without moving. And they’ll be happy because facts of that sort don’t change.

Ray Bradbury, *Fahrenheit 451*
In *The Life of Reason* (1905), George Santayana warned that “those who cannot remember the past are condemned to repeat it.” While this may be taken as a warning against cyclical history or as an endorsement for an overdetermined progress narrative, it is generally taken as support for the study of history. The warning has also become a truism as advocates have used it to encourage people to remember cataclysmic events of the past such as the Holocaust and the attacks of September 11, 2001. These points of articulation implore attentiveness to the forces involved in the production of the past in the present, for there is no necessary correspondence between remembering the past and a the creation of a future worth repeating. Take for instance the phrase “remember Dresden,” which is as easily articulated to a critique of Nazism as it is to Germany’s right-wing National Democratic Party that draws its support from neo-Nazis.

Stephen Browne’s work on the politics of commemoration shows how public memorials play a central role in the creation and circulation of historical knowledge. He draws critical attention to the central work of public memorials of teaching people not to forget a past they had neither experienced, known, nor remembered in the first place. Public memorials tell a story of the past for present audiences who did not physically experience and/or cannot conjure the past as it actually happened. Public memorials invite people to remember a past that is shaped by the concerns of the present. This does not, however, imply that the past is purely a social construction. French sociologist Maurice Halbwachs convincingly argues in *On Collective Memory* that the past is like a palimpsest upon which “present generations may rewrite history, but not on a blank
In this account, the past is remembered through collective frameworks that “are the instruments used by the collective memory to reconstruct an image of the past with the predominant thoughts of society.”

In *Just Remembering: The Experience of Rhetoric and Public Memory*, I critique a set of extant public memorials that were designed as forms of public address intent on influencing our attitudes. The specific memorials I address are: Plato’s *Republic*, Hannah Arendt’s *Eichmann in Jerusalem*, and *The President’s Commission on the Holocaust: Report to the President*. My primary concern in this manuscript is to analyze the ways in which fundamental predispositions limiting human judgment, knowledge, and agency are forged through the experience of the rhetoric of public memorial texts.

Although the valence of “limiting” might suggest that such this is an undesirable condition, scholarship on rhetoric instructs that human knowledge, judgment, and agency are necessarily limited in scope. Accounts of human judgment, knowledge, and agency failing to take the role of the experience of rhetoric into account have the potential to alienate their audiences from themselves and each other. Human agency (including the capacities of thinking and judging) can then be invigorated by coming to a better understanding of how the rhetoric of public memory works.

In this project, I understand my primary role to be that of a rhetorical critic analyzing the rhetoric of public memorial texts. My operative understanding of this role derives from the sophistic definition of rhetoric presented in John Poulakos’s article “Towards a Sophistic Definition of Rhetoric.” There he argues that “Rhetoric is the art which seeks to capture in opportune moments that which is appropriate and attempts to suggest that which is possible.” The three aspects of this definition include *kairos*
opportune moment), propriety, and possibility. Taken broadly, this definition does not invite an image of the text as a closed economy coaxed by the critic into its own forms of disclosure. Rather, it invites an image of rhetoric as a process of active “artistic process judgment” where the critic acknowledges their objects of criticism as happening in the world\textsuperscript{13} while suggesting that “what is already before us in the world may not be all there can be.”\textsuperscript{14} Within the scope of this understanding of rhetoric, my criticism of this series of rhetorical texts, if successful, will disclose hidden aspects of how we are given to experience the world and suggest ways to improve or alter such experiences.

Beyond claiming a space for rhetoric that is not merely instrumental, this definition calls to conscience the intricate connections between criticism and political action. In the discipline of rhetoric, there are a number of essays and manuscripts discussing the connection between rhetorical criticism, theory, and practice ranging from the writings of Edwin Black, Philip Wander, Frank Lentricchia, and Raymie McKerrow. Following his infamous critique of neo-Aristotelian rhetorical criticism, Black wrote “The Second Persona,” where he called for critics to render moral judgments about the texts they critique.\textsuperscript{15} He argued that “there is something acutely unsatisfying about criticism that stops short of appraisal. It is not so much that we crave magistracy as that we require order, and the judicial phase of criticism is a way of bringing order to our history.”\textsuperscript{16} In “On Objectivity and Politics in Criticism,” Black calls for the critic to make judgment, citing the similar etymological origins of critic and judge in ancient Greece and arguing that “objectivity is not universally desirable.”\textsuperscript{17} In the “Ideological Turn in Modern Criticism,” Wander asks critics to acknowledge the ideological dispositions that the critic unavoidably brings into the practice of criticism.\textsuperscript{18} In “Critical Rhetoric: Theory
and Praxis,” McKerrow used such earlier observations as the basis for calling for a type of rhetorical criticism involving a perpetual imminent critique of entrenched power.\textsuperscript{19} Although it chronologically comes before McKerrow, Lentricchia’s book, \textit{Criticism and Social Change}, caps this set off as it argues that interpretation is unavoidable and that criticism operates as a force and as a program of social change.\textsuperscript{20}

In addition to being a part of this lineage of rhetorical scholarship that links criticism and practice, my criticism may be thought of as an enactment of critical tasks described by Thomas Benson and Friedrich Nietzsche. Benson argued that “one of the tasks of the cultural critic is to bring these mostly implicit patterns into the realm of the explicit, so that we may all reflect more self-consciously about what is guiding our choices.”\textsuperscript{21} Benson’s call is for critics to gain the ability to re-reflect on patterns that have entered into what may be labeled a postreflective realm. I use the term “postreflective” to highlight that such patterns were once reflected on. Through repetition, such patterns may be experienced and reproduced \textit{as if} they were natural, prerreflective, or intuitive. The postreflective realm is embedded in the “tropes and commonplaces of our rhetorical discourse” and “reinforced by the modes of cultural production and distribution.”\textsuperscript{22} Benson’s position makes use of two distinct conceptualizations of trope. On one hand, \textit{tropes}, along with commonplaces, embed “mostly unexamined patterns of thought” that contain our rhetorical discourse.\textsuperscript{23} On the other hand, Benson calls for acting on Poulakos’s understanding of rhetoric by calling for cultural critics \textit{to trope} (turn or translate) the unexamined into the examined by virtue of their critical action.

This task also extends the work described by Nietzsche in \textit{Beyond Good and Evil} where he asserts that “we, \textit{whose task is wakefulness itself}, are the heirs of all that
strength which has been [cultivated] by the fight against this error.”\textsuperscript{24} I have amended Kaufmann’s translation to echo the emphasis on \textit{paedeia} (the cradle-to-crypt education into a culture or the processes of educating people into a culture) and its role in cultivating bodies that experience, know, and judge in particular ways. The role of this \textit{paedeia} is explicitly invoked by Nietzsche who argues that wakefulness is an antidote to counter the anesthetizing slumber invoked by Platonism.\textsuperscript{25} The “we” manifest by Nietzsche counters the denial of the body set into motion by “the worst, most durable, and most dangerous of all errors so far . . . Plato’s invention of the pure spirit and the good as such,” which is so dangerous because “it meant standing truth on her head and denying \textit{perspective}, the basic condition of all life, when one [speaks] of spirit and the good as Plato did.”\textsuperscript{26} This counteraction recognizes that “Only by forgetfulness can man ever come to believe that he has truth,” which is then “a mobile army of metaphors, metonyms, anthropomorphisms, in short, a sum of human relations which were poetically and rhetorically heightened, transferred, and adorned, and after long use seem solid, canonical, and binding to a nation. Truths are illusions about which it has been forgotten that they \textit{are} illusions.”\textsuperscript{27} This task is to restore truth to perspective, or, in other words, to rise from the forgetfulness latent in Plato’s \textit{paedeia} and affirm the experience of rhetoric and its byproduct—perspective. This task is not completed and is central to a doctrine on rhetoric that I am advancing in this manuscript—\textit{all knowledge happens as knowledge of bodies derived through experience, which is to say that, despite how people are cultivated to experience knowledge, all knowledge happens as perspective}. 

Throughout this manuscript, I offer a critical discussion of public memory that bears on our understanding of justice. My writing is premised on the notion that
perspective is the byproduct of experience and that knowledge happens as the affirmation of perspective. While there are many possible modes of inquiring into experience including non-rhetorical experience, my manuscript is devoted to the experience of rhetoric. I take the experience of rhetoric to include both the ways in which people make meaning through conscious interaction with discourses and the ways in which certain powerful discourses are given to take hold of and influence the very formation of consciousness that allows for interaction and meaning making.

To clarify, let us pause on the experience of Plato’s Republic, which is the subject of the first chapter. While I may experience Plato’s Republic through my conscious interaction with the text, there are a series of forces operating through me that I have internalized without my own conscious choosing (such as beliefs in the value of democracy, truth, and representation). Such forces can take on specific content. For instance, a nationalistic memory coded in the dictum “Congress Shall Make No Law” might announce itself in my mind as I read the Republic and find that Plato’s good city is to be protected by the erection of strict codes of censorship regulating what stories may and may not be told. At the same time, however, I may not recognize other forces guiding my experience of the text. For instance, Philosopher Alan Bloom suggested that foolish youths of his generation may denounce the Republic due to their misguided liberal politics. Bloom’s argument suggests that certain readers are silently blinded by their political beliefs and thus cannot fully appreciate the Truth of Plato’s text. From a critical standpoint, Bloom is just as blinded by his academic and political conservatism as liberal students are by their political and academic perspectives. Bloom’s truth is the affirmation of his experience with the text. This is not to say that Bloom’s affirmed
experience is idiosyncratic, without support, or lacking traction. Rather, this indicates that the truth Bloom finds in Plato’s text is, itself, predicated by prior experiences including his formal education, scholarly practices, and political views.

Experience, which may subsequently be affirmed as knowledge, thus becomes manifest in this manuscript in two main ways. First, experience becomes manifest in this manuscript as I work to describe how a type of prefabricated experience is encoded into a series of memory texts: Plato’s Republic, Hannah Arendt’s Eichmann in Jerusalem: A Report on the Banality of Evil, and The President’s Commission on the Holocaust: Report to the President. In Chapter 1, this work allows us to witness Plato’s call for subsequent generations to re-experience and re-produce justice and the good city, in Chapter 2 we witness Hannah Arendt’s attempt to get her readers to re-experience evil and the Holocaust, and in Chapter 3 we witness the President’s Commission on the Holocaust working to articulate a program of Holocaust remembrance to contemporary human rights activism. Second, experience becomes manifest in this manuscript as my work as a critic of rhetoric is motivated by a desire to create an opportunity to re-experience these memory texts with emphasis on creating an opportunity to re-experience justice. For example, I ask us to reread the famous “Allegory of the Cave” in a broader scope of Plato’s Republic rather than as a standalone narrative. By so doing, we are given to ask what it is we are valuing when we laud a Platonic model of education as enlightenment, justice as a form distinct from its articulations to practice, and truth as a fixture outside of perspective.

Prior to providing a more in-depth chapter overview, I discuss the theories of knowledge and human agency underlying this manuscript. In “Bodies of Knowledge,” I
discuss the formation of knowledge in three areas of experience: the body, intellectual discipline, and paedeia. This discussion continues in “Locating Human Agency: Freedom, Determinism, and State Power,” where I argue that the human will is neither wholly free nor wholly determined and that doctrines of free will can only proceed by a faulty understanding of human agency, knowledge, and judgment. I contend that a better understanding would open up the possibility for augmenting human agency, judgment, and knowledge.

**Bodies of Knowledge**

On Friday July 30, 2004, the day after John Kerry’s formal acceptance of the Democratic Party’s presidential nomination, two busses set out from the Centre County Democrats office in State College, Pennsylvania to attend a Kerry-Edwards rally. Over twenty thousand people crowded into the area behind the State Capital building in Harrisburg to hear from a slate of speakers including Governor Ed Rendell, Theresa Heinz-Kerry, Elizabeth Edwards, Ben Affleck, Senator John Edwards, and Senator John Kerry. A small and politically diverse group of students enrolled in my introduction to public speaking course elected to attend the rally.

After the event, I explained to my students that some scholars are skeptical of the influence of public oratory in contemporary American culture. Upon asking them how they would respond to such scholars, they replied, “get those scholars to come here.” They were convinced that the experience would be enough to change the scholars’ minds. A conservative student then spoke in support of the policy claims made in the candidates’
speeches while voicing a distrust of politicians, asking “I believe in what they are calling for, and I want what they say they want, but how do I know if I can trust them?” At that moment it was clear that each of us wanted a response that would provide certainty. It was equally clear that such a response was not going to come. There were forces operating on our faculties of judgment that could not be overcome by any interpretations of the body's affective responses or the mind’s will to knowledge.

This event calls attention to the central concern of this project—the experience of rhetoric and public memory. The bodily immediacy of the experience of rhetoric stood as sufficient grounds for the students to render a judgment against scholarly work that discounts the power of public oratory. Their conviction was not warranted by carefully examining a body of scholarship, but by trusting in the integrity of their bodies’ affective responses and faith in their ability to translate their affective responses into language. As they attempted to translate this conviction into judgments concerning politics, a seemingly insurmountable wall of skepticism was called to mind.

Even though I shared the students’ confident belief in the significance of rhetoric and was caught up in the same skepticism, I still found myself wanting to challenge their blithe dismissal of standing scholarship. Regardless of my attitude towards such scholarship, years of involvement in a learned discipline told me that reportage on the state of their glands was not enough. Like Edwin Black, a champion of rhetoric, and George C. Edwards III, a vocal naysayer denouncing the significance of rhetoric, I found myself expecting reasoned arguments to buttress their claims. My expectation, however, merely reproduces the same category of “error” guiding the students’ judgment—faith in the ideal. In both cases, faith in the ideal is not embodied by an unwavering support in
some external image of perfection. Rather, faith in the ideal is atrophy of perspective in bodies that experience, know, and judge [Erkennenden].

The category of error describes the process of judgment enacted by the students and me, not the substance of the judgments rendered. The category of error, faith in the ideal, is engendered by rigid belief, conscious or unconscious, in the validity of the body’s experiential knowledge warranting and supporting the judgments made. For the students, this error reads as faith in the body’s affective response—“if naysayers of rhetoric experienced what I experienced (at the political rally) they would know what I know and judge how I judge—rhetoric matters.” For myself, this error reads as faith in the body of scholarship on rhetoric—“if the students would read what has been written (experience the scholarship on rhetoric) they would know what I know and judge how I judge—rhetoric matters.” Thus, the error is exposed as an atrophy of perspective—an inability to see closely corresponding to an inability to judge well.

Atrophy of perspective does not originate prereflectively, nor is it some necessary derivative of the psyche's development. Rather, it is the product of a force exponentially stronger than knowledge of one's body or the knowledge of a body of scholarship. In this manuscript, I will contend that the atrophy of perspective through which judgments are rendered is the product of a paideia. The particular paideia that I examine begins with the construction of Plato’s cave, which is perhaps one of the most powerful public memorials in Western thought. The architecture of Plato's cave is designed to turn people away from rhetoric and politics and consequently against each other and ourselves. The architecture of Plato's cave accomplishes its task paradoxically by
assuring that those who experience it in the manner that the text instructs will be thoroughly unable to fulfill Socrates' Apollonian demand of knowing oneself.

At the political rally, the students and I bore witness to speeches supporting a politician aspiring to the highest representative office in the “free world” and there was not one of us there who doubted the significance of rhetoric or lacked the “knowledge” to distrust politicians because they can and will play politics (lie) and pander (use rhetoric to appeal to base emotions). Combined, these knowledges disclosed an aspect of our identities unknown to ourselves. The presence of this aspect of our identity was disclosed as knowledge of politics and rhetoric seemed to arise unbidden from within. “Curiosity,” “the daughter of ignorance and the mother of knowledge,” made this presence felt as we began questioning one another as to where such skepticism came from.\textsuperscript{37} The historicity of our shared skepticism would likely have remained private or repressed if it were not for the affiliation that the students and myself derived from our course on public speaking.\textsuperscript{38} This affiliation made us aware of the passive role of spectator \textit{[theoros]} assigned to us by the \textit{epideictic} orations we experienced while calling-to-conscious a more active role of critics and judges \textit{[kritēs]}.\textsuperscript{39} This apparently more active role was not enough to overcome our shared skepticism of the political, but it did afford us the opportunity to recognize the influence of \textit{paedeia} on our faculty of judgment. We knew that the knowledge rendering us skeptical of politics came from somewhere outside of our experience at this political rally, not from the politicians themselves. We remained skeptical nonetheless.

It would be naïve to think of recognizing the subterranean influence of \textit{paedeia} as liberation. In fact, when any form of recognition is offered up as liberation and that
liberation is thought to endure beyond the moment of its experience, the value of 
liberation itself has been diminished. Nonetheless, there may be some liberatory 
potential in training and focusing a critical gaze on judgment as it happens. That is, 
some good may come out of actively re-experiencing the normally taken-for-granted 
process of judgment, which includes a critical awareness of the influence of paedeia. 
Taken together, the connotative understandings of politics and rhetoric, not to mention 
the more implicit concepts of truth, emotions, reason, and character emerging from 
paedeia describe part of a cultural literacy.

“Cultural literacy” here refers to operative and embedded judgments in a 
particular culture. Insofar as they are learned through a paedeia yet operate unexamined, 
cultural literacies may best be thought of as “postreflective.” By “postreflective” I am 
suggesting that cultural literacies are produced through reflective action that effaces itself 
over time. Cultural literacies are not stable or transcendent, but rather are in a continuous 
state of change that happens in an out-of-mind region not subject to direct influence. For 
better or worse, reflective or not, cultural literacies frame the interpretive worldviews 
(perspectives) through which experiences are made sense of, remembered, and used as 
the basis for judgments in other contexts. I experience and thereby derive knowledge of 
the world through my cultural literacies.

Such literacies are not a matter of choice, but this does not mean that cultural 
literacies singularly determine an individual's character. In this sense, cultural literacies 
are akin to the frameworks of memory described in Maurice Halbwachs' On Collective 
Memory. An individual can no more choose to be born into a particular language, family, 
class, or religion, than they could choose to have one literacy now and another later. One
may work to become more literate in particular fields (i.e. academic disciplines), but it is unthinkable for an individual to opt out of a multiplicity of cultural literacies without ceasing to have memory. Halbwachs presents this bind when he asks

Let us now suppose that we recall an event of our family life, which as the saying goes, is engraved in our memory. Let us then try to eliminate from it these ideas and traditional judgments which define the mind of the family. What remains then? Is it even possible to accomplish such a dissociation, to distinguish in the recollection of the event “the image of that which happened only once and is focused on a moment of time and a single event” from the notions that in general express our experience of the actions and life-styles of our parents?42

In his inquiry, these questions must be responded to negatively. Without the frameworks of memory, memory itself would have no substance. Consequently, the frameworks of memory provided by language, family, class, and religion play an integral role in an individual’s development into society. Halbwachs points out that no memory or thought remains outside of the frameworks of memory, which makes sense since the frameworks are the relations through which a person makes meaning out of her or his world.

Halbwachs’ view suggests that the frameworks of memory possess the content of memories, which would then imbue the frameworks with agency and leave the human as a vessel whose only unique action is to endlessly reproduce the frameworks of memory. Although I contend that an account of human agency rooted in an individuated agent is thoroughly impoverished and naïve at best, I also contend that the frameworks of memory are the media through which people may act, think, and judge anew. The term
“cultural literacy” then emphasizes both how particular ways of thinking are written onto the mind (for example a grammar), and how these habitual modes of thinking are used to interpret (read) and create (write) the world in infinitely divergent ways. It follows that cultural literacy, that experiential body of knowledge passed on through paedeia, is subject to being influenced by other bodies of knowledge. Accounts of human agency will always be incomplete, but will be better as they account for various forces acting upon humans as they experience, know, and judge.

The judgments being rendered are based upon the experiential knowledge of bodies—one’s own body, bodies of scholarship, and bodies of cultural education and literacy (paedeia)—in the earliest senses of the word “knowledge.” Usage of the gerund “knowing” dates to 1225 C.E., indicating the “action or fact denoted by the verb to know,” which meant acknowledgment or recognition. Usage of the noun “knowledge” dates to 1300 C.E., indicating an “acknowledgment or recognition of the position or claims (of any one).” Knowledge of bodies thus refers to an acknowledgment or recognition of experiences ranging from the seemingly inchoate, prereflective, and experiential to the seemingly mature, disciplined, and reflective. This is to say regardless of the level of contemplation, all judgments are founded on knowledge constituted through the acknowledgment of past experiences.

**Locating Human Agency: Freedom, Determinism, and State Power**

My account thus far has presented knowledge as the affirmation of experiences, which would suggest there are not one, but many knowledges that may be created, influenced,
or destroyed and may happen idiosyncratically or in ways felt to be common amongst a
people, nation, or all of humanity.\textsuperscript{45} Despite any validity in this description, it seems
counter-factual, if not counter-intuitive. The English language bears witness to this
insofar as the plural noun “knowledges” is used so seldom that it registers in word
processing software as a spelling error.\textsuperscript{46} Rather than being experienced with difference,
knowledge is experienced [by the knower] as singular, given, found, fixed, or binding.\textsuperscript{47}
Bound up in this experience is a series of questions of import to rhetorical scholars: \textit{How
does the experience of rhetoric in-form knowledge? How does the experience of
knowledge in-form experiences? How do such experiences influence the faculty of
judgment? In short, how do knowledge, perception, and meaning happen and perdure?}

These questions center on the possibilities of human agency and freedom.
Responses to such questions consequently engender images of the human will in various
states of dependency. That these images do not portray the human will as independent,
isolated, or free does not necessarily mean that they project an absolutely determined
image of human will. Such absolutist accounts even elude popular narratives, like \textit{The
Matrix} and \textit{Fahrenheit 451}, whose narratives portray bleak wastelands where human
thought and action are controlled.\textsuperscript{48} Paradoxically, these fictional narratives thrust their
audiences into a place within the system that discloses multiple determinations necessary
to make humans “free” while simultaneously feeding into discourses of humanism that
characteristically portray the image of the liberal autonomous subject whose rationality
leads to self-realization and freedom.\textsuperscript{49}

In this paradox, the threat of slavery (of the will) corresponds to the threat of the
rhetorical. This threat gives rise to a separate line of questioning delivered under the
guise of liberation: What is the status of human agency or free will as thought itself is encroached upon by structures of influence that frame, limit, and control knowledge, perception, and judgment? If the loss of sovereignty of the will is a product of the artifice of rhetoric, then wouldn’t it be best to do away with the rhetorical? How can free will be resuscitated from this bleak portent of determinism? These pseudo-liberatory questions are explicitly anti-rhetorical, anti-political, and thoroughly anti-human. Free will is taken for granted as desirable and, under ideal conditions, attainable. What is relevant, although not considered, is the deleterious effect that such a proposition poses to the unique human capacities recognized since the days of Aristotle—speech and judgment. Aristotle argues in the *Politics*

> Nature makes nothing pointlessly, as we say, and no animal has speech except a human being. A voice is a signifier of what is pleasant or painful, which is why it is also possessed by the other animals (for their nature goes this far: they not only perceive what is pleasant or painful but signify it to each other). But speech is for making clear what is beneficial or harmful, and hence also what is just or unjust. For it is peculiar to human beings, in comparison to the other animals, that they alone have perception of what is good or bad, just or unjust, and the rest. And it is community in these that makes a household and a city-state.”⁵⁰

Characterized by having radical free will, an individual could not be part of a community. On this point, Aristotle argues “Anyone who cannot form a community with others, or who does not need to because he is self-sufficient, is no part of a city-state—he is either a beast or a god.”⁵¹ It follows that individuals possessing a will unfettered from the restraints of speech and judgment must, necessarily fall silent to the world as the world
falls silent to them. In their radical individuality, they could only endlessly enact what Friedrich Nietzsche labels the philosopher’s imperious wish “pereat mundus, fiat philosophia, fiat philosophus, fiam!” [Let the world perish, but let there be philosophy, let there be the philosopher, let there be me!] 52

Aristotle does not, however, redeem rhetoric, politics, or humanness from the nihilistic trappings of faith in free will. In The Human Condition, Hannah Arendt notes that “Aristotle meant neither to define man in general nor to indicate man’s highest capacity, which to him was not logos, that is, not speech or reason, but nous, the capacity of contemplation, whose chief characteristic is that its content cannot be rendered into speech.” 53 On one hand, this seems antithetical to Aristotle’s position since the purely contemplative life would categorically lend itself towards the inhuman insofar as the life of contemplation does not require community beyond an intrapersonal community of one. On the other hand, contemplation could be thought of as a capacity for mulling over ideas or problems prior to acting upon them or rendering them into public speech and judgments. In this sense, Aristotle’s definitional arguments presuppose a particular kind of person. Instead of defining humans in general, Arendt describes Aristotle project as defining a way of life enacted to its fullest extent by those inside the polis while “everybody outside the polis—slaves and barbarians—was aneu logou, deprived, of course, not of the faculty of speech, but of a way of life in which speech and only speech made sense and where the central concern of all citizens was to talk with each other.” 54 Those excluded from the polis and deprived of speech would therefore be unable to experience the fullest capacity of human life.
From this vantage point, it might appear that Aristotle’s *Politics* may be vindicated as a descriptive account of political affairs during Greek antiquity. Doing so, however, would require ignoring Aristotle’s prescriptive work that is nowhere more evident than in his insistence on *physis* in his doctrine of natural slavery and natural mastery. While Alcidamas, student of the great sophist Gorgias, was teaching that “nature never made any man a slave,” Aristotle was reassuring the slave-owning citizens that “nature tends, then, to make the bodies of slaves and free people different too, the former strong enough to be used for necessities, the latter useless for that sort of work, but upright in posture and possessing all the other qualities needed for political life—qualities divided into those needed for war and those for peace.”\(^55\)

To ensure the perpetuation of this “natural” system of slavery, Aristotle armed the rulers alone with *phronesis*, stating that “practical wisdom is the only virtue peculiar to a ruler; for the others, it would seem, must be common to both rulers and ruled.”\(^56\)

His doctrine was, however, advanced in a shadow of irony that he innocently cast over himself when he stated, “For injustice is harshest when it has weapons, and a human being grows up with weapons for virtue and practical wisdom to use, which are particularly open to being used for opposite purposes.”\(^57\)

Such opposite uses may well be using *nous* and *physis* as grounds for justifying both the practice of slavery and a belief in the scarcity of *phronesis* that, taken together, limit the full experience of human happiness (*eudaimonia*) based upon the will of those who are more free (propertied male citizens).\(^58\)

Further threats posed by doctrines of free will are attested to by Gilles Deleuze and Félix Guattari’s discussion of noology in *Nomadology: The War Machine*.\(^59\) The word noology is formed by the combination of the Greek words *nous* (mind, intellect, and
capacity for contemplation) and *logos* (account or reason) and signifies a type of scholarship dealing with the mind or thinking. Deleuze and Guattari indicate that “noology, which is distinct from ideology, is precisely the study of images of thought, and their historicity.” More specifically, the “special object of a ‘noology’ is “an image of thought spanning all thought” that resembles “the State-form developed in thought.”

The State-form refers to two modes of sovereignty that are generated by and generative of thought and the State—*mythos* (“the *imperium* of true thinking operating by magical capture, seizure, or binding”) and *logos* (“a republic of free spirits proceeding by a pact or contract, constituting a legislative and juridical organization”). This form is generated by thought since thought alone “is capable of inventing the fiction of a State that is universal by right, of elevating the State to the level of the universality of law.”

Since assigning “itself the role of ground [mythos and logos],” noology “has been giving the established powers its blessing, and tracing its doctrine of faculties onto the organs of State power.” Like Aristotle’s discourse of “natural slavery,” noological thought can be made to justify and naturalize State power. Noology accomplishes its work not through coercion or force, but through the positing of common sense, which is defined here as “the unity of all the faculties at the center constituted by the Cogito, [common sense] is the State consensus raised to the absolute.” Failing to take the practice of noology seriously “is all [noology] requires . . . . Because that makes it all the easier to think for us, and to be forever engendering new functionaries. Because the less people take thought seriously, the more they think in conformity with what the State wants.” This means that noology provides an image of state power that does not derive from people as they govern, but by the *mythos or logos* held in common that forms itself.
as the governing power over the people. In terms of the above discussion of knowledge and liberation, noology provides an image of liberation derived from a myth or account of liberation rather than its practice. As noology is left to its own devices, it becomes the agency controlling the subjects of the State.

To summarize, the human will is neither wholly free nor wholly determined. The being that possesses an absolutely free will is as inhuman as the mechanistic automaton since both would be *aneu logoi*. The automaton’s deprivation is indicated in its label as its only authorizing act is providing a body that transports information. Beings possessing purely free will would be *aneu logoi* because they could not communicate with others or themselves. Communication can create new possibilities and secure forms of freedom, but the process of communication requires interlocutors, even if the audience is the self, and minimally depends upon people binding their will to the strictures of a language and a grammar.

Despite being antipathetic towards a fuller understanding of human agency, desire for free will, in fact for “freedom” itself, appears to be self-evidently compelling. This apparent quality of self-evident compulsion makes unqualified appeals lauding freedom all the more dangerous. “Freedom” can be posited without significant qualifications as a desirable and attainable ideal only by rendering people incapable of thinking and speaking about the character of human agency. In other words, the idea of freedom (or free will) leaves us most ignorant with regards to ourselves. It does so by inviting our gaze to focus on an ideal of independence that ignores the multiple dependencies required by humans such as languages, grammars, knowledges, communities, social roles, our bodies, technologies, and the environment.
Invitations to avert or omit our gaze from these multiple determinants are political acts that create a specific memory of selves (create agents) who are at least partly ignorant of the forces that influence thought and action. This is to say that discourses positing an ideal of “free will” counter-intuitively restrict human agency by systematically alienating people from the realm of action that creates us as we alter and recreate it. Ignorance does not make the multiple determinants go away, but rather creates the condition for normative claims to operate under the guise of self-evident truth. In her book Stupidity, Avital Ronell suggests that such ignorance is (re)produced for particular purposes when she asks: “who are the secret beneficiaries of stupidity’s hegemony? What, in more Freudian terms, can be construed as the secondary benefits of stupidity?”

My reading thus far has suggested that the State and those who wield its power benefit insofar as the doctrine of “free will” reproduces state functionaries and justifies the organs of state power. Those beneficiaries benefit doubly insofar as their mode of persuasion passes itself off silently as common sense, which we may now see with Giambattista Vico’s help as meaning unreflecting judgment.

Just Remembering

A series of awkward demands rest on the shoulders of those whose spirit of inquiry leads them to question the value of such a complex phenomenon as reason. Academic inquiry demands a level of rigor and veracity that must be recognizable by peers as reasonable. This category of reasonableness remains unspoken, perhaps ineffable, while nonetheless serving as the substratum for judgments concerning the merits of scholarship. The
recognizable features of reasonableness involve the grammar, spelling, and syntax. Readers do not need an intimate awareness of the Toulmin model to judge scholarship as reasonable based on the soundness of the scholarship’s argumentation as evidenced by a series of identifiable claims with attendant warrants and support. Lest I risk misunderstanding, these demands are not necessarily misguided. Rather, these demands are but one site where we may observe the powerful rhetorical force of “reason” emerging unbidden from the recesses of our minds to guide judgments concerning thoughts, ideas, and values.

At the beginning of this inquiry, I want to note that experiences of forces, such as reason and justice, that exist prior to and outside of particular instances of judgment remain the subject of this manuscript. I recognize these forces as the residue of memories living on as intuitive dispositions rather than specific content. I devote specific attention to the origins of intuition in Chapter 1, to the ways in which justice is thought of as an agent with serviceable demands in Chapter 2, and how consciousness is an effect of the work of the rhetoric of public memory in Chapter 3. Insofar as these forces operate outside the radar of conscious reflection, these residues of memory are given to think and act for us. To do justice to remembering then involves recognizing how, by whom, and for what purposes the most powerful memories are formed. Far from an idiosyncratically normative demand to remember “correctly,” Just Remembering is an attempt to critically reflect on prominent categories of memory—reason, justice, and consciousness—in the hope that this criticism opens an opportunity for further understanding and action rather than allowing the categories to operate unnoticed as agential forces capable of directing human action and thought.
In Chapter 1, I offer a close examination of Plato’s Republic as a potent public memorial. I argue that the narrative is not as emancipatory as one might think when reflecting on the process of enlightenment proposed in his famous “Allegory of the Cave.” Instead, the Republic tells the story about an ideal city [kallipolis] extant in an imaginary past for the purpose of influencing present paedeia. Calling attention to Plato’s goal of influencing the paedeia draws out the political dimensions of public memorialization, which necessarily involve selecting the narratives to be remembered and those to be forgotten.

Plato sets out to control the rhetoric of public memory when he has Socrates argue in the Republic that to create the ideal city:

we must first of all, it seems, supervise the storytellers. We’ll select their stories whenever they are fine or beautiful and reject them when they aren’t. And we’ll persuade nurses and mothers to tell their children the ones we have selected, since they will shape their children’s souls with stories much more than they shape their bodies by handling them. The ones who judge which stories are to be told and which are to be silenced are entitled to do so by virtue of their elevated status as guardians (and eventually as philosopher-kings). All others are left as spectators who are to bear witness to the stories and internalize their moralizing lessons. Thus, the political goal of the Republic is to create a society where select leaders rule over people who passively obey. This structure of governance and power is held intact by controlling the resources of public memory. Far from offering a critique of regimes of totalitarian power, the residue of Plato’s design is an overdetermined faith in reason.
Chapters two and three look into the rhetoric of Holocaust remembrance. In these chapters, I take seriously Elie Wiesel’s claim that “What was comprehensible before Treblinka is comprehensible no longer. . . . Whatever has happened since must therefore be judged in the light of Treblinka.” In chapter two, I analyze the narrative trials of Nazi war criminal Adolph Eichmann. This chapter begins with the international legal battles and the push to understand the case as a moral trial before centering in on the most prominent account of the trial—Hannah Arendt’s *Eichmann in Jerusalem: A Report on the Banality of Evil* (1965). Arendt’s book, I argue, offers readers much more than an account of a singular historical case. In *Eichmann in Jerusalem*, readers are challenged to set off on a path of inquiry that would rethink the very grounds of the problem of justice. In this context, I explore how the Eichmann trial influenced the ways in which contemporaries are given to experience and understand the Holocaust while suggesting that Arendt’s account deserves a closer look and more serious attention such that we may better understand and practice justice. I conclude this chapter with a discussion of the consequences of remembering Eichmann as a monster or as a bureaucrat. Here, I draw on the lessons from social-psychologist Stanley Milgram’s work on obedience that he began in response to the Eichmann trial.

In chapter three, I analyze the Report of the President’s Commission on the Holocaust, presented to President Jimmy Carter on September 17, 1979. This document led to the creation of one of the most prominent public memorials in the United States, the National Holocaust Memorial Museum. Instead of analyzing this case in a vacuum, I place the chapter into the context of the most recent struggles waged in Congress to recognize as “genocide” the mass killings of approximately 1.5 million Armenians by the
Ottoman Turks. We will see that, even though the history of the term “genocide” is explicitly and unambiguously connected to this historical event, there are supplementary consequences standing in the way of officially remembering the atrocities as genocide. With this as the backdrop, I analyze the Report’s proposal of a “living memorial” composed of four components, all of which have been created: (1) the National Holocaust Memorial Museum, (2) an educational foundation, (3) a “Committee on Conscience” to respond to global situations posing actual or potential threats of genocide, and (4) annual “Days of Remembrance of Victims of the Holocaust.” The Commission, chaired by Elie Wiesel, argued that it is a “moral obligation to remember” the Holocaust in particular ways, because “although we have no guarantees that those who remember will not repeat history,” particular modes of “remembering can instill caution, fortify restraint, and protect against future evil or indifference.” I thus turn my attention to the productive potential in the Commission’s work, which involves the Commission’s purposeful use of the resources of the rhetoric of public memory for both honoring the victims of the Holocaust and creating the space for human rights activism. The Committee on Conscience emerges from this discourse as an exemplary memorial site designed to articulate memories of the past to present and future action. A copy of the President’s Commission on the Holocaust: Report to the President is included in the appendix.

In the Epilogue, I conclude this manuscript by introducing the ghosts of memory that goaded me throughout this project—the detainees at U.S. run prison camps at Guantanamo Bay, Cuba. The detainee camps are a problem of public memory to the extent that they were initially designed in 2002 to be a place devoid of remembrance where “enemy-combatants” were to be taken, stripped of their names, and forgotten. This
design was averted when photographs depicting prisoner abuse at Camp X-Ray were released on January 11, 2002. Two years later (January 17, 2004), officials from the Red Cross were allowed to visit Camp Delta, the permanent detainee camp that had replaced Camp X-Ray on April 29, 2002. Ending in Guantanamo Bay leads me to re-experience the rhetorical force of my own manuscript with the help of Jacques Derrida and ask the question, What is the secret power of the hidden archive?  

My criticism of each of these public memorial texts attempts to capture the most probabilistic or “appropriate” ways in which they may be taken-in to people who are formed by the affirmation of bodies of knowledge including the body itself, intellectual disciplines, and paedeia. As a rhetorical critic, my initial task is to provide an account of how these memorials work to influence human judgment, knowledge, and agency in particular ways. I do so by focusing on how memorial texts invite their audiences to experience a series of potent public memory sites. A different experience of human agency, judgment, and knowledge emerges as the implicit demands of the rhetorical discourses are made explicit. This experience presents knowledge as the affirmation of past experiences, judgment as an active artistic (rhetorical) process, and human agency as a possibility without imperious faith in free will or determinism. In short, in my dissertation, I seek to affirm the character of human beings as we happen through the experience of rhetoric and public memory while offering opportunities to experience a set of potent public memory sites anew.
Notes


These contradictory possibilities were put on display when former SS officer Franz Schonhuber took the stage in Dresden to announce that “The 13th of February will go down as the start of a new German understanding of history,” an understanding that equates German wartime suffering to the Nazi atrocities. He additionally contended that “Here in Dresden, genocide took place in 1945, just like it did in Hiroshima.” Gerhard Besier, director of the Hannah Arendt Institute for Totalitarian Research in Dresden, responded by arguing that “There is a myth, the myth of the innocent Dresden.” The moral of this narrative is that the civilians killed by Allied bombing were guilty as Nazis or Nazi-sympathizers. An additional political purpose of “remember Dresden” might be also be available to critics of war. Unqualified valorization of victories won by means of the horrors in Dresden, as well as those of Hiroshima and Nagasaki, might indicate a failure to remember a past where the military-industrial complex that President Eisenhower warned of spoke instead of humanity. Derek Scally, “Dresden Remembers to Taunts of Neo-Nazis,” The Irish Times, February 14, 2005., Craig Whitlock, “As Dresdan Recalls Days of Ruin, Neo-Nazis Issue a Rallying Cry,” The Washington Post, February 13, 2005., Dwight D. Eisenhower, “Military-Industrial Complex,” in Public Papers of the Presidents of the United States (Washington: Federal Register Division National Archives and Records Service General Services Administration, 1961).


Looking at a historical instance of the production of public memory, Browne noted that “The question [for the U.S. government in dealing with a wave of immigration] was how
to best teach the newly Americanized, not to forget something they had neither known nor remembered in the first place.” Ibid.: 176.


8 The specific frameworks of memory discussed by Halbwachs are class, family, and religion. Ibid., 40.

9 Although my scope of the term “public address” extends beyond the confines of public oratory, I do not mean to underestimate the influence of public oratory in the production of public memory. The documents addressed in this manuscript may be read as oratorical in their design. For instance, Plato’s *Republic* is written in its entirety and, thus may be read, as a speech given by the character Socrates. Hannah Arendt’s *Eichmann in Jerusalem* similarly is written with an oratorical quality. Finally, the *Report* of The President’s Commission on the Holocaust was archived by the United States Government in a collection containing several speeches to supplement the written report, which, itself, is written with oratorical flair. A copy of this report is included as an appendix to this manuscript.

10 Public memorial texts are the species of rhetoric being addressed in this dissertation. I take public memorials to be a broad category of texts and textual sites. I also take the classification of what counts as a public memorial and what does not to be secondary to more challenging questions about the rhetoric of public memory. Thus, in the first chapter of this manuscript, the point is not to say that Plato’s *Republic* is a public
memorial, but rather to discuss how the text works as a public memorial and explore the consequences of remembering it a different way.


13 In saying that the texts happen in the world, I am suggesting that varying contexts play key determinant roles for the how texts are interpreted. The character of contexts range across a broad spectrum to include elements such as the environment, the medium, and prior knowledge. In Stuart Hall’s seminal essay “Encoding/Decoding,” he refers to these latter types of contexts as technical infrastructures, relations to the modes of production, and previous knowledge. These contexts exist prior to the audiences experience of what he labels the “programme as meaningful discourse.” See: Stuart Hall, “Encoding/Decoding,” in Culture, Media, Language: Working Papers in Cultural Studies, 1972-79 (London: Hutchinson ; Centre for Contemporary Cultural Studies University of Birmingham, 1980).

14 The in-text quotations are drawn from Nora Heidlebaugh’s book, Judgment, Rhetoric, and the Problem of Incommensurability: Recalling Practical Wisdom. Heidlebaugh posits an account of active artistic judgment against the conceptualizations of spectator judgment where rhetoric is reduced to a tool that gives voice to decisions already made.


20 Unqualified, I think that this argument is a bit frivolous given that social change may be construed so broadly as to be useless. We might qualify Lentricchia’s claim that criticism is always a force of social change by stating that social change is not necessarily significant, useful, or even desirable. To be useful or productive as an agent of social change, critics must have some type of motivations or purposes. Even Nietzsche’s Zarathustra had a telos of sorts in the image and thought of self-overcoming. Frank Lentricchia, *Criticism and Social Change* (Chicago: University of Chicago Press, 1983). Friedrich Nietzsche, *Thus Spoke Zarathustra: A Book for All and None*, trans. Walter Kaufmann (Penguin Books, 1978).

22 Ibid., 217.

23 Ibid., 216.


25 Ibid.

26 Ibid.


28 For example, one could turn to Bataille on “inner experience,” Cassirer on religious, logical, and then poetic consciousness, Dianne Davis who draws on neuroscience to discuss a type of pre-representational mimesis, or Levinas with his understanding of ethics and the face. See: Georges Bataille, *Inner Experience* (Albany: State University of New York Press, 1988), Ernst Cassirer, *Language and Myth*, (New York: Dover Publications, 1946), Diane Davis, “Identification: Burke and Freud on Who You Are,”

29 These codes of censorship, discussed in chapter 1 of this manuscript, include the supervision of the storytellers that rear children and the censoring of Homeric myths.


33 Nietzsche asks “How much truth does a spirit *endure*, how much truth does it *dare*? More and more that became for me the real measure of value. Error (faith in the ideal) is not blindness, error is *cowardice*.” This idea will be taken up in the first chapter on Plato’s *Republic*. See: Nietzsche, *Genealogy of Morals*, 218.

34 See footnote 1.

35 In both cases, the issue is the epistemological assumptions consciously or unconsciously guiding the process of judgment, not the judgments being made. The
process of judgment that I will advocate in this manuscript is outlined by Nietzsche in the third essay, section 12 of *On the Genealogy of Morals*. There, Nietzsche argues “But precisely because we seek knowledge, let us not be ungrateful to such resolute reversals of the accustomed perspectives and valuations with which the spirit has, with apparent mischievousness and futility, raged against itself for so long: to see differently in this way for once, to want to see differently, is no small discipline and preparation of the intellect or its future ‘objectivity’—the latter understood not as ‘contemplation without interest’ (which is a nonsensical absurdity), but as the ability to control one’s Pro and Con and to dispose of them, so that one knows how to employ a variety of perspectives and affective interpretations in the service of knowledge.” Nietzsche, *Genealogy of Morals*, 119.

36 This construction is the topic of the first chapter of this manuscript. This takes the no cliché statement from Whitehead that all philosophy is a footnote to Plato to the next logical step, since this would imply that Plato’s writing serve as a memorial text that teaches people how to remember a past of western metaphysics that they never knew to remember experientially.


38 Repression here indicates not that this knowledge was separated, but rather displaced into another par of the mind where it could operate below the radar of consciousness. This notion of repression is drawn from the Jacques Derrida’s discussion of the genealogy of the self. There he argues that “Repression doesn’t destroy, it displaces


40 That is, a truth will not set us free unless freedom is limited in proportion to the newly recognized “truth.” Take, for example, when students learn about the ubiquitous role of rhetoric in all matters whether they be political, religious, scientific, private, or public. The student may then see the world as if they have new eyes. They may begin to question the dismissal of arguments on the sole basis of them being “biased.” Furthermore, they may be able to begin to both better understand and question core beliefs that they may not even know they had been carrying. This truth is liberating to the extent that it allows students to learn more about themselves and to ask questions that they may not have previously known or understood. That is a liberation that calls for a great deal of supplementary work for future moments of liberation.

41 Reflecting on how judgment happens is distinct from reflecting on how judgment is romanticized. Romanticized judgment would signify an unquestioning faith in the body of knowledge where judgments appear to spring from. Judgment happens amidst multiple layers of influence, some of them being a relation to one’s body or a body of knowledge and the ability to translate such a relation into language. The relationship to language is perhaps the *sine qua non* force driving judgments insofar as the character of the relationship discloses the possibilities for expressing judgment.

42 Halbwachs and Coser, *On Collective Memory*. 59
For reference, the two judgments being rendered are dismissal of standing scholarship based on bodily experience and the move to dismiss the students’ position based on experience with a body of scholarship.

Unless otherwise noted, all citations concerning historical usages are derived from the *Oxford English Dictionary*.

This understanding of common sense is drawn from Giambattista Vico’s *New Science*. He argues that “Common Sense is an unreflecting Judgment shared by an entire social order, people, nation, or even all of humankind.” Vico, *New Science: Principles of the New Science Concerning the Common Nature of Nations*, 80.

The plural form has usages dating at least to the 17th Century.

This fluid sense of knowledge is largely dismantled by the late nineteenth century. Following the tide of positivism, the usage of the word takes on the meaning “*knowledge about, knowledge by description*: knowledge of a person, thing, or perception gained through information or facts about it rather than by direct experience.” This usage was opposed to “knowledge of,” which was subsumed by the word “acquaintance.”

*The Matrix* is a science-fiction film set in a post-apocalyptic world where the machines rule the earth. The machine cities draw power from human bodies that reside in metal and glass encasements. The machines determine human consciousness through “the matrix,” which is a computer program that constructs the “real” world that people experience and “live” in. Zion, a city at the center of the Earth, is the human (non-machine controlled) home where people who have literally unplugged themselves from the matrix and their children live. The resistance movement is fronted by a group of flying ships that allow
the humans to hack into the matrix and accomplish tasks, such as locating other potential resistance fighters to unplug. The goal of the resistance movement is to find “the One” who will rise up from the many to free the people enslaved by the machines. Copyright Collection (Library of Congress), The Matrix (1999).

Ray Bradbury’s Fahrenheit 451 draws its name from the temperature at which book-paper catches fire and burns. The science-fiction novel describes a futuristic world where firemen start fires rather than putting them out. The firemen’s arson, legitimated by a totalitarian state, targets books and the people who dare to read them. Bradbury’s firemen do not, however, burn books and the people who read them out of a sadistic desire for control. Rather, they perform their duties to protect, and hence free, the people from the dangers of their own imaginations. The novel traces its protagonist’s, a fireman named Guy Montag, coming-back-to-consciousness beginning when he encounters the idealistic Clarrise McClellan. Her curiosity haunts Montag until he begins reading some of the books he has stolen from previous fires. Montag joins up with Professor Faber and devises a plan to duplicate and distribute a number of books while planting books in firemen’s houses and reporting the firemen so that their possessions will be burned and the whole machinery of censorship will be exposed as corrupt. The fire chief Beatty cuts Montag’s plans short and forces Montag to burn his own home and all of his possessions. Montag turned on the chief when he realized that he was going to be imprisoned as well. In the process, Montag incinerated the chief and knocked out the other two firemen. Montag begins to run but is attacked by a robot dog, which he also incinerates. Pushing the limits of “reality” television, the hunt for Montag is aired live for people to witness
while affirming the righteousness’s of the book ban by rooting for the repressive State’s victory. With Faber’s help, Montag escapes and joins a group of displaced persons doing their part in resisting the State by memorizing books or portions of books to pass on to posterity. The world war begins while people are tuned into the chase for Montag, the displaced people regroup and set out to rebuild the city. Bradbury, *Fahrenheit 451*.  

This point is reflected slightly different in *Fahrenheit 451* and *The Matrix*. The first *Matrix* sets the stage for this narrative when the protagonist, Neo (Keanu Reeves), is taken to see the Oracle for the first time. While in her presence, Neo leads himself to conclude that he is not “the One.” As Neo leaves the meeting, the Oracle offers him advice straight out of the temple of Apollo—”Know Thyself.” Read from this locus, the rest of *The Matrix* trilogy may be summarized similarly to *Fahrenheit 451* as a coming-back-to-consciousness narrative. The viewer who roots for Neo liberating the enslaved masses paradoxically is rooting for the victory of the colonizing god and the bringer of dreams—Apollo. “Free will” is maintained in the narrative world insofar Neo’s function is to clear a space for the possibility of human action where people may choose how to live their lives. Thus, the first film closes with Neo speaking to the machines “I don’t know the future. I didn’t come here to tell you [the machines] how this is going to end. I came here to tell you how it’s going to begin. I’m going to hang up this phone and then I’m going to show these people what you don’t want them to see. I’m going to show them a world without you, a world without rules and controls, without borders or boundaries, a world where anything is possible. Where we go from there is a choice I leave to you.”  

After this pronouncement, Neo hangs up the phone and takes flight like superman over
the city while the song “Wake up” from *Rage Against the Machine* plays in the background. Neo’s goal of exposing the mass enslavement and determining the possibility of free will is not secured until the closing of the third film when “the One” offers himself up as a sacrifice so that a truce may be called between people and the machines.

Bradbury’s text seems to be subtly different. The exiles planning to rebuild the city after the war carry with them the burden of the literature they have memorized. Humanistic education based upon the canon of philosophical and literary masterpieces is the implicit method by which they will rebuild the city. This vision of freedom is made possible only insofar as the people remain indebted to thinkers of the past. With an ambiguous hint of irony, the people who have memorized texts are tellingly referred to as the texts they have memorized. In this sense, the individual has, at least metaphorically, become a representation of the particular text(s) that they have memorized.


51 Ibid., 5.

52 This “imperious wish” should not be mistaken as Nietzsche’s desire. Rather, it is a description of what might best be described as the conceit of philosophy where philosophers near the “imperious wish” by solely affirming their own existence. This translation is amended to show the parallel structure in the Latin. Nietzsche, *Genealogy of Morals*, 108.

Ibid.


Ibid., 73.

Ibid., 5.

This is a normative claim based upon the notion that there is a qualitative difference between the happiness that may be experienced in slavery and happiness that may be experienced outside of bondage. This is clearly a problematic claim insofar as I am not seeking to address what constitutes happiness or what constitutes slavery. Albert Camus’ call for imagining Sisyphus happy despite his having been condemned by the gods to eternally roll a rock to the top of a mountain only to watch it roll back down and begin again. Albert Camus, *The Myth of Sisyphus and Other Essays*, trans. Justin O’Brien, First Vintage International Edition ed. (New York: Vintage Books, 1991), 119-23.

To locate this normative claim solely within Aristotle’s *Politics*, each caste from slave to the rulers were able to experience shares of happiness (eudaimonia). Insofar as the rulers uniquely possessed the virtue of phronesis, that greatest of goods that allows such ideals as the rule of justice, the rulers will always have a greater share of happiness. Their happiness derives first from enacting the virtue of phronesis and then doubly by virtue of the happiness it allows others to realize by restricting them to their proper social positioning. Within Aristotle’s logic, there is no problem or inequity in this structure. That is, as I would have it, the problem.

60 Ibid., 43.

61 Ibid., 40-41.

62 Ibid., 41.

63 Ibid., 41-42.

64 Ibid., 43.

65 Ibid.

66 Ibid., 43-44.

67 If one uses language, it is propositionally impossible for their will to be *truly* free. Language is, as Maurice Halbwachs instructs, the framework of frameworks of memory. It places the range of intelligible human experiences in a non-exhaustive frame, allowing for new experiences and memories, and condemning other potential experiences to a silent ineffability.


69 Desire for free will can be correlated to a desire for particular freedoms. For instance, Mario Savio’s free speech activism hinged upon an description that “America is becoming ever more the utopia of sterilized, automated contentment.” The proposed antidote of freedom of speech is nothing short of a failure of imagination. Left unqualified, free speech can only be thought of as a cure through an admirable yet naïve assumption that people will deliberate themselves into a better democracy [which is the


72 These demands may become misguided if they are rigidly applied in all circumstances. For instance, Thomas Benson’s “Another Shooting in Cowtown” would not be published if its quality were judged based solely upon a straightforward claim, warrant, and support model of argumentation. Had the editor of the Quarterly Journal of Speech not taken a risk in publishing this piece, the discipline would be robbed of one of the most provocative contemporary accounts of power and politics. See: Thomas W. Benson, “Another Shooting in Cowtown,” *Quarterly Journal of Speech* 67 (1981).


74 Ibid., 377b-c.


76 The “living memorial” proposed in 1979 was composed of the four components, all of which have been created: (1) the National Holocaust Museum, (2) an educational foundation, (3) a “Committee on Conscience” to respond to global situations posing
actual or potential threats of genocide, and (4) annual “Days of Remembrance of Victims of the Holocaust.”

Chapter 2

The Sublime Experience of Reason

All genuine historical reflection, instead of losing itself in contemplation of the merely singular and nonrecurrent, must strive, like Goethe, to find those “pregnant” moments in the course of events where, as in focal points, whole series of occurrences are epitomized. In such points, phases of reality that are temporally widely separated become connected and linked for historical conception and understanding.

Ernst Cassirer, Language and Myth

“How are we to judge things if we want to judge them well? Isn't it by experience, reason, and argument? Or could anyone have better criteria than these?”

“How could he?”

Plato, Republic

Remembering Plato in Syracuse

It is strikingly commonplace to note that some of the most profound moments of insight happen in accidental contexts. Nonetheless, the value and force of the questions addressed in this chapter were made explicit through the accidental context provided by my presenting a version of this chapter on a panel of competitively selected papers on
“memory and theory” at the Contesting Public Memories conference at Syracuse University in October 2005. The first panelist began her presentation by announcing herself as a “professional truth teller” out to correct the claim of deception in history education presented in James Loewen’s book *Lies My Teacher Told Me: Everything Your American History Textbook Got Wrong.* The presenter did not seem to have a problem with Loewen’s research, but rather set out to dismiss the very possibility that teachers would lie. Such a belief, she attempted to have her audience know, may be chalked off as dogmatic liberal propaganda. A palpable silence, interrupted only by periodic verbal scoffing, came over the audience as the author offered a sobering reminder that the resources of public memory are integral to the creation and preservation of ideological domination.

This presenter did not assume the ethos of “truth teller” through a rigorous application of method or soundly reasoned argumentation. Instead, she assumed this privileged status by virtue of a professed genealogical connection to early colonizers of America, a demographic connection to majoritarian Christian sects, and a commitment to “traditional” views of truth, value, marriage, and manliness. Through this ethical position—and even supremacist beliefs are an ethic—the author argued that the singular problem in the United States is the existence and affirmation of a multiplicity of public memories. Her contribution to the study of public memory theory was thus the normative claim that a nation well governed should, and indeed must, subject its citizens to a singular public memory disseminated by a majoritarian ruling class. In this transparent variation of the theme “might makes right,” we immediately recognize the resources of memory as the preeminent source of power for achieving and maintaining social control.
Taken at face value, her message is grounds for despair. The rose-wreath crown of “Truth” provided the claim, warrant, and grounds to prove the righteousness of a frontal assault on integral principles of any open democratic society including equality, justice, diversity, plurality, deliberation, and freedom from despotism. How reasonable is a response to her position that duly recognizes her truth as the substratum for racist, sexist, ethnocentric, and homophobic malintent? Is it any less reasonable for her to recognize that the very demands for pluralism would unfairly marginalize majoritarian “truth tellers” such as her? Might one find her position abhorrent while simultaneously recognizing that the position conceals a descriptive “truth” announcing that there is no integrity in the idea of some idealistic democratic agon accessible to all but pre-defined by none? Might the audience’s fifteen minutes of relatively uninterrupted silence attest to both a displeasure with the violence of the scholar’s message as well as a profound fear that her truth may well represent the one that rules the roost?

Though I am used to a bit of discomfort before giving presentations, the uneasiness in my stomach on this occasion had more to do with the realization that my work on fifth century Athens was (and still remains) a direct response to the violence latent in the ideas this scholar made explicit in October of 2005. Indeed, the lessons from this chapter serve as the foil for the developments in the mid 20th to early 21st centuries addressed in this manuscript. In this chapter, I contend that this attitude connecting domination to memory is harbored in the sublime experience of reason testified to in popular expression and achieved in the rhetoric of Plato’s Republic.

My use of the phrase “the sublime experience of reason” has two connotations relevant to this chapter. Discussions of the sublime by scholars in the humanities tend to
be dominated by thinkers including Immanuel Kant, Edmund Burke, and Longinus. Their understandings present the sublime experience as one that inspires awe or terror. The sublime experience then has a recognizable presence regardless of whether the experience is intelligible or understood. That is, the witness of the sublime would be struck with awe or terror when experiencing the sublime, although the experience may forever remain ineffable outside of the affects of awe or terror.

My account of the sublime experience of reason begins at a different starting point by recognizing the sublime as the product of the process of sublimation as discussed in the fields of chemistry and psychology. In chemistry, an element or compound *sublimes* when it makes the transition from a solid into a gaseous state without becoming a liquid. This transition happens metaphorically as a rhetorical discourse becomes increasingly pervasive and the source of its pervasiveness is obscured. That is, at the beginning is a solid and identifiable rhetorical discourse and at the end is the ineffable effect of the rhetorical discourse. For instance, an argument may be said to have been sublimed when it is no longer seen as an argument but rather experienced as truth that, in Nietzsche’s language, seems “solid, canonical, and binding to a nation.” In psychology, sublimation is an ego-defense mechanism involving the redirection of negative drives into positive ones. From a social-psychological standpoint, like the one presented in Sigmund Freud’s *Civilization and its Discontents* and Anna Freud’s *The Ego and the Mechanisms of Defense*, sublimation indicates the redirection of socially unacceptable drives into socially acceptable ones. Those who control the meaning and value of social acceptability do so by directing processes of sublimation and punishing those who do not successfully sublimate socially unacceptable drives.
In presenting Reason as a sublime experience, I contend that the category of reason itself is a product of processes of sublimation. Reason is not sublime because it overwhelms with awe or terror—though it may overwhelm. Rather, reason is sublime insofar as it is all-pervasive. This is a default assumption in the psychological understanding of sublimation since civilization itself rests upon the “reasonable” redirection of drives into that which is socially acceptable. Platonic Reason is an altogether different category. Such Reason, generally set aside by a capital letter to indicate that it is to be thought of as possessing a transhistorical and decontextualized truth value. In this chapter, I contend that Plato’s Republic is designed in part to create this sublime experience of Reason. This implies that Platonic Reason is created not found. It is the product of argument long since obscured, not a presentation of fixed, unchanging, and immutable truth. This chapter shows how Plato’s Republic works to achieve control by the use of naked force and then recasts this violent seizure of social control as reason and justice.

The chapter begins with an examination of a comic featuring a conversation between Plato and Karl Rove. There I discuss the process of recognition and meaning formation that goes into understanding and finding humor in the comic. I then examine the implicit theories of rhetoric in Plato’s Republic, showing how Plato’s text is designed to cast Reason as a sublime experience.
Closure: The Treachery of Memory

On October 29, 2004, Dan Piraro’s nationally syndicated comic Bizarro depicted a satirical conversation between Karl Rove and Plato. Their conversation is set in an open field with relics of the polis visible in the background. They are at a proper distance to be freed from the limitations imposed by political life while still recognizing that their contemplative exchange will have consequences on the city. In the moment offered, Rove is found lounging in the grass with his body propped up on his hands, while Plato, seated on a ruined column, looks down at him. Rove addresses Plato, “But surely you agree that truth can be created by the repetition of a lie.”

Looking at the cartoon, I find myself mapping disdain onto Plato’s face along with a type of cynical seriousness onto Rove’s. Such an attribution cannot, however, be attributed to the explicit content of the comic. The figure representing Plato does not speak. His face is unremarkable, the only detail belonging to the texture of his hair. With a similarly unremarkable visual depiction, Rove’s statement is presented as a simple declarative sentence, not an exclamation or a question. While being faithful to the text, viewers may only infer that the discussion underway has focused on notions of truth and deception.

The interactive quality of the medium of comics puts viewers into a position where they are invited to supply the content and shape of the larger dialogue between Rove and Plato. In Understanding Comics: The Invisible Art, Scott McCloud explains comics as “juxtaposed pictorial and other images in deliberate sequence, intended to convey information and/or to produce an aesthetic response in the viewer.” The single
panel under question does not fit McCloud’s definitional criteria for comics since the isolated image does not create the same psychological effects of time and motion through the juxtaposition of images in deliberate sequences as do sequential comic strips. McCloud notes that the single panel “might also be labeled comics for its juxtaposition of words and pictures.” This additional criterion does more than expand the scope and function of the word “images” in McCloud’s definition. Through this addition, McCloud gestures towards a complex theory of montage that presents meaning as something that happens as juxtaposed images collide in the viewers’ minds.

McCloud announces that “every act committed to paper by the comics artist is aided and abetted by a silent accomplice. An equal partner in crime known as the reader.” In this account, all action within the frame necessarily happens in the mind of the viewer. McCloud discusses this as the phenomenon of “closure.” Closure indicates the reader “observ[es] the parts but perceiv[es] the whole.” Closure happens when the mind supplies missing information so that people may experience a complete world in spite of the limited, fragmented, and incomplete one revealed by our senses. In the case of the Bizarro comic, my mind enacts closure in predictable ways through visual and verbal literacies. Prior to any process of meaning making, I must recognize these markings on a page as humans, trees, grass, buildings, and words. My literacies then instruct me that the words at the top of the frame are spoken (audibly) by the figure to the left, that the words in capital letters at the bottom of the page are names of the people depicted in their respective positions, and that the other words tell me who created this image, when it was created, and where to go for more information (Bizarro.com).
The banality invoked here must not be translated as simplicity obscured by intellectual verbiage. Compressed within the moment of recognition are a multitude of literacies that set into motion a series of judgments necessary before one can even think of attributing meaning to the comic. My experience of the comic is unthinkable, or at least unspeakable, without the instant mobilization of such literacies. Decoding these semiotic markings is only the prerequisite for the possibility of experiencing the text in some meaningful way. In other words, the possibility of meaning is reliant, in the first instance, upon my ability to decode simple semiotic markings. Consequent to this reading is the irrevocable loss of the category of intuition, which is generally understood to be the type of knowledge predicated on immediate, unmediated experience; we will return to this later.

This is not a critique of some type of false consciousness aided and abetted by the duplicitous experience of representational discourses. Ceci n’est pas, “ceci n’est pas une pipe.” In the spirit of cleverness, Rene Magritte’s iconic painting The Treachery of Images (a painting of a pipe announcing itself as not a pipe), calls to consciousness the irreducible differences between things and their representations. While such a critique ostensibly has its uses, it caricatures the representative function of images and language, hence reducing the constitutive role that images and language play in the constitution of the world of human affairs. Hans-Georg Gadamer illustrates this world in Reason in the Age of Science where he explains:

Language is not an instrumental setup, a tool, that we apply, but the element in which we live and which we can never objectify to the extent that it ceases to surround us. This element that surrounds us nevertheless is nothing like an
enclosure from which we could ever strive to escape. The element of language is not a mere empty medium in which one thing or another maybe encountered, it is the quintessence of everything that can encounter us at all. What surrounds us is language as what has been spoken, the universe of language (to legomena). To dwell in language means to be moved in speaking about something and in speaking to someone.15

The ethos [dwelling place] of language, with all the baggage of representation, thus emerges as the basic condition of human life. In Ernst Cassirer’s Language and Myth, “it is the Word, it is language, that really reveals to man that world which is closer to him than any world of natural objects and touches his weal and woe more directly than physical nature. For it is language that makes his existence in a community possible; and only in society, in relation to a ‘Thee,’ can his subjectivity assert itself as a ‘Me.’ . . . it seems to emanate as by reflection.”16 Language, in this account, is not some prison house, nor is it a medium of representation always once removed from the real. Rather, language is irrevocably part of what and who we are and how we come to experience ourselves, each other, and the world.

Magritte’s aesthetic achievement, through the trope of irony, leads viewers to recognize that the painting of a pipe is not a pipe, hence leading viewers toward a judgment concerning the intrinsic failure and inadequacy of representation. The painting of the pipe is something other than the word “pipe,” which is something other than a physical object that the word “pipe” re-presents. If this lesson is internalized, irony may well be dead. Like the theory of meaning making implicit in McCloud’s Understanding Comics, the information conveyed and/or the viewer’s aesthetic response is a form of
Closure influenced by the artist’s deliberate juxtapositioning of image, word, idea, and object. Closure allows viewers to experience the Magritte’s painting, The Treachery of Images, as a unified whole, a discourse amongst juxtaposed images. The sum total of the narrative produces a crude and immobile distinction between deceitful images and true objects. Audiences may relish in their own cleverness, thinking, like Rove, that there are people that believe that the truth of the pipe can be created through the repetition of images [interpreted as lies]. If one were to disagree with such clever characters it is wholly imaginable that their response would be some variation of, “if you believe that language determines reality, try putting your words into the painted pipe and smoke it.”

This series of re-cognitions thereby effects a much darker treachery than it announces on its surface. Its treacherous act dissociates the viewer from the ethos of language and memory, that is, it dissociates the viewer from the ethos of humanness. As the naysayer is apt to point out, even the most staunch relativist or linguistic determinist must eat, drink, breath, and the like. Furthermore, the body’s materiality is recalcitrant in ways that language is not. One may say they can fly by flapping their arms quickly, but “reality” will catch up with them if they test their theory by jumping out of a window. Nonetheless, even in their differences the principle of closure shows that images, words, ideas, and objects are consubstantial, that is they are fundamentally composed of the same substance. Through the principle of closure, the image, word, idea, and object happen with striking similarities and in precisely the same way, as mnêmên, that is as appearing or the passive popping into mind of a memory.

In the context of the Bizzaro comic, the closure allowing for the recognition of the marking on the page as human beings, spoken words, proper names, authors, dates, and
so on does not account for the way in which the comic can produce the apparently desired
effect of laughter. How does a person find this comic funny? What does it mean for a
person to laugh at it? McCloud’s theory of montage cannot explain this, as stated earlier,
since he does not account for the symbolic forces existing prior to and outside of the
semiotic markings on the printed page. What we see happening here is that the
comprehension of the comic lies in a whole series of predispositions towards Plato, truth,
decception, and the like that are instantly mobilized by the experience of the text. In other
words, it is not only in Bizzaro-world that Plato is praised as a champion of Truth and
politecos are branded liars.

What would happen if the stakes were to be raised and the laughter would not be
understood as a harmless jest at Karl Rove’s expense, but rather as a symptom of a much
deeper antipathy towards both rhetoric and truth? Though it should resonate counter
intuitively, we are further distanced from “Truth” when we laugh at the cartoon in the
ethical spirit marked by a fixed dichotomy of philosophy-truth and politics-deception. In this ethic, laughers are invited to recognize “Truth” as the rightful heir to the
philosophical and think about how it can supplant the political. Like Plato, we might long
for an era where kings will become philosophers or philosophers kings. In this schema,
the rhetorical is tantamount to the misguided political, and both are the enemies of
“Truth” and philosophy. Despite the noble intentions implied, when “Truth” or a quasi-
Platonic philosophy emerge victorious, the realm of human affairs does not become any
more or less rhetorical. That the world of human affairs is fundamentally and thoroughly
rhetorical is not an argument nor is it speculation. Denying the omnipresence of rhetoric
in all matters human does not make it go away. What is more is that even the purest
modes of inquiry, whose purity derives from assertions of method and objectivity, will achieve their greatest failures in attempts to provide a non-rhetorical account of such phenomena as justice, freedom, reason, rationality, and equality. While it is possible to deny the value and validity of such a simplistic and accurate descriptive claim, naysayers cannot do so without recourse to the art of rhetoric they desire to deny. To deny the rhetorical, or anything for that matter, without rhetoric is propositionally and practically impossible.\(^{21}\) That does not, however, mean that we have been taught to celebrate or even acknowledge the primal role of the rhetorical in the production and maintenance of cultural and human values and ideals.

**How Justice is Made: Plato’s Implicit Rhetorical Theory**

The previous section of this chapter explained how meaning is produced through the juxtaposition of various contexts against one another. The act of comprehending the comic does not happen in isolation with an audience of individuals each found engaging in some distinct form of an idiosyncratic reading practice.\(^{22}\) Instead, the act of comprehension involves the instant, but often unrecognized, mobilization of particular cultural literacies (in the form of predispositions towards Plato, truth, and deception). In this section, I turn to the foundation of Western political philosophy, Plato’s *Republic*.\(^{23}\) This text, while announcing itself as a meditation on the nature of justice, stands here as the representative anecdote for the ways in which modern man has been systematically stripped of the ethical benefits of rhetorical inquiry.
The Republic is one of the few texts that nearly all Americans with a high school education have encountered, with the “Allegory of the Cave” as the iconic representation of all philosophical inquiry. In my own experiences as an educator, even the students who swear that they have never heard of Plato or read the Republic immediately supply an interpretation of education as the path to Enlightenment with recourse to images from the Cave Allegory. While I will begin with a brief overview of the dialogue in its entirety, my focus here is on how the style of Plato’s text influences readers and how Plato’s text embeds a theory of rhetoric. With this as the backdrop, I turn to the connections between deception, rhetoric, and control as they relate to justice and knowledge in the Republic. During this account, I provide a commentary of the ethics of rhetoric by juxtaposing Plato’s text with Gorgias’s “Encomium of Helen” (as representative of a competing sophistic account of rhetoric and language).

The Republic is a dramatic account of a fictional meeting of a group of men who attempt to understand and define the concept of justice. The story begins with Plato’s characters, Socrates and Glaucon, returning to Athens from a religious ceremony on the Piraeus. While walking, Polemarchus, joined by Adeimantus and others, sends his slave to accost Socrates and Glaucon (Glaucon and Adeimantus are Plato’s brothers). Polemarchus demands that the two stay to talk, promising that they will attend a horse race and festival after dinner. Socrates concedes and the group heads off to Polemarchus’s house where they are met by many others including Polemarchus’s father Cephalus and the sophist Thrasymachus of Chalcedon.

After discussing the relationship between age, wealth, and just actions with Cephalus, Socrates turns the discussion to the meaning of justice which draws the ire of
Thrasymachus. Cephalus leaves the discussion to attend a religious festival and Polemarchus, his son, takes over his argument. During the exchange between Polemarchus and Socrates, Thrasymachus is reportedly growing angry. Socrates reports that Thrasymachus “coiled himself up like a wild beast about to spring, and he hurled himself at us as if to tear us to pieces.” Thrasymachus charges Socrates for questioning others definitions rather than providing his own clear and precise account of justice. Socrates’ responds while “trembling a little,” saying that justice is such a valuable concept that those searching are unlikely to find it and should therefore be “pitied by you clever people rather than given rough treatment.” If the choice of interlocutor was not enough, this exchange indicates that Thrasymachus is to be taken as a representative for the sophists. Here, “you clever people” is a malicious transliteration of Sophist which derives from the Greek word for “wisdom.” Painting him as an uncouth and aggressive bully is then a tactic for disposing readers of the Republic disfavorably towards his character and, by extension, the sophists and the arts of rhetoric.

At this point, Thrasymachus is called forth to give an account of justice himself, which he does only after introducing the most provocative charge against Socrates waged in the text. Socrates reports that Thrasymachus “gave a loud, sarcastic laugh” and then said, “by Heracles, that’s just Socrates’ usual irony.” This charge is of particular interest since “the Greek word eirôneia, unlike its usual translation ‘irony,’ is correctly applied only to someone who intends to deceive. Thus Thrasymachus is not simply accusing Socrates of saying one thing while meaning another; he is accusing him of trying to deceive those present.” Whereas this charge is not dignified with a response, Socrates will have much to say about the use of deception throughout the Republic. After some
hemming and hawing about the penalties or rewards for the one who gives the best account of justice, Thrasymachus offers his account—“justice is nothing other than the advantage of the stronger.”

Socrates and the others do not want to accept this definition, instead setting off on a lengthy discussion ostensibly intent on coming up with an alternative account. While the Republic explicitly announces itself as an attempt to account for the “nature” of justice, the text instead serves up a series of prescriptions on how to produce the perfect city—the kallipolis—that by default would produce perfect justice. In The Open Society and Its Enemies, Volume I: The Spell of Plato, Karl Popper recognizes the kallipolis as being based on Sparta. While this historical analogy is far from the most provocative element of Popper’s work, it stands as a helpful reminder of Plato’s antipathy for Athenian democracy.

As indicated above, the dramatic tension of the Republic is driven by a desire to disprove the account of justice given by Plato’s fictional character Thrasymachus. The italics are a reminder that this particular treatise is a fictional tale written by Plato in reported speech from the point of view of the character Socrates. That is, the story is Plato’s and all narrative action and dialogue in the Republic is presented from the point of view of the character Socrates. At the outset, I will state that the search for Plato’s “true” motives would likely be misguided. Likewise, my work is not motivated by a desire to vindicate the memory of the historical Thrasymachus. Rather, readers of the Republic must remember that the characters in the text are just that, characters created by Plato and given voice by the character “Socrates.” This is a point caught in the preface but subsequently ignored in Allan Bloom’s exemplary yet deeply problematic “Interpretive
Essay” that accompanies his translation of the Republic. With no explicit or implicit attempt to dismiss Bloom’s useful work, I will take him at his word to be a champion of Plato and address his “Interpretive Essay” when relevant.

While the recognition of the role of drama and fictional narrative in Plato’s work is, taken alone, quite simplistic, the interpretive possibilities it opens are neither facile nor without consequence. It seems unimaginable for a great disquiet to emerge from acknowledging the basic fact that the treatise involves a fictional dramatization of opposing positions. However, this acknowledgement has not proven strong enough to foster the type of critical curiosity for readers to question the implied value and integrity of the philosophically true justice over the rhetorically false one. Bloom himself dismisses such a pursuit as fashionable critiques waged by ego-involved youngsters marred by their narrow liberal positions. It seems that, in Bloom’s estimation, inquiry that does not begin with the presumption and end with the proof of inviolable justice would necessarily be considered philosophically untrue and politically liberal. For the moment, let us remind ourselves that Bloom, like Plato, announces his work as the pursuit of truth and justice. What they pronounce and what they perform are, however, quite distinct.

Plato’s political aims take shape in the dramatic tension between a seemingly unethical prescription of perverted human practices of justice (via Thrasymachus) and the semblance of a search for a “true” or “perfect” justice (via Socrates). In other words, Plato sets out to accomplish his political aims by pitting rhetoric versus philosophy. It is not particularly enlightening to point out that Plato both held rhetoric in disdain while, ironically, using it artfully to craft highly stylized rhetorical discourses. Plato himself
provides a questionable defense of rhetoric in his *Phaedrus* where rhetoric is recognized as having a legitimate, albeit merely instrumental, value for dialecticians who employ method to access Truth.  

The first feat accomplished by Socrates, whom Bloom labels as “the protector of justice against a rhetorician,” involves an intervention into childhood education. Plato has Socrates target childhood education because, he argues, “the beginning of any process is most important, especially for anything young and tender” and hence it is “at that time that it is most malleable and takes on any pattern one wishes to impress on it.” As *tabula rasa*, children are then the most susceptible to being programmed. For the moment let us recall the work of the “professional truth teller” in Syracuse who set out to both denounce the idea that teachers could be engaging in deception and affirm the righteousness of her narrow theological-political beliefs. Her beliefs are not unique. In fact, the second book of the *Republic* lays the groundwork for producing such a position. Like the scholar in Syracuse and James Loewen, Plato is intently focused on altering the *paedeia* by making use of the political dimensions of public memorialization, which necessarily involves selecting the narratives to be remembered and those to be forgotten. Thus, Plato has Socrates argue that to create the ideal city:

We must first of all, it seems, supervise the storytellers. We’ll select their stories whenever they are fine or beautiful and reject them when they aren’t. And we’ll persuade nurses and mothers to tell their children the ones we have selected, since they will shape their children’s souls with stories much more than they shape their bodies by handling them.
At this point, the ones who judge which stories are to be told and which are to be silenced are entitled to do so by virtue of their agreement with Socrates. As the story unfolds, this task would be granted to the philosopher-kings.

In addition to censors, those responsible for supervising the storytellers are secret-keepers. In the case that the enlightened come across stories that might be inconvenient or damning to the smooth operation of the state (Socrates cites Hesiod’s account of the patricidal origin myth of the Greek people), they are to pass over them in silence rather than share them with “foolish young people.”

This is to be the case even when the story is known to be true, and “if, for some reason, it has to be told, only a very few people—pledged to secrecy and after sacrificing not just a pig but something great and scarce—should hear it, so that their numbers are kept as small as possible.”

Truthful stories damaging to the state are thus rendered impotent by elites whose sworn secrecy is bound by ritualistic sacrifice.

With such strict control of permissible narratives, the problem of a multiplicity of competing public memories, competing ethical positions, or competing worldviews would wither away. As they wither, the masses are left as spectators given to bear witness to the stories and internalize their moralizing lessons. Read this way, we see the political goal of the Republic as the creation of a society where the leaders rule over people who passively obey. This structure of governance and power is held intact by controlling the resources of public memory. As we shall see in the second chapter of this manuscript, Plato was not far off the mark in his understanding of the centrality of obedience to the human psyche.
The next step for creating the ideal city involves limiting access to both education in and the practice of rhetoric to the city’s elite. They are to use rhetoric as the agency for mendaciously transmitting lies to control the misdirected thoughts and actions of “the people.” “The people,” Plato explains, are those who work with their own hands, “take no part in politics[,] and have few possessions, but, when they are assembled, they are the largest and most powerful class in a democracy.”41 In the Republic, democracy is rated as the second worst constitution of a city, ranking just above tyranny. Plato argues that the misdirected desires of the people inevitably create the conditions for democracy to devolve into tyranny.42

Plato’s Socrates has a psychopharmaceutical plan for delivering the people from the types of conditions in which they could become powerful and deliver themselves into a democratic state. In book three, Socrates notes that “falsehood, though of no use to the gods, is useful to people as a form of drug, clearly we must allow only doctors to use it, not private citizens.”43 This sheds value on the earlier snub where Thrasymachus labeled Socrates a “false witness in arguments,” for the art of rhetoric is here presented as a tool for producing intoxicating deceit.44 Furthermore, “the people” are to be separated from the “tool of rhetoric,” which is relegated to its prescribing (quite literally) doctor. Socrates both increases and clarifies the stakes in book five when he states simply that to found the ideal city [kallipolis], “it looks as though our rulers will have to make considerable use of falsehood and deception for the benefit of those they rule. And we said that all such falsehoods are useful as a form of drug.”45 As with any drug, it is wise to look into the side effects to be sure that the remedy is not worse than the disease.
Such advice may be derived from the sophist Gorgias of Leontini, the historical figure derided in Plato’s *Gorgias*. In the “Encomium of Helen,” Gorgias instructs that “The effect of speech upon the condition of the soul is comparable to the power of drugs over the nature of bodies. For just as different drugs dispel different secretions from the body, and some bring an end to disease and others to life, so also in the case of speeches, some distress, others delight, some cause fear, others make the hearers bold, and some drug and bewitch the soul with an evil kind of persuasion.”46 Far from being just words or *mere* rhetoric, speech is presented here as the precondition for humanness as well as the agency producing and regulatory force governing all experience that matters (materializes and is made significant) in human affairs. Gorgias describes the experience of rhetoric in the following passage: “fearful shuddering and tearful pity and grievous longing come upon its hearers, and at the actions and physical sufferings of others in good fortunes and in evil fortunes, through the agency of words, the soul is wont to experience a suffering of its own.” Thus, the theory of rhetoric embedded in these passages from Gorgias is that the experience of rhetoric is a type of intoxication that delivers a being body into its humanity and its materiality. Without rhetoric there would be no pleasure, no pain, no beings, and no being.

While the theory of rhetoric embedded in Gorgias’s account affirms the world of human affairs as it derives from the fundamental play [freedom]47 of language, the account embedded in Plato’s *Republic* is nothing short of stultifying. The verb “to stultify” carries two valences pertinent to this indictment. At once, his account is designed to make rhetoric appear “nugatory, worthless, or useless.”48 At the same time, the reflexive verb has a legal denotation for “alledg[ing] one’s own insanity in order to
 evade some responsibility.” This acknowledgement comes nine sections before Plato’s Socrates states that the rulers “will then have to use a lot of drugs . . . [meaning] falsehood and deception for the benefit of those they rule.”49 Responding to Glaucon’s avowed promise that Socrates was addressing a friendly audience, Socrates declared: “So I bow to Adrasteia for what I’m going to say, for I suspect that it’s a lesser crime to kill someone involuntarily than to mislead about fine, good, and just institutions. Since it's better to run this risk among enemies than among friends, you've well and truly encouraged me!”51 The danger involves the possibility that Socrates' lack of certainty may lead him into creating a false image of Truth. This danger is rhetorically heightened by the explicit claim that such rhetorical action is worse than involuntary murder.

Despite the gravity of the claim, Plato’s Socrates must have winked as he bowed to Adrasteia. Since Adrasteia is a kind of Nemesis who punishes both pride and proud words, Socrates' bow functions as “a kind of apology for the kind of act or statement that might otherwise spur her to take action.”52 Being far removed from contemporary experience, the section of Plato's Republic containing this gesture may easily be glossed over. It may also be quickly forgotten given that it is buried at the start of Plato's extended defense of sexual equality, polygamy, and the communal rearing of children. Nonetheless, whether lost to omission or consumed by Plato's provocations, it warrants a closer look for the insight it offers into the theory of rhetoric embedded in Plato's Republic.

The key to this passage is not in the gesture of the bow, rather, it is in the moments of laughter and seriousness that follow. Whether it was Socrates’ sentimentality, or perhaps a wink, Glaucon found humor in Socrates’ reverence for
nemesis. Plato reports that “Glaucon laughed and said: Well Socrates, if we suffer from any false note you strike in the argument, we'll release you and absolve you of any guilt as in a homicide case: your hands are clean, and you have not deceived us. So take courage and speak.” While Glaucon’s laughter may have been used as a tactic to soften the force of Socrates’ seriousness, Socrates emerges to control the direction and meaning of the Republic. He does so by instrumentalizing Gorgias's discussion of laughter recorded in Aristotle's Rhetoric. There Aristotle reports that “Gorgias [correctly] said that ‘the opposition’s seriousness is to be demolished by laughter, and laughter by seriousness.’” Socrates demolishes Glaucon’s laughter by repeating his jest in earnest, “I will [take courage and speak], for the law says that someone who kills involuntarily is free of guilt when he’s absolved by the injured party. So it's surely reasonable to think the same is true in my case as well.”

This moment containing the shifts between Socrates’s gesture, Glaucon’s laughter, and Socrates’ seriousness is when the rhetorical action of the Republic is best understood. By implication, the crime that Socrates might commit is murder and his fear is not committing it, but being held responsible for it. It is not Glaucon, per se, that he might be killing. Socrates will not be engaging in the physical destruction of anyone. Rather, he recognizes quite rightly that what he is about to say is aimed at the foundational dispositions of his interlocutors including but not limited to their beliefs in justice. If his speech effectively persuades them, their foundational dispositions will be altered or replaced. Consequently, each will cease to exist as the same person that they were prior to Socrates’s speech. It is not fratricide or coercive force Socrates is about to be guilty of, but rather mnemonocide through the rhetorical action of his arguments.
That is, his arguments are designed to produce memories of “fine” things, which requires the destruction (or displacement) of other memories.

The memory work of Plato’s *Apology* is resonant with this notion of killing memory. Looking at the text as a narrative, Socrates does not physically kill anyone, not even himself. The choice of drinking poison instead of facing banishment is part of the program of producing a particular type of memory of Socrates in the minds of the text’s readers. What makes the *Apology* provocative and has driven its lessons home to readers for more than two millennia is not that Socrates died for “truth,” but rather that he lived on memorialily as a type of evidence for supporting certain philosophical values. Thought of this way, the *Apology* begins with a character charged with being subversive to the Athenian state, its religion, and its youths. It ends with a martyr who witnessed the corruption involved in persuasion and politics and chose death over abandoning truth. Generations that follow are invited to honor his memory, be skeptical of politics, and to hold the value of truth beyond question.57

Perhaps it was the death of the historical Socrates that Plato had in mind when he launched this preemptive defense in the *Republic* with his bow to Adrasteia. In acknowledging the potential to fundamentally alter those on the receiving end of his work of “truth telling” about issues ranging from marriage, to truth, value, and gender roles (like the Professor at the Syracuse conference), Plato’s Socrates is bowing to the combustible potential of memory work. This potential is realized when, after affirming a more integral role for women, Socrates delivers the prescription calling for rulers to use deception to intoxicate the people. When Socrates states “And, we said that all such falsehoods are useful as a form of drug,” Glaucon responds, “And we were right.”58
While the second “useful falsehood” directly follows these lines, let us return to the first “useful falsehood” presented earlier in book three. Socrates asks “How, then, could we devise one of those useful falsehoods we were talking about a while ago, one noble falsehood that would, in the best case, persuade even the rulers, but if that’s not possible, than the others in the city?” Since Plato was Aristotle’s teacher, perhaps what follows is the inspiration behind Aristotle’s doctrine of natural slavery found in his *Politics* and addressed in the introduction of this manuscript. Socrates then begins the “useful falsehood” known as the “myth of the metals.” Socrates begins the myth, announcing that:

I’ll first try to persuade the rulers and the soldiers and then the rest of the city that the upbringing and the education we gave them, and the experiences that went with them, were a sort of dream, that in fact they, themselves, their weapons, and the other craftsmen’s tools were at that time really being fashioned and nurtured inside the earth, and that when the work was completed, the earth, who is their mother, delivered all of them up into the world. Therefore, if anyone attacks the land in which they live, they must plan on its behalf and defend it as their mother and nurse and think of the other citizens as their earthborn brothers.

Glaucon reacts smoothly, telling Socrates that he understands why Socrates was being coy with his falsehood. At this juncture it indeed seems a bit ludicrous that Socrates could imagine achieving success at mass deception by telling his people from the rulers down to the ruled that their whole childhood was a dream masking the reality that they were being cultivated by mother earth. It seems more likely that his people would label him a fool.
While the historical Socrates may have been a type of fool, Plato’s Socrates is not. The story is not to be taken literally, but rather allegorically, which is indicated in the second half of the story. Socrates hastens to add that, while all are brothers, the god who made you mixed some gold into those who are adequately equipped to rule, because they are most valuable. He put silver in those who are auxiliaries and iron and bronze in the farmers and other craftsmen. For the most part you will produce children like yourselves, but, because you are all related, a silver child will occasionally be born from a golden parent, and vice versa, and all the others from each other. So the first and most important command from the god to the rulers is that there is nothing that they must guard better or watch more carefully than the mixture of metals in the souls of the next generation.  

Here we see the truly violent side of the rhetoric of Plato’s Republic in its most shocking form. Rhetoric is understood as the art of deception that uses words (rather than force) to lull the people into a narcotic daze. This psychopharmacutical narrative issues a demand for rigid class distinction from none other than the gods. It is hardly even a step, let alone a leap, to get from this myth to Aristotle’s doctrine of natural slavery that baldly states that the body of the ruler and the body of the slave are innately different.  

Plato recognizes that his aim is not to effect this type of internalizing persuasion on the people of the current generation, but rather on the generations to come. He has Glaucon state that “I can’t see any way to make them [the rulers, soldiers, and rest of the people] believe it [the myth of the metals] themselves, but perhaps there is one [way] in the case of their sons and later generations and all the other people who come after them.” Socrates responds affirmatively with “let’s leave this matter wherever tradition
The combined logic of Glaucon’s observation and Socrates’ advise suggests that the myth of the metals would become a foundational belief as it becomes part of the tradition. Plato further tips the scales of tradition by instilling the fear of producing inferior offspring.

Michel Foucault helps understand the subterranean forces at work in the myth of the metals, which is designed to be internalized by its listeners, who are also the narrative’s enforcers. In *Madness and Civilization: A History of Insanity in the Age of Reason*, Foucault argues that persuasion becomes surrogate for coercion when it begins involving fear responses, namely the fear of transgression. The subjects affected by the myth are given to keep a watchful eye over their society to ensure that the best children are born. In the context of the “liberations” of the asylums by Pinel and Tuke, Foucault argues that “something had been borne, which was no longer repression, but authority.”

In the myth of the metals, the voice of authority resounds from the character of god fabricated by Plato. The myth would be successfully experienced once people develop faith in the belief that people were wrought by god in metals indicating their innate class position. Plato thus fabricated a particular version of god useful for producing and enforcing rigid class distinctions. After generations of successive repetition, people would then experience this god as an extant life-giving entity rather than Plato’s fictive character. As this persuasive discourse is sublimated, it is god, not Plato, that will have commanded that we keep a watchful eye and avoid mixing the metals. Although Plato implies it, Foucault aptly reminds us, that “the executioner must be in the mind of the madman so he understands what universe of judgment he now belongs to” and that the “décor [here the myth of the metals] of justice in all its terror and implacability, will thus
be part of the treatment [the myth as a drug useful for psychopharmaceutical control]." 68

After generations pass and the story (the voice of god or the executioner) is internalized, persuasion no longer needs to be used since it will continue indefinitely in the consciousness of the people affected by the myth. 69

The myth of the metals forces the people into a position where they are more susceptible to Plato’s second “useful falsehood” that forces us to question the value of Plato’s “avant-garde” feminism. Allan Bloom argues that this “Platonic text is now gripping because of its very radical, more than up-to-date treatment of the “gender question.” 70 The relevant passages concerning the equality of the sexes are sandwiched between Socrates’s bow and the prescription calling for rulers to use deception. 71 Indeed, the issue of gender equality is the issue raised directly following Socrates being freed of responsibility for potentially misinforming his friends. While his ideas do, in fact, affirm a type of equality in value across the sexes, Plato is not a viable poster boy for women’s rights. Socrates quickly contextualized the righteousness of the rulers need to use lies and falsehoods as drugs to control the people by referring back to the myth of the metals saying “Well, it seems we were right especially where marriages and the production of children are concerned.” 72 The volatile explanation that follows demands our attention so I’ve reproduced it in large part here:

It follows from our previous agreements, first, that the best men must have sex with the best women as frequently as possible, while the opposite is true of the most inferior men and women, and, second, that if our herd is to be of the highest possible quality, the former’s offspring must be reared but not the latter’s. And this must all be brought about without being noticed by anyone but the rulers, so
that our herd of guardians remains as free of dissention as possible. . . . Therefore certain festivities and sacrifices will be established by law at which we’ll bring the brides and grooms together, and we’ll direct our poets to compose appropriate hymns for the marriages that take place. . . . Then there’ll have to be some sophisticated lotteries introduced, so that at each marriage the inferior people we mentioned will blame luck rather than the rulers when they aren’t chosen. . . And among the other prizes and rewards the young men who are good in war or other things must be given permission to have sex with the women more often, since this will also be a good pretext for having them father as many of the children as possible.  

This passage clearly indicates that the second “useful falsehood” involves rigging a public “marriage” ritual such that those deemed golden are permitted to have a lot of sex and produce a lot of children. The deception involves telling people that luck is to blame when they aren’t one of the lucky breeders—this then is to be thought of as the fault of Hermes (chance) rather than the working of Apollo (colonization). Furthermore, the children of unsanctioned pregnancies are to be killed. On this point, the translators Grube and Reeve note that “there can be no doubt that Plato is recommending infanticide by exposure for these babies, a practice which was quite common in ancient Greece as a method of birth control.”  

All of this is transparently labeled a pretext for letting those men deemed best to have as much sex with the best women as they can.

While the best women are put into a position tantamount to forced pregnancy, they are to accept it as their duty as the most suitable breeding stock in the polis. The best men are likewise to accept this as their duty while their position is tantamount to a mobile
sperm bank. Those deemed unworthy are to curse fate and wait until next time. If they succumb to temptation their offspring will be left in the sun to die. They are, by design, not to question or try to alter the system. Doing so would inaugurate the rise of democracy and the inevitable slippage into tyranny. With this “useful falsehood” in mind, it is striking that Bloom could, with integrity, argue that the “whole Republic represents the triumph of the just speech” and label Plato’s Socrates as the protector of justice against a rhetorician and a champion of women’s rights. It is clear that, while a small number of men and women are granted unprecedented freedoms based on innate strengths, the majority of people, men and women, are held as objects to be deceived such that they remain in the services of the select few. With Bloom as the unwitting effect of the persuasion, we see how Plato achieved control through naked force and his followers (those effected by his memorial discourse) pass it off as liberation.

The product of these deceits is justice, the mode of production is now going to be passed off in the guise of education. Platonic justice, as rendered in the Republic, requires rewriting the stories of the gods, controlling the stories told to children, calling for the rulers to deceive the people, infanticide, marriage of the “best” through a rigged lottery, and the strict upkeep of rigid class distinctions. However baldly these tenets are advanced, the movement of the text invites its readers to experience them as justified and then forget them. Assuming that I identify myself with one of the rulers rather than as a subject living in a state of perpetual deception, I am to be with Socrates when he says “isn’t it also amusing that they consider their worst enemy to be the person who tells them the truth. . .?"
Thus far, my account of Plato’s *Republic* has moved from extra-textual discussions of meaning making and comics to Plato’s implicit rhetorical theory (positing rhetoric as the art of deception and language as a drug to control the masses) that guides the constitution of justice in the *Republic*. With the *Republic* placed in this context, Plato’s infamous “Allegory of the Cave” may be looked at with new eyes. In a sense, the Cave Allegory has been looking through the reading at every precarious turn. Allan Bloom’s introduction to the *Republic* helps explain why:

For students the story of man bound up in the cave and breaking the bonds, moving out and up into the light of the sun, is the most memorable from their encounter with the *Republic*. This is the image of every serious student’s profoundest longing, the longing for liberation from convention in order to live according to nature, and one of the book’s evidently permanent aspects. If this longing is an effect of education, what does this say about the economy of education as a whole? On this point, we need not speculate, but rather look into book seven of the *Republic* and the cave allegory.

The cave analogy is, first and foremost, an attempt to explain the effects of education. Plato introduced the notion of effects of education in book four where he had Socrates establish that “the final outcome of education, I suppose we’d say, is a single newly finished person, who is either good or the opposite.” Socrates harkens back to this in book seven when he introduces the meaning and purpose of the cave allegory:

Next, I said, compare the effects of education and of the lack of it in our nature to an experience like this: Imagine human beings living in an underground, cavelike
dwellng, with an entrance a long way up, which is both open to the light and as wide as the cave itself.\textsuperscript{80}

He continues, describing the humans as living with bindings around their legs and necks so they must remain still and only see that which is placed before them. Behind the troglodytes is a fire providing light and puppeteers plying their craft by carrying around artifacts whose shadows are cast upon the opposite wall. Since the people in the cave cannot turn their heads, they see the handiwork of the puppeteers as shadows in front of them on the wall of the cave. Additionally, they hear the words of the puppeteers not from behind, but as echoes off the cave wall before them. In this condition, the people are given to think that, for instance, a shadow of a human being is a human being and that the voice they hear is emanating from the shadow in front of them rather than the craftsmen behind. Socrates summarizes, “then the prisoners would in every way believe that the truth is nothing other than the shadows of those artifacts.”\textsuperscript{81}

With the scene drawn as such, Plato introduces an act designed to retrospectively justify the use of deceit and lies to control the masses. Socrates asks Glaucon to consider what would “naturally” happen in the case of one being released from bondage and cured of ignorance.\textsuperscript{82} The chosen one is freed and then “suddenly compelled to stand up, turn his head, walk, and look up toward the light.”\textsuperscript{83} Recognizing that the freedman’s eyes would hurt and he would become more disoriented as he realized that what he thought was real was a puppet show.

In Plato’s estimation, people gravitate towards ignorance when given the opportunity, and the select one is no different. Socrates then asks, “What do you think he’d say, if we told him that what he’d seen before was inconsequential, but that now—
because he is a bit closer to the things that are and is turned to the things that are more—he sees more correctly?" Upon hearing that the new worldview is increasingly more accurate, the freedman turns away from the new and unfamiliar sights and flees back to the deceptions he already knew. The select one is not given to freely choose what to know and is thus dragged by someone “away from there by force, up the rough, steep path” and not let go until he is in the sunlight. The freedman then succumbs to a period of optical adjustment, here surrogate for raising oneself through the four conditions of the soul from imagining (eikasia), to belief (pistis), thought (dianoia), and finally, understanding (noêsis). Once he is able to see the sun, not its reflection, he infers and concludes the lessons of the earlier “sun analogy” that “the sun provides the seasons and the years, governs everything in the visible world, and is in some way the cause of all the things that he used to see.”

The former slave, now person of knowledge, returns to the cave and is treated to a bleak scene. We are to imagine that there were contests that gave awards for the ability to correctly identify the shadows on the wall. As the enlightened one plays the game and gives answers that evidence understanding rather than imagining (for instance he says that what he sees is a shadow of a chair rather than a chair), he is ridiculed. The other prisoners would say that he “returned from his upward journey with his eyesight ruined and that it isn’t worthwhile even to try to travel upward.” They up the stakes by declaring that they would kill anyone that tried to free them and lead them upwards. This threat of death is to be taken as a reminder for the “gold” rulers that their lesser subjects both pose a constant threat and that they would freely choose ignorance if it were an option.
In the previous paragraph, we witness the contrasting consciousness of the “person of knowledge” and “slave to illusion.” The understanding of consciousness governing this observation comes from Albert Caums’ “Myth of Sisyphus.” Rather than defining “consciousness” as the physiological and psychological state of being awake or alert, Camus defines the term in a phenomenological way as the direction of attention. This idea and the content of consciousness is captured in the following passage where Camus states:

Thinking is not unifying or making the appearance familiar under the guise of a great principle. Thinking is learning all over again how to see, directing one’s consciousness, making every image a privileged place. In other words, phenomenology declines to explain the world, it wants to be merely a description of actual experience. It confirms absurd thoughts in its initial assertion that there is no truth, but merely truths. From the evening breeze to this hand on my shoulder, everything has its truth. Consciousness illuminates it by paying attention to it. Consciousness does not form the object of its understanding, it merely focuses, it is the act of attention . . . Consciousness suspends in experience the objects of its attention. Through its miracle it isolates them. Henceforth they are beyond all judgments. This is the “intention” that characterizes consciousness. But the word does not imply any idea of finality; it is taken in the sense of “direction:” its only value is topographical.90

The direction of attention, consciousness, is a metaphor for the process by which an individual is wont to recognize and remember particular experiences, which then serve as the substratum for what an individual may think and know.
Consciousness, rendered in Camus’ terms, is precisely the target at which Plato aims his memory work. Education is Plato’s method for altering consciousness, or, in other words, altering the learner’s direction of attention. Plato has Socrates explain that “Education isn’t what some people declare it to be, namely, putting knowledge into souls that lack it, like putting sight into blind eyes.”91 In this schema, “the power to learn is present in everyone’s soul and that the instrument with which each learns it is like an eye that cannot be turned around from darkness to light without turning the whole body.”92 Thus, knowledge is thought to already exist in the soul, leaving the educator to make the individual aware of it. An individual’s capacity to learn would then be limited to the biological differences explained by the “myth of the metals” that correspond to conditions of the soul explained in the line analogy.93 The knowledge of bronze individuals would be limited to condition of the soul expressed by images (eikasia or recognizing shadows on the wall) while gold individuals would be capable of understanding (noësis or comprehending light). In all cases, from bronze to gold, education is thought of as the “craft concerned with doing this very thing, this turning around, and with how the soul can most easily and effectively be made to do it. . . . Education takes for granted that sight is there but that it isn’t turned the right way or looking where it ought to look, and it tries to redirect it appropriately.”94 Thus, Plato sees the work of educators as merely correcting student’s gaze.

What Plato proclaims and what he produces are quite distinct. Rather than merely turning the student’s head, his model of education is designed to alter the fundamental dispositions of his students. The majority of learners are not admitted into the idealized facet of this educational system. The masses are, as with the troglodytes in the cave
allegory, given to a world of shadows structured by “noble lies.” The “proper” redirection of their attention involves a turning away from the desire for political power. The select few, those wrought in gold by god, will be educated differently. Plato charges the founders (including the characters Socrates, Glaucon, and Adeimantus) with the task of compelling “the best natures . . . to make the ascent and see the good.” 95 Once these “best natures” have been properly aligned, they will, “through persuasion or compulsion” be forced to “share with each other the benefits that each class can confer on the community” such that their continued teaching will “bind the city together.” 96 That is, those chosen for education in the “good” will be forced to “teach” everyone else their proper place in society. Such teaching, as we have come to know, will make use of falsehood and deception as a useful drug for keeping the people in line.

While I cannot say with certainty why such a repressive model of education has endured so long with such a positive reception, Plato does give us an idea as to how the “educators” are invited to justify it to themselves. Recall the “professional truth teller” scoffing with disbelief at the idea that teachers would lie. She let out a healthy laugh when I projected Dan Piraro’s comic onto the screen. Rather than beginning with my written words, I asked her why she laughed and what would come next. She explained the basic propositional content of the comic—exclaiming that politics are filled with deceit and Plato would lecture Rove on the origins of Truth and the good. She saw her argument for a singular public memory based on her worldviews as an academic proposition thought to be founded on truth rather than a political one founded on political bias and deceit. Plato was an ally, Rove a liar. Plato’s Socrates is similarly guilty of seducing educators into such a belief:
Similarly with regard to truth, won’t we say that a soul is maimed if it hates a voluntary falsehood, cannot endure to have one in itself, and is greatly angered when it exists in others, but is nonetheless content to accept an involuntary falsehood, isn’t angry when it is caught being ignorant, and bears its lack of learning easily, wallowing in it like a pig? The propositional opposite, the intact soul, would then be one that accepts voluntary falsehoods (noble lies) in themselves and others. That is, the intact soul would focus on the nobility of the “useful falsehoods” told to them throughout their upbringing due to their value in producing the “good” rather than focusing on how such “good” is founded on deception. Focusing one’s direction of attention in such a way is a symptom of possessing the innate capacity for understanding required to be a leader.

Those who criticize this system are deemed unfit for argument due to improper training. In this passage, Plato has Socrates denounce rhetorical education based upon practices such as the dissoi logoi and eristics. These types of education are to be seen as teaching argument for sporting purposes rather than for seeking truth or the good. Plato offers imagined interlocution as an antidote to public argument, saying that it would “bring honor rather than discredit the philosophical way of life.” Thus, one would seek truth by imitating interlocutors and debating with them privately in the confines of their own mind rather than engaging publicly with other “real” people. The products of such interlocution are the good and the truth to be “shared” with the community that the truths are to bind. There is no dialogue in this kallipolis. There is but one agent, philosophy, the philosopher, Plato. The characters do his bidding and impose its goodness and truth on
the people through the agency of deceit. We are to understand this as the triumph of reason. We may ask why, but there is no why here.

The founder, that is Plato engaging in the act of imagined interlocution, acted as “both jury and advocates at once.” They, *that is he*, advocated and judged. What was left was for Plato to call for his founders to

send everyone in the city who is over ten years old into the country... to take possession of the children, who are now free from the ethos of their parents, and bring them up in their own customs and laws, which are the ones we’ve described. This is the quickest and easiest way for the city and the constitution we’ve discussed to be established, become happy, and bring most benefit to the people among whom it’s established.

He was not, in reality, given the chance to displace all but the young children and mold them in this prescribed manner. Nonetheless, this plan exposes the way in which Plato envisioned his educational model working. It works by fundamentally altering each learner’s ethos in a particular way. Some are taught to be bronze—condemned to a life of slaving. Others are raised as if they were gold—given to a life of replicating structures of control for the believed benefit of society. In recognizing “that the beginning of any process is most important, especially for anything young and tender” and hence it is “at that time that it is most malleable and takes on any pattern one wishes to impress on it,” Plato set out on his program of societal control understanding that the entire economy of education works by altering consciousness through changing the direction of attention.

Plato attempted to use this to his advantage by at once pushing his normative prescriptions of what the good city should be like and at the same time condemning an
antidote to his malevolent teachings—an education in rhetoric. In re-experiencing Plato’s *Republic*, we witness the awesome and terrifying potential of the rhetoric of public memory. The sublimated experience of reason may be re-experienced as the sublime experience of reason.

**The Sublime Experience of Reason**

The rhetorical function of Plato’s *Republic* is the production of a specific ethos, which here indicates the dwelling place of cultural ideals. Plato achieved this goal through a carefully crafted narrative designed to dispose its readers negatively towards Thrasymachus (rhetoric) and favorably towards Socrates (a particular rendition of philosophy). I contend that the consequence of this text is not, nor was ever, the production of an ideal city. Rather, the consequence involves a turning away from the productive ethical flexibility of sophistic positions as part of a successive attempt to consolidate power and subjugate the people through language and without the need of coercive violence. It is by limiting and controlling the stories told, the music heard, the instruments played, the food eaten, the education offered, and the possibilities of procreation that social control is achieved and maintained. Such limits are pronounced and control is enacted by the dissemination of narratives—useful lies—upon which everything good and just rests. The most striking element of the text is that this program of achieving and maintaining social control through deceit and manipulation is laid out transparently for every reader to see. What is more striking is that this text has been experienced writ large as a testament to truth and justice rather than as a volatile
handbook that reduces rhetoric to a tool of deceit and manipulation for enslaving people in the name of reason. In Plato’s Republic, social control is achieved by naked force and readers are invited to celebrate it as the triumph of reason. This triumph has become so normalized that Alan Bloom could say, with a good conscience, that the goal of the Republic is every serious student’s most profound longing. Such is the sublime experience of reason.

Let us for the moment recall the Bizarro comic featuring Karl Rove and Plato. With a closer examination of the Republic, it seems abundantly clear that there is no need to see the two characters as fundamentally different. Although this is in no way an endorsement, it is likely that George W. Bush, like Plato, believed that he possesses some type of truth that should be imposed on the people for their own good. To get into a position of power, he employed Karl Rove for his ability to control the ways in which people would come to know, understand, and respond to both Bush and his opponents. In their terms, the 2004 U.S. presidential race offered a choice between “compassionate conservatism” with steadfast leadership and a “flip flopping Massachusetts Liberal.” Long before Rove became an accomplished practitioner of the rhetorical art of campaign management, Plato prescribed the use of deception and lies by rulers in the service of effecting what they believe to be ideal. It is in this sense that Friedrich Nietzsche’s indictment is to be taken to heart—“The workshop where ideals are manufactured—it seems to me it stinks of so many lies.”

Reason, along with truth, certainty, and similar desires, is dangerously seductive. According to our habits of thinking and speaking, reason describes both the animating force and virtue of human affairs. In the first instance, reason is the force that discloses
the truth of the world’s intelligibility—to behold the world is to experience reason. In the second, reason is given to discourse where it is used to predicate attributes of human subjects, for example, “all people are by nature endowed with reason (reasonable),” “she is reasonable,” “he is being unreasonable.” In such instances, the human agent shakes off the semblance of autonomy as the category of reason assumes its place as an attribute of humanity that humanity itself is unthinkable without. In the realm of reason, being bodies come to be human to the extent that they effect or forgo reason in particular cases. To explain the source of such expectations would be to enact the verbal form of the word “to reason.” When reason is used as a verb, it represents the method for disclosing particular aspects of the world’s intelligibility to other beings endowed with reason. The verb, to reason, may best be described as the giving of reasons. Actions are thought to be reasonable when they disclose the world intelligibly. Consequently, actions are deemed unreasonable when they fail to disclose the world in ways deemed intelligible, or reasonable.

Reason becomes ineffable as it is given to not only function as a predicate describing human attributes, rather, it sublimates such that it is experienced as consubstantial with the human subject itself. The force of reason dictates appropriate human actions and judgments as it surrogates for unity of mind, truth, and certainty. The propositional converses to reason, namely madness, deceit, and indeterminacy, are made to express maladies or vices. Reason is made to stand as the indicator for the healthiness or virtue of an individual, society, or even all of humanity. Its opposites are to be understood as sickness and vice. Thus, reason’s seduction is rounded off as reasonable-humans desire to become an expression of the predicates health and virtue. We witness
the volatility of the seduction when, as in the *Republic*, regimes of reason are established before us on a foundation of deceit, manipulation, and control. It is then, after the work of the reason-giving narratives is done (i.e. the myth of the metals, the line analogy, and the cave allegory), *that* Reason is to be experienced intuitively.

It is conceivable that the whole economy of truth and knowledge owes a debt to the ineffability of reason. Reason may only be rendered communicable within the context of an extant category, namely “reason,” known intuitively. Described this way, the force of reason perpetuates its own meaning and value while obscuring its own resolute dynamism and situatedness. Nonetheless, reason must necessarily be considered counter-intuitive since intuition represents that which is known “immediately without the intervention of any reasoning process.”\textsuperscript{106} Far from clarifying matters, reason's recourse to intuition closely guards a conceit central to the experience of reason. Giambattista Vico described this as the “conceit of nations,” which is an inclination that leads all nations, “barbarous or civilized, <to regard> itself as the most ancient, and <believe> that it preserves traditions dating from the beginning of the world.”\textsuperscript{107} When expressed by scholars, the conceit happens when scholars “assert that what they know is as old as the world.”\textsuperscript{108}

In spite of the unity or stability attributed to reason as it is experienced intuitively, that which constitutes reason or what is reasonable varies as widely as do cultural, political, historical, and intellectual commitments and achievements. Even intuition, the embodied proof of reason, is subject to the influence of a “system of symbols that are in perpetual interaction.”\textsuperscript{109} The key to understanding this claim lies in the history of the verb “to intuit,” which may be used to describe the act of tutoring or instructing.\textsuperscript{110} By
this admission, intuition is seen to originate externally in education's organs of articulation. While “education's organs of articulation” are synecdochally expressed through the teacher's voice, the term refers to the sites that education is thought to emerge from as well as the points of articulation where individuals are linked to education. This is to say that intuition is the word used to describe the experience of education after it has successfully been incorporated into individuals.

Individual identity, like reason and intuition, is not an innate phenomenon, but rather the expression of an additional effect of education on memory. The experience of reason as intuition, the experience of intuition as something other than external imposition, and the experience of distinct personal identity require the collapse of distinctions between memories of the teacher's voice and the pupil's intuition. This collapse does not necessarily happen below the radar of consciousness. For instance, Elizabeth Hunt, a senior at the Pennsylvania State University, illustrated this in an editorial where she reflected: “looking back on more than 40 courses and four years of university schooling, I have distinct and permanent imprints in my mind of teachers who will never escape my memory or my praise.” The authorizing voice of this platitude, the “I,” is caught in an irreconcilable quandary. Although the “I” is cognitively aware of the enduring presence of multiple voices directing consciousness, principles of reason and rationality demand that the multiplicity of voices be disavowed.

Just as the social origin of reason is veiled by such righteous categories as truth, certainty, health, and virtue, so too are the social origins of the self. In Remembering: A Phenomenological Study, Edward Casey explains that in the case that an individual's “I” fails to gel into a “single personal identity,” the results can be “dire, resulting in the
pathological condition of ‘multiple personality.’” In Casey’s terms, the observation that the teacher's voice is etched permanently into memory exposes “an inseparable fact about human existence that we are made of our memories: we are what we remember ourselves to be. We cannot dissociate the remembering of our personal past from our present self-identity . . . that sameness of consciousness is established by memory.” Multiple selves inhabit the psyche of the reasonable person and the schizophrenic alike, the key difference being that the latter describes a pathological condition where memory fails to “link the multiple selves of the same person into 'the same consciousness,' that is to say, the same continuously felt personhood.” The goal here is not to enact a benign reversal proclaiming schizophrenics healthy and “reasonable” people sick. Rather it is to show how the experience of personhood is an effect of memory as it functions as a principle of order. The “reasonable” or “sane” person possesses the substratum for an arresting mental illness of “multiple personality” but is able to pass as a singular identity with a singular voice. Furthermore, the sane and reasonable person has recourse to modes of publically acknowledging the multiple voices in their head without being labeled insane or unreasonable—Elizabeth Hunt found the cliché of enduring influence of charismatic educators, Plato found imagined interlocution. In such cases, memory is the force that brings order to the multiplicity of memories (experiences/ teacher’s voices/ interlocutors positions) eternally ensnared in an individual's memory or praise, thereby forming a “self.”

In the Republic of Plato, readers are not treated to the promised discourse on justice. Rather, readers are given the rare opportunity to learn about how persuasion could be made to work against us if we do not adopt the agent-position of critics of
rhetoric. By attending to the rhetoric of Platonic thought emerging with the laughter at Dan Piraro’s comic and to Plato’s proposed methodology for achieving control, we are able to question who we are, who we want to be, and how to get there. By re-experiencing the rhetoric of the *Republic* and focusing on the violent seizure of thought prescribed by Plato, we may stand, as the chosen one freed in the “Cave Allegory,” and ask what we can make outside the spell of Plato. Affirming that the rhetorical is an inextricable part of the world of human affairs is the first step on such a path. With that step, we may recognize that the slave to pure illusion and the slave to pure truth are both slaves.
Notes


4 Nietzsche’s language presents truth as seeming solid. This might suggest that truth is produced by a process of desublimation. This is how I understand Herbert Marcuse’s use of “desublimation” in his manuscript *One-Dimensional Man*. The term “desublimation” there seems to be part of a revolutionary politics of altering the foundation of social forces that have grown too powerful by means of the process of sublimation. If this is the case, the revolutionary subversion of the State is produced by altering the process of sublimation, which itself is an act of sublimation. The passage quoted is further discussed in the introduction of this manuscript. Herbert Marcuse, *One Dimensional Man: Studies in the Ideology of Advanced Industrial Society* (Boston: Beacon Press, 1964), Nietzsche, “On Truth and Lying,” 248, 50.


8. Ibid., 21.

9. This notion of montage as collision is drawn from Sergei Eisenstein’s theories of montage. Eisenstein’s explanation of how meaning is produced through the collision of juxtaposed images may be found at: Sergei Eisenstein, “Cinematographic Principle and the Ideogram,” in *Film Form: Essays in Film Theory* (New York: Harcourt Brace & Company, 1977).


11. Ibid., 63.

12. Visual and verbal literacies are two subcategories of cultural literacies as they are discussed in the introduction to this manuscript.

13. This is not, “This is not a pipe.”

14. “The Treachery of Images” is in the Los Angeles County Museum of Art. This iconic painting has a picture of a pipe with the French sentence, *Ceci n’est pas une pipe* [This is not a pipe].


20 This is only one possible interpretation of what type of ethic laughter betrays. Another potential ethic would be one of resignation where the laughter betrays acceptance of the premise that the political system is wrought with deceit.

21 This does not imply that one must collapse distinctions between persuasion and coercion, solely that rhetoric may only be chided and other learned disciplines elevated through rhetorical means. For a discussion of the difference between persuasion and coercion, see: James R. Andrews, “Confrontation at Columbia: A Case Study in Coercive Rhetoric “ Quarterly Journal of Speech 1 (1969).

22 Idiosyncrasies still abound. The point here is that the idiosyncrasies are dwarfed by the commonalities amongst reading practices shared by people with similar frameworks of knowledge and shared cultural experiences.

Edward Schiappa warns of the dangers of totalizing a sophistic approach to rhetoric when one is more “correctly” accounting for the thoughts of a particular sophist. He labels the product of such an account neo-sophistic rather than sophistic. The label “sophistic” would only be properly drawn out of genre based historical criticism. Instead of reading this warning an movement to label as a denouncement of Poulakos and Whitson’s work on sophistic rhetoric, I suggest reading it as a helpful reminder of the limitations of all genre work. Even those features of a genre that appear to emerge organically, are a product of the time that the critical work is produced. If the genre criticism proves useful, future scholars will revisit, revise, and refine the genre or apply it to supplementary contexts. In the case that Poulakos and Whitson’s work drew most heavily on Gorgias to provide a useful, provocative, and representative understanding of the sophists, then future scholars have both an understanding of the sophists and an opportunity to revise the genre to feature other thematic issues and cover additional thinkers. See: Poulakos, “Toward a Sophistic Definition of Rhetoric.”, Edward Schiappa, “Neo-Sophistic Rhetorical Criticism or the Historical Reconstruction of Sophistic Doctrines?,” *Philosophy & Rhetoric* 23, no. 3 (1990).

Plato’s *Republic* is written in a way that it imitates reported speech arranged as a dialogue. In this analysis, ideas in the discussion will be attributed to the author, Plato, not to the characters in the dialogue. In attributing them to Plato, I do not intend to state
that Plato actually believed these ideas. After closer examination of the Republic, it is hard to imagine that he actually wanted to create this repressive state. Instead, it is far more likely that the text uses dramatic casting of the worst city to show the interlocutors what could happen if they were to adopt a regime of totalitarian control. Theoretical claims drawn from characters in Plato’s Republic will be referred to as Platonic. Additional references to Plato’s Socrates will drop the possessive, while references to the historical Socrates will be marked.

26 Plato, Grube, and Reeve, Republic, 336b.

27 Ibid., 336c.

28 Ibid., 336e.

29 Ibid., 337a.

30 This information is from the translator’s notes. Ibid., 13, footnote 15. They drew their information from: Gregory Vlastos, “Socratic Irony,” The Classical Quarterly 37, no. 1 (1987).

31 Plato’s Thrasymachus first offers this definition of justice as the advantage of the stronger at: Plato, Grube, and Reeve, Republic, 338c. The emphasis is mine.

32 Karl Popper argued that the similarities between Sparta and his ideal city were so close that Plato “became one of the most successful propagators of what I should like to call ‘the Great Myth of Sparta’—the perennial and influential myth of the supremacy of the Spartan way of life.” Karl Raimund Popper, The Open Society and Its Enemies, 2 vols., vol. 1: The Spell of Plato (Princeton, N. J.: Princeton University Press, 1966), 41.
The fact that Bloom ignores the fictive nature of the narrative in his interpretive essay is peculiar given that his initial investment in the *Republic* involved a desire to provide the most literal translation possible. His interpretive work does less to prove the Truth of Plato’s claims about justice than it does to show the influence of Bloom’s political commitments on his critical work. I defer to the Grube and Reeve translation of Plato’s *Republic* primarily due to its wide circulation. Bloom’s interpretive essay still figures in prominently given that he stands as a representative figure for a politically conservative rendering of the truth of the *Republic*. His translation is notable for the emphasis on the literalness of the translation. In every translation, literally carrying over, meanings and expressions necessarily change. With a translation like Bloom’s we may lose some of the play of language, but Greekless readers gain a strong sense of the historical denotations of the original language. See Bloom’s “Interpretive Essay,” at: Plato and Bloom, *The Republic of Plato*, 307-436.

From Bloom’s “Preface to the Second Edition” at: Ibid.


Ibid., 377b-c.

Ibid., 378a.

Ibid.
41 Ibid., 565a.

42 Ibid., 565a-66b.

43 Ibid., 389b.

44 Ibid., 340d.

45 Ibid., 459c.


47 The *Oxford English Dictionary* shows that notion of “play” carries many connotations that complete this sentence adequately, however, the least ambiguous meaning is “free action; freedom, opportunity, or room for action; scope for activity.”

48 Unless otherwise noted, all historical definitions are drawn from the *Oxford English Dictionary*.


50 Glaucon and Adeimantus are Plato’s brothers and central characters in the *Republic*. Ibid., vii.

51 Ibid., 451a-b.

52 See: Ibid., 451a, page 124 footnote 4.

53 Ibid., 451b.

54 Cited in: Diels and Sprague, *The Older Sophists*, 63. The text is excerpted from Aristotle’s *Rhetoric* section 1419b. Geroge Kennedy translates this to read, “As for humor, since it seems to have some use in debate and Gorgias rightly said that one should
spoil the opponents’ seriousness with laughter and their laughter with seriousness.”


59 Ibid., 414b-c.

60 Ibid., 414d-e.

61 One cannot help but to wonder whether John Locke’s argument for the natural value of money in the recoinage debates of 1696 betrayed a commitment to the philosophical position found in Plato’s myth of the metals in addition to a theological position (God made gold valuable). Perhaps the structure of influence works differently with Plato influencing Christianity which then influenced Locke in his assessment of money. For more on the Locke and the 1696 recoinage debates, see: Joyce Oldham Appleby, “Locke, Liberalism and the Natural Law of Money,” *Past and Present*, no. 71 (1976), Plato, Grube, and Reeve, *Republic*, 415a-b.


63 Plato, Grube, and Reeve, *Republic*, 415d.


This sentence is not a commentary on the existence or non-existence of a deity. Rather, this is a characterization of Plato’s work to eliminate undesirable religious narratives while leaving all other questions of religious authority to the Delphic Oracle. Plato’s religious work then proceeded by putting a singular god, namely Apollo, over top of the other gods. Apollo, the shining one, represents the sun and light, which are presented as the highest ideals. Insofar as Plato controlled the pecking order of the gods, sought to censor the narratives of them that could be told, and placed comprehension of the sun/light (Apollo) as the pinnacle of knowledge and justice, he fabricated a character of god.

Foucault, *Madness and Civilization; a History of Insanity in the Age of Reason*, 265.

Foucault argues, “This almost arithmetical obviousness of punishment, repeated as often as necessary, the recognition of transgression by its repression—all this must end in the internalization of the juridical instance, and the birth of remorse in the inmate’s mind: it is only at this point that the judges agree to stop the punishment, certain that it will continue indefinitely in the inmate’s conscience.” Ibid., 267.


One might be tempted to ask whether the sun that kills unwanted infants is the same as the sun that represents Truth.


This question is asked directly before Plato prescribes the Delphic Apollo as the source that will need to be consulted to produce the first laws of the city including the religious rites. The question anticipates the experience described in the cave allegory when the enlightened one returns from the outside world and is spurned by those living in a deceived state. It also seems to indicate a privileging of the Apollonian over the Dionysian that Nietzsche takes issue with in The Birth of Tragedy and Foucault takes issue with in Madness and Civilization. See: Foucault, Madness and Civilization; a History of Insanity in the Age of Reason, Friedrich Wilhelm Nietzsche, The Birth of Tragedy: And the Case of Wagner, trans. Walter Kaufmann, (New York: Vintage Books, 1967), Plato, Grube, and Reeve, Republic, 426a-b.


Plato, Grube, and Reeve, Republic, 425c.
These conditions of the soul come from the “line analogy” in book six. This passage argues that as one nears understanding (\textit{noêsis}), they are closer to the truth. Each of the conditions of the soul is to be understood as a ratio each sharing in clarity to the degree that its subsection is set over shares in truth. Ibid., 509d-11e.

The sun analogy is where Plato has Socrates attempt to answer the question concerning the composition of the good. He answers with a comparison of the good to the sun, effectively indicating the centrality of the Apollonian to the lessons of the \textit{Republic}. The translators Grube and Reeve argue that the sun and line analogy “dramatically portray Plato’s views on knowledge and reality, which, together with his earlier description of the state of philosophy in the actual world, are expressed in some of the most brilliant and passionate writing in all of philosophy.” Ibid., 157. The line analogy is in sections 507a-509c, with the explicit reference to Apollo at 508a.

Camus, \textit{The Myth of Sisyphus and Other Essays}, 43.


Ibid., 518c.

The “myth of the metals” and the line analogy, both addressed earlier, are found respectively at: Ibid., 413b-15e, 509d-11e.

Ibid., 518d.
Ibid., 519c.

Ibid., 519e-20a.

Ibid., 535e.

To Plato, the soul’s capacity for understanding (*noēsis*) is innate, not learned. Ibid., 509d-11e.

Plato’s Socrates argues: “But an older person won’t want to take part in such madness. He’ll imitate someone who is willing to engage in discussion in order to look for the truth, rather than someone who plays at contradiction for sport. He’ll be more sensible himself and will bring honor rather than discredit to the philosophical way of life.” Ibid., 538e-41b.

Ibid., 348b.

Ibid., 540e-41a.

Ibid., 377a-b.

For instance, if one accepts Thrasymachus’s definition of justice as the advantage of the stronger as a descriptive claim concerning how justice is practiced in actually existing communities, it is possible to make arguments concerning how to make way for a more just community without being immediately dismissed as anti-justice. What person or group would be considered “justly” if they wore the label anti-justice on their sleeves? Once justice is seen as fallible and, in some cases, a term used to cover up volatile actions and judgments, a space is cleared for critical inquiry, questioning, and revision. Furthermore, such action could be seen as expected given the inherent fallibility of justice in actually existing communities.
Nietzsche, *Genealogy of Morals*, 47.

In this context, the *Oxford English Dictionary* shows how “reasonable” denotes “endowed with reason.”

The *Oxford English Dictionary* entry for “intuit” contains a quotation from Thomas De Quincey’s writings on rhetoric, “God must see; he must intuit, so to speak; and all truth must reach him simultaneously.”


Ibid., 77.

This is Marc Augé’s rendition of Clifford Geertz’ definition of culture. This particular text is cited since Augé uses it in the context of his discussion of “life as narrative,” where he locates interconnections between memory, forgetting, culture, and mimesis. Marc Augé, *Oblivion* (Minneapolis: University of Minnesota Press, 2004), 30, Clifford Geertz, *The Interpretation of Cultures: Selected Essays* (New York: Basic Books, 1973).

This is from the *Oxford English Dictionary* entry on “intuit.”

“Collapse” is meant to be taken figuratively as it performs the action of in-corporation where foreign matter, the substance of education, is implanted into the student’s body and mind. Two discrete ways of thinking through this collapse involve commencement ceremonies and student grading. Commencement ceremonies ritualize this collapse by acknowledging students’ symbolic liberation from reliance on the institution. As students go forth into the world, whether it is into the next educational plateau, the so called real
world of labor, or any other new life experience, their educational achievement is to be their guide.

Assessments of student work ritualize this collapse insofar as grades are thought to reflect a teacher’s acknowledgment of students’ ability fulfill the teacher’s expectations. Teachers’ assessments are far from solely representing the idiosyncratic expectations of an individual. Instead, a teacher’s expectations are influenced by traditions in education, intellectual disciplines, institutional limits and expectations, cultural constraints, and idiosyncrasies of teachers. Attempts such as those to reduce grade inflation or to standardize grading are best seen as persuasive campaigns designed to transport the will of the institution through the voice of the teacher so that the teacher’s voice will intuit ideals of bureaucracy along with course content.


114 Ibid.

115 Ibid., 291.
Chapter 3

The Politics of Public Memory: Remembering Justice in Narrative Trials of Adolf Eichmann

His deeds are beyond remorse, contrition, or a guilty conscience; they are out of any proportion to any word or concept. This eclipsed person can only become guilty by a verdict. At the same time this may set his halted soul in motion again. It may come as a liberation for him. When he was arrested in Buenos Aires on May 11, 1960, he showed signs of relief.

Harry Mulisch

_Criminal Case 40/61, The Trial of Adolf Eichmann: An Eye Witness Account_, 1963

While the purpose of the trial was to probe into charges against one man, we also wanted to expose the system that had brought that man to a position of power. . . . One of the difficulties of the trial, of course, was to bring the enormity of Eichmann’s and the Nazis’ crimes down to a point where average people could comprehend it.

Gideon Hausner, Prosecuting Attorney in Adolf Eichmann’s Trial

November 19th, 1962
The Capture

On the evening of May 11\textsuperscript{th}, 1960, Ricardo Klement set off for home from his job at the Mercedez-Benz factory in Suarez San Jarosto, Argentina. Ricardo Klement was no ordinary Argentine.\textsuperscript{3} In fact he was no Argentine at all, nor, for that matter, was “Ricardo Klement” the real name of the man heading off to his spartan house on Garibaldi Street in an Argentine suburb. The name this man took derives from “clement,” an adjective that describes a person whose actions are “mild and humane in the exercise of power or authority; merciful, lenient, kindly, towards subjects or those in one’s power.”\textsuperscript{4} The deeds done by this particular man were an affront to his adopted name.

While starting off on the short walk between the bus stop and his house, Klement noticed a strange black sedan with its hood propped open. As Klement continued to walk he put his right hand into his pocket as if he were clutching something.\textsuperscript{5} Little did he know that “those twenty steps were the last he would ever take as a free man.”\textsuperscript{6} Klement was accosted and taken to a white house in a suburb of Buenos Aires. His captors proceeded to examine him to confirm his true identity. They had him undress so that they could examine his left armpit. As they suspected, there was evidence that Klement had attempted crudely to remove a tattoo that once bore the insignia of an SS division and his blood type.\textsuperscript{7} The captors then reportedly put an SS military cap on Klement and compared this new visage to a photo they held. Growing increasingly satisfied, the captors brought in a physician carrying X-ray plates.\textsuperscript{8} The physician felt the captive’s collarbone and skull to confirm that the man before him had suffered fractures in the same places as the ones on the X-ray films.\textsuperscript{9}
“And what was the number of your membership card in the National Socialist Party?”

“889895” was his unhesitating reply.

“When did you come to Argentina?”

“1950.”

“What is your name?”

“Ricardo Klement.”

“Are the scars on your chest from an accident that occurred during the war?”

“Yes” he replied and started to shake all over. Perhaps it had just struck him that he gave himself away when he told his party number.

“So what’s your real name?”

“Otto Heninger,” he said reluctantly.

“Were your SS numbers 45326 and 63752?”

“Yes”

“Then tell me your name!” Kennet ordered.

“My name is Adolf Eichmann.”

And it was, in fact, Adolf Eichmann.

The capture of Adolf Eichmann marked the end of a fifteen year manhunt for one of the most notorious Nazis to have escaped the Nuremberg trials. The capture led many to celebrate the administration of justice. Quentin Reynolds, author of The Minister of Death: The Adolf Eichmann Story, characterized the capture by saying that “the arm of justice reached out and seized him in Buenos Ares, Argentina.” For Isser Harel, author of The House on Garibaldi Street and the head of Israel’s intelligence forces, “the case
was closed when the plane carrying Eichmann landed in Tel Aviv.” However, as the
dramatic capture drifted into the background and a significantly more dramatic trial
drifted to the fore, it is clear that “justice” in the Eichmann case meant and continues to
mean much more than that which can be expressed in a capture, trial, and execution.
Furthermore it becomes apparent that this man, one Adolf Eichmann, was to become an
actor in a drama that he could control only peripherally. Such questions as:

Who is Adolf Eichmann? What is he responsible for or guilty of? How is he to be
remembered? How did he become what he is?
cannot be answered singularly. In fact, the ways in which one responds to such questions
教 us a great deal more about the respondent’s disposition towards justice, judgment,
and human agency than about Eichmann himself.

Chapter 1 established a better understanding of the relationship between memory
and justice—in short, justice is what we remember it to be. There I showed that, in
Plato’s Republic, we learn more about the role persuasion plays in the establishment and
sublimation of reason than we do about ideal justice. With Plato’s Republic as the
representative anecdote for Western conceptualizations of universal justice, I argued that
attempts to render such terms as justice and truth unquestionable and absolute replicate
the logic of “might makes right.” In Plato’s image of the just, might is not primarily
embodied by repressive physical force exercised by the State. Rather, the narratives
disseminated by the philosopher kings are the force generative of the Right. While
narrative is the focal point of power in the Republic, the Right is secured through a
complex series of proscriptions of aesthetic, sensual, and intellectual experiences. Plato’
proscriptions include the elimination of poetry, tragedy, the imitative arts, the majority of
musical rhythms and meters, and the sophists (here surrogate for intellectuals recognizing cultural differences). Nonetheless, it is the narrative that holds most sway. If for nothing else, it is only through narrative that the proscriptions take shape and are disseminated. Sublimation of the narrative assures an endless repetition of Plato’s political philosophy. It is through such sublimation that Plato’s antidemocratic regiment of control is both established and made to be known as just.

It is then through a critical attitude towards and understanding of rhetoric that we are able to better understand and evaluate messages such that we can work to produce and remember justice differently. At the same time, we are able to recognize how rhetorical discourses are designed to influence the ways in which we produce and reproduce conceptualizations of justice that consequently influence the judgments we make. The trial of Adolph Eichmann is a particularly productive site to engage in this discussion since the Israeli government openly discussed what it saw to be the rhetorical functions of the trial, which included the articulation of justice to memory through the heretofore unheard of act of using global mass media to publicize the trial.

After providing a historical overview of the trial of Adolf Eichmann, I analyze the most prominent narrative rendering of the trial: Hannah Arendt’s text *Eichmann in Jerusalem: A Report on the Banality of Evil* (1965). In terms of the scholarship on the Eichmann trial, Arendt’s book stands alone as the singularly most important work on the subject. Although agreement or disagreement with Arendt’s work seems to be pushed to the foreground, all scholars of the Eichmann trial must engage with it. In this chapter, I contend that Arendt offered far more than an understanding of the Eichmann trial in its singularity. Rather, she offered a challenge to scholars to rethink the very grounds of the
problem of justice with attendant conceptualizations of the human subject, agency, and memory.

As a point of comparison to Arendt’s work, I introduce the documentary produced by ABC News Productions for PBS, *The Trial of Adolf Eichmann* (1997). This documentary is a prototypical example of the ways in which most interlocutors approach the Eichmann case. This standard approach offers a fundamentally different understanding of justice, agency, and memory. This documentary offers itself up for this comparison insofar as it specifically positions itself in opposition to the most provocative of Arendt’s claims—that evil is banal. While there are many critical accounts of Arendt, the most recent coming from Holocaust scholar David Cesareni in his book *Becoming Eichmann: Rethinking the Life, Crimes, and Trial of a “Desk Murderer,”* this particular film is presented here because it was designed with a curriculum to be taught in American schools. Its proposed pedagogical function highlights the understanding and problem of justice emerging in Plato’s *Republic*. This documentary presents itself as a descriptive account of how justice was rendered while denouncing the challenges posed by Arendt. In so doing, the documentary is asking its viewers to remember a particular understanding of justice as regards both Arendt and the Eichmann trial. By extension, this memory is to be understood as the foundation on which all justice rests.

I conclude by addressing the consequences posed by the two contradictory Eichmanns—the monster and the bureaucrat. At stake is not the content of the past. It is clear that Eichmann was guilty of crimes against humanity deriving from his role within the Nazi party. His work was instrumental to the implementation of the exportation, concentration, and extermination of millions of innocents including six million Jews.
Eichmann himself did not deny the veracity of the Holocaust or the fact that his actions were integral to the implementation of the “final solution.” He did, however, deny ill sentiment towards those he helped murder, citing the *Führerprinzip* as his defense. The two divergent renderings of Eichmann present him on one hand as a fool following unjust and volatile orders, on the other as the embodiment of evil that relished in the misery and destruction he caused. At stake in these renderings is our very understanding of evil, free will, responsibility, and justice. To further explore the consequences of the opposing characterizations of Eichmann, I turn to the lessons learned during the obedience experiments Stanley Milgram began in response to the Eichmann trial.

**The Public Trials: An Overview**

It was not the criminal proceedings in Israel that demarcate the beginning of the trial of Adolf Eichmann. Rather, the public trials of Adolf Eichmann began on May 23rd, 1960 when Israeli Prime Minister David Ben-Gurion stood before the Israeli Parliament and stated:

I have to inform the Knesset [Parliament] that a short time ago one of the greatest of the Nazi war criminals, Adolf Eichmann, who was responsible together with the Nazi leaders for what they called the final solution of the Jewish question, that is the extermination of 6,000,000 of the Jews of Europe, was discovered by the Israeli security services.¹⁴

Ben-Gurion then reported that “Adolf Eichmann is already under arrest in Israel and will shortly be placed on trial under the terms of the trial of Nazis and their collaborators.”¹⁵
This announcement, gesturing towards the covert operation, was the first guarantee that there would be trials of Adolf Eichmann before the criminal trial concerning his involvement in the Nazi regime. The first set of trials would not involve the guilt of Eichmann, per se. These trials would center on questions of international law, the relationship between Israel and Argentina, and global public attitudes towards the Holocaust.

Just four days following the public announcement of Eichmann’s capture, May 27, 1960, Premier Ben-Gurion made a provocative announcement. On this date, he “promised a ‘show’ trial for Eichmann to give the world the whole story of the Nazi attempt to exterminate European Jews.” Whereas Hannah Arendt discusses the theatrics of the trial in the first chapter of *Eichmann in Jerusalem*, it was Ben-Gurion who laid the foundation for such an understanding. The Israeli newspaper *Davar* published excerpts from a letter written by Ben-Gurion to Parliament member Israel Galili. In the published excerpts, Ben-Gurion presents his case concerning the value of the show trial to three separate audiences that are to see the trial as three separate shows. For Arab countries, and ostensibly for those that support them, Ben-Gurion remarks that those “who plot the destruction of Israel are disciples of the Nazis.” Whereas, as Arendt points out, the connections between some Islamic nations and the Nazis were openly acknowledged, this message works as a bridge to a larger burden that Ben-Gurion was tacking on to the forthcoming trial of Adolf Eichmann—“World public opinion should learn the truth.”

Thus, to this second audience consisting of the world, the truths about to be told were to serve a didactic function for world opinion, informing all about the horrors of the Holocaust. Ben-Gurion envisioned the third audience to be composed of the generations
of Jews born after the Holocaust. To them, he argued that, “the facts should be known and remembered by the youth of Israel, who have grown up and received their education after the Holocaust and only a faint echo of that atrocious crime, unparalleled in history, has reached their ears.” The “show” quality of the trial thus indicates that Ben-Gurion planned to make the trial of Adolf Eichmann into a lesson on the veracity of the Holocaust and the suffering of the Jewish people.

One day after Ben-Gurion’s announcement, the *New York Times* ran an article showing the complex responses of Israelis to the promised “show” trial. In Lawrence Fellows article, “Eichmann’s Trial Worries Israelis,” readers are offered a glimpse into the emotional turmoil that many of the Nazis victims and their kin were experiencing in late May of 1960.20 Fellows describes the “striking similarities” amongst Israeli’s descriptions of their psychological response to the news of Eichmann’s capture, beginning with astonishment and moving through elation and delight into a “satisfaction that ran deeper than a simple desire for revenge.”21 The very thought that Eichmann was going to receive a trial and due process, two basic rights that Eichmann did not confer on his millions of victims, “seemed to be unsurpassable ironic justice.”22 However, as Fellows notes, this satisfaction quickly gave way to doubts and fears of consequences the trial would have at home and abroad; with many fearing that “a long, acrimonious, public trial of Adolf Eichmann would do more harm than good.” The harms feared were related to the potential effect that the story of the Holocaust would have on the children, the potential international ramifications that might occur if the location of the capture of Eichmann were to become known, and repercussions abroad in terms of anti-Semitic attitudes and actions. Fellows reports that a random sampling of opinions from Israelis
showed that “on a matter so charged with emotion, and in many cases so closely connected with tragic personal memory, many Israelis now wish that the agents who tracked Eichmann to his hiding place abroad had murdered him on the spot.” The altering of this desire was one of the most profound consequences of the trial. That which was feared and undesirable—public discussion of the Holocaust—became common practice. After decades, knowledge of the ills of the Holocaust may be tapped into as a resource for engaging in humanitarian actions.

The fears held by many Israelis were warranted. Reports showing that Eichmann was captured in Argentina emerged the same day (May 28, 1960) that Fellows reported on the reactions of Israelis to the unfolding events. The details of the capture were initially viewed skeptically by publics wanting to know what happened, where, and by whom. We retrospectively find that the details first reported were quite accurate in noting that Eichmann was captured on May 11th near Buenos Aires and then held in a house belonging to a Jewish organization before being drugged and smuggled to Israel on an El-Al Airliner initially used to transport an Israeli delegation to Argentina. The report caused quite a stir in the following days as it became increasingly evident that the report was correct. Argentina provided its first response on June 1, 1960. At this stage, Argentine officials merely said that it wanted a response and that if the information coming out concerning Eichmann’s capture in Argentina was true, that the country would make a formal protest to Israel.

The Israeli Government’s official response given on June 6, 1960, set into motion the international dispute many Israelis had feared. The New York Times published commentary on Israel’s response on the front-page and the response from Israeli
Given that Premier Ben-Gurion had originally announced that Eichmann had been found by Israeli security services (announced May 23), it must have seemed quite puzzling that the new official position of Israel was that the state did not originally know where Eichmann was captured and that the investigation, capture, and transportation of Eichmann had been conducted by a “group of volunteers.” At this juncture, the role of official Israeli forces was diminished to having received and taken Eichmann into custody in Israel. The action was thus described as the work of spirited individuals operating alone in the name of justice rather than a violation of international law with one sovereign state violating the rights of another. Furthermore, Israel asked for Argentina to consider Eichmann’s role in the murder of millions of Jewish people and “implore[d] that the fact be contemplated that the volunteers, themselves survivors of the massacre, put this historic mission above any other consideration.” By so doing, Israel was asking Argentina to focus on the symbolic (here rendered as moral and historic) significance of Eichmann rather than dwell on the legal significance of any violations of international law.

The June 6 response by Israel is especially notable for one feature. It contains an unofficial translation of the statement Eichmann is said to have given before leaving Argentina concerning his identity, extradition to Israel, and his fate. With minor variations in translation, this statement is included in many of the works concerning Eichmann. The translation below comes from Attorney General Gideon Hausner, the lead prosecuting attorney in the Adolf Eichmann trial, in his book *Justice in Jerusalem*:
I, the undersigned, Adolf Eichmann, declare of my own free will that, since my true identity has been discovered, I realize that it is futile for me to attempt to go on evading justice. I state that I am prepared to travel to Israel to stand trial in that country before a competent court. I understand that I shall receive legal aid, and I shall endeavor to give a straightforward account of the facts of my last years of service in Germany so that a true picture of the facts may be passed on to future generations. I make this declaration of my own free will. I have been promised nothing, nor have any threats been made against me. I wish at last to achieve inner peace. As I am unable to remember all the details and may be confused about certain facts, I ask to be granted assistance in my endeavors to establish the truth by being given access to documents and evidence.

Buenos Aires, May 1960    (Signed) Adolf Eichmann

Despite there being no evidence contradicting the veracity of his statement, it is striking that the statement Eichmann made while being held captive perfectly mirrored the desired outcomes of the “show” planned by Premier Ben-Gurion. This letter was released by Israel for Argentina’s consideration in hopes that the international dispute could be dropped under the banner of Eichmann’s agential decision to search for truth and inner peace in an Israeli courtroom. The claim of individuated agency and responsibility will resurface in the critiques of Arendt, including PBS’s *The Trial of Adolf Eichmann*. For the moment, I will only remark that the public record testifies that Eichmann began dictating his memoirs concerning his pre-war and wartime activities on Sunday May 29, 1960, just 18 days following his capture in Argentina. Despite having exercised his *free will* by drafting and signing the statement and voluntarily dictating his memoirs in Israel,
Eichmann reportedly bashed his head against his cell wall in an attempt to end his life on June 6, 1960.\textsuperscript{31}

While, through a type of retrospective determinism, we can see that American newspapers were used to convey the false information contained in Israel’s official response to Argentina, the press was also a sounding board for competing sides in the international conflict that followed. Argentine President Arturo Frondizi scrutinized the Israeli response, and then demanded the return of Eichmann to Argentina.\textsuperscript{32} Argentina stipulated that “Israel could then ask his [Eichmann’s] extradition ‘through means contemplated by international law.’”\textsuperscript{33} Looking more closely at the wording of the response, there would have been no way for Israel to legally detain and try Eichmann under the Argentine demands. In the case that Israel sought extradition on the grounds of genocide, Argentina stipulated that Eichmann “must be tried either in Germany, where the crime took place, or before an international court under the terms of the United Nations Convention on Genocide, which both Israel and Argentina have ratified.”\textsuperscript{34} The latter would not allow Ben-Gurion his promised show trial. The former may have allowed another high profile Nazi war criminal to disappear into the Argentine landscape.

This leads to the central legal question for international law posed by the case—where should the trial of Adolf Eichmann be held and what juridical body should oversee the hearings. As early as May 24, 1960, one day after the announcement of Eichmann’s capture, West-German Justice Minister Fritz Schaeffer announced that he would like to see Eichmann tried in West Germany.\textsuperscript{35} However, according to a Foreign Ministry spokesperson, West Germany would not seek extradition citing that West Germany had no extradition treaty with Israel.\textsuperscript{36} This call was echoed by Dr. Nahum Goldmann,
president of both the World Jewish Congress and the World Zionist Organization, on May 31, 1960.\textsuperscript{37} Goldmann suggested to the Israeli government that Eichmann be tried by an international tribunal while simultaneously not questioning Israel’s right to try Eichmann.\textsuperscript{38} Goldmann’s pleas were flatly denied by Premier Ben-Gurion, who used his response to Goldmann as an opportunity for rejecting any criticism of his government’s decision to try Eichmann in Israel as anti-Israeli. Insofar as the prosecution of Eichmann was to be a show in which the Holocaust was put on trial for the sufferings it inflicted on the Jewish people, criticism of the Israeli process was tantamount to dishonoring the Jewish victims of the Holocaust.\textsuperscript{39} It was exceedingly clear that Israel was not planning to hand Eichmann over to anyone and that the very act of suggesting it could be interpreted as anti-Semitic complicity—even in the case of people with such profound commitments to Judaism and Zionism as Dr. Goldmann (and Hannah Arendt).

The next matter to be adjudicated was whether the central issue of the trial was moral or legal. Argentina saw it as legal, hence it notified the United Nations that it would officially bring the case up if Eichmann was not handed over.\textsuperscript{40} The same day, the Associated Press publically released the text of the personal letter Prime Minister Ben-Gurion had sent to President Frondizi on June 10, 1960.\textsuperscript{41} After detailing some of the horrors of the Holocaust and noting how deeply the Jewish people were and are affected by it, Ben-Gurion admitted to formal violations of Argentina’s sovereignty. Ben-Gurion asks for President Frondizi to focus on the moral rather than formal legal issue at hand, noting that Frondizi had himself “fought against dictatorship and [has] constantly shown [his] deep respect for human values.”\textsuperscript{42} Ben-Gurion concluded by calling for Frondizi and
Argentina to associate itself “with all the friends of justice in the world that see in the prosecution of Eichmann in Israel an act of supreme historic justice.”

Argentina didn’t buy it. On June 15, 1960, Argentina filed its formal complaint with the Security Council of the United Nations, stating that the illicit movement of Eichmann produced “an atmosphere of insecurity and mistrust incompatible with the preservation of international law.” Israeli Foreign Minister Golda Meir confirmed that Israel was not going to comply with Argentina’s demands to give back Eichmann until the International Court of Justice decided where his trial should occur. Whereas Frondizi seems to have been genuine and forthright with his concerns of national sovereignty and international law, some of his countrymen used this as a smokescreen to justify latent anti-Semitic bigotry. *The New York Times* reported that there were several isolated cases of anti-Semitic violence being reported in Buenos Aires, Argentina and in Montevideo, Uruguay. The violence in Argentina was strictly symbolic, including graffiti with anti-Jewish slogans and calls for Eichmann’s return. Additionally, fliers were circulated that condemned “Jewish aggression and espionage directed from Israel against Argentina’s sovereignty.” The situation was worse in Montevideo, Uruguay where anti-Semitic violence had erupted over the Eichmann case culminating in terrorists detonating two bombs in a synagogue.

Lest this seem like a finger wagging session aimed at South-American anti-Semitism, it is important to recall that problems were brewing in the United States as well. Before bombs started going off in Uruguay and graffiti started showing up in Buenos Aires, a group of Americans donned swastika armbands and picketed in front of the White House in Washington, D.C. In the United States, the Nazi sympathizers bore
placards with slogans including “Israel Violates International Law” and “Ike—Help Free Eichmann.” What is striking about these signs is the benign quality of the slogans juxtaposed against swastikas, the Nazi war criminal Eichmann, and the horrors they represent.

Although it was at a late hour as regards the history of anti-Semitism, a message was heard. Juan de Onis reported that Argentina took a lesson from the proceedings. He reported on June 19, 1960 that “the first flush of nationalist protest over the disappearance from Argentina of Adolf Eichmann has been followed by a more critical mood asking why the Nazi accused of a key role in the extermination of 6,000,000 Jews was in Argentina at all.” The tone of the discussion changed when the Argentine newspaper La Prensa, noting that the Nazis found refuge in Argentina under the dictator Juan D. Perón, argued that “the fact that Argentina can be ‘pointed out as the country of choice of such human scum’ is something that calls for ‘a reaction by our collective conscience.’” The message was amplified and acted on by June 23, 1960 when Argentina at long last agreed to extradite Auschwitz “physician” Josef Mengele, who had disappeared in the year since Germany filled for his extradition, and Germany arrested former Nazi general and Eichmann associate William Koppe.

The last trial of Adolf Eichmann, aside from his criminal trial, was inaugurated in a message delivered by Premier Ben-Gurion at the Val Duchesse Chateau in Brussels, Belgium on June 21, 1960. Ben-Gurion declared that things would be ok with Argentina so long as it agreed to allow Eichmann to stand trial in Israel. Ben-Gurion then stated that the trial of Eichmann would be a “fair and regular one” with 500 foreign press
correspondents invited to observe the trial. Far from ordinary, the press’s level of access to this criminal trial was heretofore unprecedented.

The next day, Argentine Dr. Mario Amadeo introduced a resolution to the United Nations on behalf of Argentina asking for “adequate reparations.” Israel’s Foreign Minister Golda Meir asked Dr. Amadeo to explain what would constitute “adequate reparations.” By this point in the process, it was clear that Israel would not agree to “reparations” if they included handing over Eichmann to any national or international body. Meir’s defense of Israel during the hearings did not seek to deny the illegality of the actions perpetrated by Israel. Rather, she affirmed the violation of Argentine law while denying the infringement of Argentine sovereignty. More peculiarly, Meir cited testimony from the Nuremberg war crimes trials that detailed “Eichmann’s primary role in carrying out Hitler’s plan for the ‘final solution’ of the Jewish problem.” This account suggests once again that Israel was set on the moral and didactic rather than legal dimensions of juridical action in its plan to try Adolf Eichmann. Without receiving a specific response concerning the meaning of the proposed resolution, Meir insisted that the apologies and regret displayed by Israel for violation of Argentine law should be considered as “adequate reparations.”

The United Nations, adopting the changes suggested by the United States, gave its response in a resolution passed on June 23, 1960. The resolution passed with a unanimous vote of eight of the member states of the U.N. Security Council voting (Poland and the Union of Soviet Socialist Republics abstained). In brief, the resolution declared that Israel’s transportation of Eichmann from Argentina to Israel constituted a violation of Argentina’s sovereignty, a violation of international law, and a threat to
peace and security. In this context, the resolution requested that Israel “make appropriate reparation in accordance with the Charter of the United Nations” and that Argentina and Israel will recommit themselves to the friendly relations they traditionally held.

At first look, this resolution would seem to be a strike against Israel in its plans to try Adolf Eichmann in such a way that world opinion would learn the truth that Israel desired to share. Three elements of the resolution are intriguing on this matter. The first two involve the ambiguities of the issue of “appropriate reparations” and the focus on non-repetition. The shift from “adequate” to “appropriate” indicates that the resolution, while explicitly in favor of Argentina, was not intended to be interpreted as requiring the forfeiture of Eichmann to Argentina, West Germany, or a body of international justice. This shift indicated that the “adequate reparations” called for by Argentina required the forfeiture of Eichmann, but the “appropriate reparations” called for by the United Nations did not. Instead, the United Nations’ resolution called for the two countries together to decide what was an appropriate, or fitting, solution to the problem created by the breach of Argentine sovereignty. Foreign Minister Meir’s suggestion that Israel’s regret and apology should count as the reparation seems to have been introduced into the resolution insofar as the resolution indicates twice that peace and security will have been breached if such actions were to be repeated. This language suggests that the United Nation Security Council’s decision was to consider the violation of Argentine sovereignty settled barring any additional violations.

The third intriguing element of the resolution was how the resolution functioned more broadly as a type of public address involving the United Nations going on record to
denounce the Holocaust. While the resolution notes that “violation of sovereignty is incompatible with the Charter of the United Nations,” it remains “Mindful of the universal condemnation of the persecution of the Jews under the Nazis, and the concerns of people in all countries that Eichmann should be brought to appropriate justice for the crimes of which he is accused.”63 The Security Council is clearly working to negotiate the line between upholding national sovereignty (international law) and condemning Nazism (universal moral precepts). Without the latter act, the actions of the Security Council could be represented as either compassionate or complicit with the genocidal regime.

The United Nations was thus caught in the same dilemma of negotiating between the legal and moral dimensions of the Eichmann case. It is clear that the moral issues won out as the resolution continues by “Noting at the same time that this resolution should in no way be interpreted as condoning the odious crimes of which he is accused.”64 Taken in the context of the resolution’s request for Israel to make “appropriate reparations” to Argentina, these lines implicitly endorse Israel’s right to try Eichmann while acknowledging the illicit nature of such a trial. If this were not the case, the Security Council would have needed to additionally demand the forfeiture of Eichmann so that he might stand trial before a legal international tribunal. Thus, sections of the resolution echo the spirit of Ben-Gurion by emphasizing the moral and symbolic aspects of the Eichmann case rather than the formal legal challenges of the breach of Argentine sovereignty. Seen this way, the trial of Adolf Eichmann before the United Nations Security Council allowed Argentina to save face through a public critique of the illicit actions of the State of Israel.65 At the same time, the most powerful nations in the world
acknowledged the moral lessons involved in the Eichmann case and endorsed Israel’s right to teach them through the proposed trial.

On August 3, 1960, Israel and Argentina issued a joint statement of reconciliation that cleared the way for the commencement of criminal proceedings against Adolf Eichmann. The trial began eight months later on April 11, 1961. This was eleven months to the day after Eichmann was picked up in front of his home in Argentina. He was indicted on fifteen criminal charges including crimes against humanity and crimes against the Jewish race. Eichmann pleaded “not guilty in the sense of the indictment.”

Eichmann’s guilt was not genuinely in question, which rendered the trial’s outcome as a foregone conclusion. It is in this sense of the trial that Eichmann’s mens rea, or lack thereof, did not matter. Mens rea [guilty mind] is a standard element in juridical discourses founded on the demand that actus non facit reum nisi mens sit rea [the act does not make a person guilty unless the mind is also guilty]. Lawrence Douglas makes this point clear in his manuscript The Memory of Judgment: Making Law and History in the Trials of the Holocaust. He states that the “fact that Eichmann was essentially a bureaucrat did not in and of itself present problems to the prosecution’s case. As Hausner argued, ‘A transport official who arranges timetables for transports and trains, knowing that the journey is towards death—he, too, actively assists in the performance of the murder.’ Eichmann knew that death was the consequence of his bureaucratic labors, despite his apparent lack of contrition, remorse, or guilty conscience. Although he was not questioned as to why he did not consider himself to be guilty in the sense of the indictment, one may infer that he understood the indictment to require him to feel contrite for his actions.
Lawrence Douglass was partially correct in noting that Arendt saw Eichmann’s statements as threatening “to undermine the concept of mens rea upon which criminal law remains largely predicated—the idea that all serious criminals have moral knowledge of the illegality of their acts and thus that ‘intent to do wrong is necessary for the commission of a crime.’”69 Douglas notes that Eichmann’s statements concerning his own lack of responsibility centered on the theme of “Kadavergehorsam,” indicating he was “obedient like a cadaver.”70 Such claims, inserted into the defense model of the Führerprinzip [leader principle], are designed to undermine this predicate of criminal law. However, Arendt was calling for something greater with regards to mens res. In her epilogue, she is calling for additional reflection on legal, juridical, and cultural norms by drawing out themes for what could have been. To Arendt, the problem of administrative or bureaucratic genocide is that it produces a new category of the criminal mind that demands both our careful attention, vigilance, and the rethinking of juridical and legal norms. In juridical discourses, Eichmann could be declared guilty (and have mens rea) for having known the consequences of his actions. Hausner made this clear and the court agreed. He knew that atrocities were being committed at the end of his rails. If this knowledge had not proven sufficient for rendering a guilty verdict under juridical precedent, the requirement of mens rea would have needed to be put on trial as well. The fact that it was not put on trial is, Arendt argues, one of the most significant lost opportunities of the Eichmann trial. To this day, scholars attempt to establish Eichmann’s mens rea, which is a notable feature in Holocaust scholar David Cesarani’s Becoming Eichmann: Rethinking the Life, Crimes, and Trial of a “Desk Murderer.”71
Compared to the prosecution, the defense team was quite Spartan. Eichmann was represented by Dr. Robert Servatius, a German lawyer who also took part in the Nuremberg trials. Servatius was not a member of the Nazi party and represented Nazis because of his stated belief that "anyone, regardless of his crimes, should have the proper defense provided for under the law."\textsuperscript{72} He was assisted, in part, by Dieter Wechtenbruch. As noted above, the defense was based on the \textit{Führerprinzip}, a defense made popular at the Nuremberg trials. The central claim of this defense is that the perpetrators were not acting on their own accords, but rather following orders originating with Adolf Hitler.

The prosecutors’ task loomed larger than establishing \textit{mens rea}. They were charged with ensuring the successful dissemination of the moralizing lessons envisioned by Ben-Gurion. The centrality of Eichmann would subsequently have more to do with narrative fidelity than juridical necessity. Gideon Hausner, Israel’s Attorney General, headed the prosecution. He was joined by Deputy State Attorneys Gavriel Bach, Ya’akov Baror, and Zvi Terlo. Jacob Robinson rounded off the group as advisor to the prosecution. Together, these men were the mouthpiece of Premier Ben-Gurion and the State of Israel in the trial.

The trial was heard before three judges according to the laws of the State of Israel. Presiding Judge Moshe Landau was the Supreme Court Justice who was also appointed the President of the Jerusalem District Court. He was joined by Judge Benjamin Halevi and Judge Yitzhak Raveh. The latter two judges both received their doctorates in law from Germany with Halevi graduating \textit{magna cum laude} from the University of Berlin and earning his degrees from both Berlin and Halle. All three judges had emigrated to Palestine before the war had begun.
The trial lasted until August 14, 1961 (about fourteen weeks), included more than 1500 documents, and one hundred witnesses for the prosecution, of whom ninety were Holocaust survivors. Rather than indicting Eichmann for the specific crimes he had committed and assisted, much of the testimony centered on providing an account of the Jewish experience in Nazi Germany including concentration, torture, extermination, and resistance. The prosecution included witness testimony in the form of written depositions from former Nazi officials who refused to travel to Israel for the trial. While the lack of specific legal relevance is widely recognized, this witness testimony collectively remains one of the most moving and powerful memorials to the horrors of Nazism and the Holocaust. While this information was largely irrelevant to the guilty verdict in legal terms, it offered Eichmann’s crimes up as emblematic of a broader context of the Holocaust. It was then as much a moral triumph as a legal decision when the judges found Eichmann guilty on December 11, 1961 and sentenced him to death on December 15, 1961.

Eichmann appealed the case based on the grounds that Israel did not have jurisdiction over the crimes and on the Führerprinzip. His appeals were rejected on May 29, 1962; his petition for mercy was rejected two days later. On June 1, 1962, Eichmann was executed by hanging for crimes against humanity and crimes against the Jewish race.

While the trial was unfolding, the media coverage of the trial helped alter the ways in which public and private discourse concerning the Holocaust could and did occur. Eichmann’s trial was the first trial with live television feeds. This broadcasting reached a global scale. The coverage was part of Ben-Gurion’s strategy for disseminating the moral message of the trial as widely as possible. The media coverage ensured that
while “the declared purpose of the trial was to bring a criminal to justice, […] the trial was also seen as a vehicle for informing public opinion. By recalling the barbaric mass murders engineered by Eichmann and his associates, it would recall to the world the demonic nature of Nazism in particular and anti-Semitism in general, both of which had been countenanced by the German people, and to some extent, by the world at large.”

The practical effect of the trial was the start of a path allowing more open public and private discourses concerning the Holocaust to emerge. Prior to the trial, the Holocaust was a topic that mostly remained silent or was silenced. In the case of the United States, Holocaust scholar Jeffrey Shandler argues that “many Americans may have first heard the word ‘Holocaust’ used to describe this chapter of history during telecasts of the [Eichmann] trial.” In attributing a collective memory to the experience under the term “Holocaust,” the trial worked to instill a moral obligation to remember, with the express demand people remember so that another Holocaust can never happen again. Given the ways in which modern states respond to actual or potential genocides, such as the one currently happening in Darfur, Sudan, it is apparent that this lesson is easier to remember and pronounce than act upon. The next chapter details the work of the Committee on Conscience to turn such an apparently positive use of memory into action. In this chapter, the narrative account of Eichmann presented by Hannah Arendt provides an opportunity to train our critical attention on the most pressing challenges of the Eichmann case. Her account will ask us to remember Eichmann in a particular way due to how such remembrance would guide our understanding of, attitude towards, and practice of justice in the present and future.
Hannah Arendt’s *Eichmann in Jerusalem*: Justice as Agent, Memory, and Performance

Eichmann said he recognized that he had participated in what was perhaps one of the greatest crimes in history, but, he insisted, if he had not done so, his conscience would have bothered him at the time. His conscience and morality were working exactly in reverse. This reversal is precisely the moral collapse that took place in Europe.\(^7^6\)

While Eichmann is an interesting case study in and of himself, Hannah Arendt turned to him not because of his radical individuality. Rather, in Eichmann, Arendt saw a way of understanding how the human condition was shaped in general. In recognizing the darker aspects of the human condition, Arendt was attempting to influence how we present ourselves and carry on with one another in the public realm. Arendt scholar Dana Villa argues that the motto “‘the recovery of the public realm’ captures, more or less adequately, the primary goal of Arendt’s political philosophy and the critical theory of Jürgen Habermas.”\(^7^7\) This analogue brings with it the specters of consensus and legitimation, although Villa goes to great lengths to argue that Arendt (but not Habermas) is more concerned with theorizing an “agonistic political subjectivity.”\(^7^8\) In so doing, Arendt is more closely related to the postmodern theorists (Foucault, Baudrillard, and Lyotard) that are critical of public realm theories, although she laments the losses that they celebrate. Villa concludes that:

Arendt mourns what the postmodern celebrates, the loss of certain ontological dimensions of human existence (action, the shared public world, the self as performance). The postmodern blurring of boundaries, the effacement of any
meaningful distinction between the authentic and the inauthentic—reality and its simulacra—renders the Arendtian idea of the phenomenal integrity of a distinctly political realm simply nostalgic. Arendt chooses, if not to recover the public realm, at least to preserve its memory.  

In choosing to preserve the memory of the public realm, Arendt enacts a “politics of mourning . . . that remembers the res publica” rather than a “politics of parody . . . engaged in the endless subversion of codes.” That is, Arendt’s work is to enact and produce a type of agonistic subjectivity that, through the subversion of codes, works to produce a humane political world.

Seylab Benhabib argues that Arendt has a more nuanced program of action than that which may be implied in preserving the memory of the res publica by a ritual of mourning. Benhabib finds Arendt actively attempting to articulate “the Aristotelian conception of phronesis with the Kantian understanding of judgment as the faculty of ‘enlarged thought’ or ‘representative thinking.’” Citing Christopher Lasch, Benhabib describes Arendt’s vision of politics in the oscillation between two incommensurable conceptualizations of justice: “On the one hand, Arendt’s defense of judgment as the quintessential political virtue seems to lead to an Aristotelian conception of politics as a branch of practical reason. On the other hand, her appeal to Kant as the source of her ideas about judgment appeals to a very different conception of politics, in which political action has to be grounded, not in the practical arts, but in universal moral principles.” The value of Arendt’s political theory rests in holding both positions without reconciling them, which does, however, imply a subtle valorization of the flexibility of practical wisdom over a static program of universal ethics.
To make the position tenable, Arendt’s politics may be better thought of as a politics of memory. Drawing from Friedrich Nietzsche’s *Untimely Meditation* on history, a politics of memory “depends on one’s being able to forget at the right time as well as to remember at the right time; on discerning with strong instinctual feelings when there is a need to feel historically and when unhistorically. Precisely this is the proposition the reader is invited to consider: *the unhistorical and the historical are equally necessary for the health of an individual, a people and a culture.*”

In the proposition offered by Nietzsche, the “unhistorical” may indicate the happening of life, while the historical addresses the lineages of force that shape and constrain the way people act, think, and are. To Arendt, the historical would indicate *phronesis* and the unhistorical would be the universal moral principles.

Memory and history are parallel to the historical and unhistorical in Pierre Nora’s pioneering work on public memory. Nora claims: “Memory is life, always embodied in living societies and as such in permanent evolution, subject to the dialectic of remembering and forgetting, unconscious of the distortions to which it is subject, vulnerable in various ways to appropriation and manipulation, and capable of lying dormant for long periods only to be suddenly reawakened.” Memory is then a set of dynamic and permeable surfaces variously invoked in the happening of life. Nora continues: “History, on the other hand, is the reconstruction, always problematic and incomplete, of what is no longer.” His argument is weakened by its presentation, but his argument might be better read, like Nietzsche’s (who used the Latin cognate *Historie* rather than the German *Geschichtswissenschaft*) and Arendt’s, as against the thoughtlessness provoked when historical thought is believed to be unmediated. This
reading is reflected in Nora’s summary: “Memory is always a phenomenon of the present, a bond tying us to the eternal present; history is a representation of the past.”

Arendt’s politics of memory emphasizes contingency over and against a politics of history based on illusions of universality. Phronesis thereby stands out in Arendt’s work as the primary virtue for judging the value and universality of moral principles. Take for instance her proposal for studying the vita activa:

What I propose in the following is a reconsideration of the human condition from the vantage point of our newest experiences and our most recent fears. This obviously is a matter of thought and thoughtlessness—the heedless recklessness or hopeless confusion or complacent repetition of ‘truths’ which have become trivial and empty—seems to me among the outstanding characteristics of our time. What I propose, therefore, is very simple: it is nothing more than to think what we are doing. Arendt is thus indicting our time as being based on a politics of history that produces thoughtless selves. The stakes here are high given that thoughtlessness is the quality that allows for administrative genocide. In “thinking what we are doing,” Arendt’s politics of memory is then to foster a stronger sense of “action,” which has been disarticulated from human beings, hence forging a thoughtless, inhuman state of affairs. Doing so would require more emphasis on judgment and less emphasis on calculation.

Arendt’s emphasis on judgment in her politics of memory corresponds with her challenge to both the moral category of evil and the inadequacy of criminal courts in adjudicating administrative massacres in Eichmann in Jerusalem: A Report on the Banality of Evil. Any theoretical advancements in Arendt’s text are only to be inferred
insofar as her proposed task was to report the proceedings of a criminal trial that
ostensibly was designed to focus on “the person of the defendant, a man of flesh and
blood with an individual history, with an always unique set of qualities, peculiarities,
behavior patterns and circumstances.” She later assures that “the present report deals
with nothing but the extent to which the court in Jerusalem succeeded in fulfilling the
demands of justice.”

The way that Arendt addresses both the accused and the site of agency in her
postscript is not incidental. The defendant is the human being who was conditioned in
particular ways and performed certain actions that had consequences for which he is
being tried. Portrayed as such, Arendt is inoculating other definitional arguments that
would represent Eichmann as inhuman or a monster. Furthermore, her focus on
behavioral patterns and circumstances subtly suggests that she is not concerned with his
intention or self-perceived guilt, but rather the consequences of his deeds. In legal
discourses, this trajectory of thought suggests that she is performing the rethinking of
mens rea that she cites in her epilogue as one of the central lost opportunities of the trial.

The actions perpetrated by Eichmann’s person need to be adjudicated to fulfill the
demands of justice. The syntax indicates that justice is the lead agential figure in Arendt’s
narrative. Moshe Landau, the presiding judge, serves justice in Beth Hamishpath [the
House of Justice] housed in the forebodingly fortified Beth Ha’am [the House of the
People]. In these embedded houses:

Justice demands that the accused by prosecuted, defended, and judged, and that
all the other questions of seemingly greater import—of “How could it happen?”
and “Why did it happen?,” of “Why the Jews?” and “Why the Germans?,” of
“What was the role of other nations?” and “What was the extent of co-responsibility on the side of the Allies?” of “How could the Jews through their own leaders cooperate in their own destruction?” and “Why did they go to their deaths like lambs to the slaughter?”—be left in abeyance.

It is in that house that justice insists that Adolf Eichmann be tried for “his deeds, not the sufferings of the Jews, not the German people or mankind, not even anti-Semitism and racism.” Justice demands. The justices, prosecution, accused, and witnesses are to obey justice’s demands.

The “House of Justice,” nestled in the “House of the People,” is where Justice will do battle with Prime Minister David Ben-Gurion and the State of Israel’s attempts to use the trial as a public memorial to the trauma forged by the Holocaust. Unlike the judges, the Attorney General Gideon Hausner serves the State of Israel and Mr. Ben-Gurion. Arendt notes the show trial called for by Ben-Gurion required an acute emphasis on all aspects of the acts perpetrated on the victim rather than focusing on the doer. A trial seeks to make the convicted suffer for what they have done, not for the suffering they caused others. Ben-Gurion’s show trial sought to display Eichmann as suffering for the sufferings of the Jewish people. Thus, the State demands a show trial that will perform its proposed moral lesson rather than a legal one.

As the first televised trial, the battle between Justice and the State was brought to the viewers across the globe. Arendt claims that, although the trial was not reduced to a play, “the show Ben-Gurion had had in mind to begin with did take place, or, rather, the ‘lessons’ he thought should be taught to Jews and Gentiles, to Israelis and Arabs, in short, to the whole world.” The four lessons he had in mind targeted different audiences. The
first told non-Jews that Germany was responsible for the murdering of six million people who were chosen to be killed because they were Jews. The second lesson was to remind Jews in the Diaspora that Jews have always met a “hostile world” that could only be responded to in force by virtue of the Jewish State. The third lesson was to remind Jews in Israel to remember the most horrifying aspects epochs in their history lest they lose ties to their own people and their history. The fourth lesson packaged in Ben-Gurion’s desire to draw out other Nazis was that any Nazis found could be tried for their crimes in Israel. This is the only lesson encoded into Ben-Gurion’s show trial that was not met with disappointment.

Arendt then claims that the trial would have to be deemed a failure on most counts if Ben-Gurion’s lessons were the real justifications for Eichmann’s trial. She states that the lesson to the non-Jew world about Anti-Semitism was already temporarily secured by the memory of the Holocaust. Likewise, the lesson to Jews in the Diaspora was not news given that they “hardly needed the great catastrophe in which one-third of their people perished to be convinced of the world’s hostility.”97 Worse yet, Arendt claims that the lesson to the Jews in Israel calling for a stronger “Jewish consciousness” was “ill advised; for a change in this mentality is actually one of the indispensable prerequisites for Israeli statehood, which by definition has made of the Jews a people among peoples, a state among states, depending now on a plurality which no longer permits the age-old and, unfortunately, religiously anchored dichotomy of Jews and Gentiles.”98

Arendt’s criticism of Ben-Gurion and his underling Hausner in her description of the “House of Justice” indicates that her book is putting the trial on trial as the book
enacts itself as a public memorial to something other than the “justice” performed at the Eichmann trial. As such, *Eichmann in Jerusalem* operates on one level as a diagnostic book of the failures of modern legal systems. For justice to be *seen*, the legal system required Eichmann to *feel* guilty for fifteen counts of his actions before the law, to which he pleaded: “not guilty in the sense of the indictment,” although no one bothered to ask Eichmann what sense he was guilty in.\(^99\) The judges and prosecution were busy asking the accused and the myriad witnesses why they did not protest, which “actually served as a smoke screen for the question that, much to Arendt’s chagrin, was not asked: why did you cooperate?\(^100\)

The memorial function of her story operates by systematically working through the question of cooperation from a position resigning to the idea that resistance is futile, to the idea that levels of cooperation varyingly debase the value of humanity. Besides being ill-informed or uninformed about the realities of the Nazi collaborators intentions for the Jews, the public memories of anti-Nazi rebels being tortured to death diminished the possibilities for resistance. Arendt reminds her readers: “There exist many things considerably worse than death, and the S.S. saw to it that none of them was ever very far away from their victims’ minds and imaginations.”\(^101\)

This did not, however, justify the level of cooperation given people in privileged positions that believed. Arendt levels the critique that, “*to a Jew* this role of the Jewish leaders in the destruction of their own people is undoubtedly the darkest chapter of the whole story.”\(^102\) I emphasized the specific audience for Arendt’s claim because it indicates that there may be multiple “darkest chapters” catered to publics variously defined. Her claim is not structured to indicate that the Jewish leadership or the Jewish
people were to blame for the Holocaust, but it does indicate that their actions had consequences that contributed to the effectiveness of the attempted *mnemonocide*. The primary claim making Arendt a target for virulent public critique was her untimely unwillingness to admonish the Jewish Councils of their responsibility: “The whole truth was that if the Jewish people had really been unorganized and leaderless, there would have been chaos and plenty of misery but the total number of victims would hardly have been between four and a half and six million people.”

The explosion of the moral categories of guilt and responsibility making every other responsible for every other other lays the foundation for pronouncing that evil is banal. Arendt claims that she dwells so long on the role of the Jewish Councils in the Final Solution because “it offers the most striking insight into the totality of the moral collapse the Nazis caused in respectable European society—not only in Germany but in almost all countries, not among the perpetrators but also among the victims.” For the Jewish victims, “the acceptance of privileged categories” such as German Jews as against foreign Jews “had been the beginning of the moral collapse of respectable Jewish society.”

Our version of “evil” does not account for what Eichmann did because he didn’t mean to do any evil and saying that he should have known better only begs the question. It is rather the administrative system that banishes particulars and particularity in favor of universality that needs to be questioned. This can be seen in Eichmann’s watered down version of Kantianism that allows for acts of evil without intention that ethical systems of our time cannot deal with. Eichmann’s version of the categorical imperative reads that “my will must always be such that it can become the principles of general laws,” which
was warped by the Third Reich to mean “act in such a way that the Führer, if he knew your action, would approve it.”

The Nazi machinery therefore couched duty in the language of universality, because at that level it was strictly formal and the content could easily drop out. The form of universality was expressed deontologically, do your duty. The content—do not kill—could drop calling followers to simply do their duty without asking questions. Kant’s notion that goodness is in intentions rather than consequences was then used to avert peoples’ thoughts from the consequences of their actions. The popular form of Kantianism that emerges from this tells people, always do your duty and if you do, you are good. These lessons were circulated through language rules and Himmler’s watchwords that allowed what would normally be seen as unethical to be accepted as one’s duty. Arendt cites the language rule that replaced the verb “to murder” with the verbal phrase “to grant a mercy death” as a prime example of the effectiveness of this phenomenon because of its “decisive effect on the mentality of the killers.”

The judges were unable to adjudicate the crime on the terms that it offered and instead proceeded to “fall back on an unequivocal voice of [universal] conscience” that “not only begs the question,” but “signifies a deliberate refusal to take notice of the central moral, legal, and political phenomena of our century.” This signified a failure of the judges’ imaginations “for the sad and very uncomfortable truth of the matter probably was that it was not his fanaticism but his very conscience that prompted Eichmann to adopt his uncompromising attitude during the last year of the war.”

Arendt further contends that in the Third Reich, evil was no longer a source of temptation, rather, “an overwhelming majority of them [Germans], must have been
tempted not to murder, not to rob, not to let their neighbors go off to their doom, ... and not to become accomplices in all these crimes by benefiting from them. But, God knows, they had learned to resist temptation."110

Thus far there are two competing perspectives on justice in the Arendt’s repetition of Adolf Eichmann’s trial. On the one hand is the judges’ explicit claim that justice is an ideal that they are serving. In this perspective, the image of justice is a powerful lord whose precedents must be obeyed even in this unprecedented case. Eichmann must be tried and punished retributively to restore the balance of justice’s scales. This ideal sense of serving justice ought not take into account the sufferings of those victimized or the consequences of the actions unless they are directly implicated in the intentions of the doer—Eichmann. On the other hand there is Mr. Ben-Gurion’s message that we need to use institutions that have the power of law as the staging grounds for serving history: “For it was history that, as far as the prosecution was concerned, stood at the center of the trial. ‘It is not an individual that is in the dock at this historic trial, and not the Nazi regime alone, but anti-Semitism throughout history.’”111 Arendt relocates this perspective in the inherent wills of the judges by rewriting their sentence to enact their claim that “justice must not only be done but must be seen to be done.”112

Justice emerges as a concept similar to the one pronounced by Plato’s Thrasymachus and, upon our re-experiencing, performed by Plato’s Socrates in the Republic. However, instead of justice being rendered as the will of the stronger, it here stands for an idea produced through interpretations of cultural performance. Hence, in Arendt’s terms, as an abstract concept, justice does not admit to the level of universality. Rather, justice may be made to seem universal through the repetitive performance of
similar renderings of justice. In the case of Adolf Eichmann, the courtroom, or “house of justice” is the stage, and periodicals, televisions, manuscripts, and other publication outlets are the outlet for the performance of justice. Justice is effected by the stories of the trial that are in circulation. The effect, here meaning a particular memory of justice that guides actions, thoughts, beliefs, and values, is not produced each time anew. As a fundamental concept for the governance of societies, the historical uses and understandings of justice are wrapped up into the term such that it operates as a type of agential force. Justice, as an agent, issues a series of demands governing issues including how the performers are allowed to interact on the stage, how the accused feels, and the motivations of the prosecutors.

While in modern societies, the production of “justice” is not as straight forward as imposing one’s individual will, it still remains that only a select few that have ready access to the channels of publicity needed to influence the production of such a foundational memory on a large scale. In this trial, Prime Minister David Ben-Gurion, through Attorney General Gideon Hausner, was able to influence how justice will come to meaning. He did so to produce a dynamic pedagogical program that would “teach” a number of lessons tailor made for groups including Jews in Israel, Jews in the Diaspora, anti-Semites, and foreigners. By giving the press such unprecedented access to the trial, including the rights of live television broadcasting, Ben-Gurion assured that this lesson would reach millions upon millions of people the world over. He influenced the content of the trial in numerous ways, including hundreds of hours of witness testimony for the prosecution detailing the history of the Holocaust. While the survivor testimony was both deeply moving and immensely important for the historical record, both Arendt and the
presiding judges noted that it had little, if anything, to do with Eichmann's responsibility. It did, however, have everything to do with shaping the contours of “justice” as a memory designated to influence the actions and judgments of its rememberers.

While Ben-Gurion did not physically force a new memory upon publics, nor was the content of this lesson altogether negative, the trial itself shows how the concept of justice is produced and distributed. Furthermore, Arendt reminds her readers of how any and all productions necessarily close off other possibilities of understanding how justice operates. Arendt finds the trial of Eichmann to be a sobering call for action insofar as she sees how the production of “justice” systematically dissociates people from the central challenges to justice, the public realm, and humanity itself that are posed by the Holocaust. In remembering Eichmann as the monster, in tying his actions to the history of the Holocaust in ways extraneous to the type of functionary work he conducted, in demanding that the accused feel guilty for the suffering that his actions produced—Arendt notes that we are asked to see ourselves as better, or at least fundamentally different than him. Instead, Arendt’s call for memory—for remembering Eichmann, for remembering the role of the Jewish Councils, and for remembering the successive developments of thoughtlessness within and without totalitarian states—is a call to consciousness where people become aware of the possibility that all people have the potential for becoming accomplices to all too human acts of horror. Furthermore, it might be the very idea of “justice,” or closely related ideas of “duty,” “responsibility,” “pride,” or “national honor” that allows people to commit such acts.

Arendt’s provocative and challenging approach to remembering Eichmann and, by extension, re-experiencing justice is widely criticized. For instance, The Trial of Adolf
Eichmann, produced by ABC News Production for PBS, contrasts Arendt’s Eichmann in
Jerusalem by offering an alternative rendering of the trial and the lessons to be derived
from it. The documentary is noteworthy for its common rendering of the trial and its
meaning. The documentary allies itself with scholarly work decrying Arendt. It is a
prototypical recounting of the Eichmann trial designed for a mass audience. What is more
interesting is that a set of pedagogical tools for teaching the film were produced alongside
it and housed on PBS’s homepage. These tools suggest that this film was designed to
disseminate more than a historical account of the events. The central ethical claims in this
text are that evil is radical and that the responsibility for evil resides primarily in the
individual.

In the notes on making the documentary, the filmmakers state that Eichmann’s
“performance in the glass booth caused the coining of the famous phrase ‘the banality of
evil’ by the writer Hannah Arendt, but Eichmann’s testimony was far more nuanced
[than] that popularly accepted observation.”¹¹⁴ This indicates that the banality of evil was
not a radical claim on the part of Arendt, but rather a popular and overly simplistic
observation. The “more nuanced” resignation pronounced by the judges, Ben-Gurion, and
the documentary alike was that

Justice can and must be delivered to the perpetrators, if for no other reason than to
not dishonor the victims or ourselves. More importantly, it is our duty to publicly
affirm loud and clear that killing is wrong and that individuals are responsible for
their choice to participate. It might prevent a future Eichmann or two, despite the
evidence which sadly, disputes this wish. What else can we do?¹¹⁵
Furthermore, the judgment interprets Eichmann’s actions as testimony that he is something other than human, and thus trying (and executing him) “will serve as both lessons about and deterrents against future bestial behavior.”

Quite unlike Arendt’s account, the PBS documentary, *The Trial of Adolf Eichmann*, presents a portrait of Eichmann as a cold calculating killer, as a monstrous inhuman aberration, as evil. He was a leader who used his position to misinform people as part of the genocidal program. He was marked by a sense of ill-will towards the Jews and others whom he helped systematically slaughter. Rather than a career bureaucrat blindly obeying authority, the film presents him as a close adherent and believer in Nazi ideology who sought to be the best desk murderer, not the best office tool. In this documentary, not only is Eichmann a monster, “evil” is represented as a characteristic limited to those that are monstrous. In this schema, individuals are to be seen as and held responsible for atrocities such as the Holocaust. On a positive note, the lesson isn’t that the German people, writ large, should be treated as guilty. On a negative note, it allows viewers to dissociate themselves from the rituals of victimization that they might be engaging in on a day to day basis.

In sum, *The Trial of Adolf Eichmann* paints a picture of Eichmann as a monster. He is to be remembered as a cold and calculating killer who committed acts of evil in the name of an ideology he held dear. His capture, trial, and execution are to be remembered as the working of justice. This memorial to justice is to be interpreted as living proof that individuals are responsible for acts of evil and can be punished for their deeds and intentions. Normal people, it would seem, cannot and do not do evil. This perspective repeats a dichotomizing moral valuation that splits the world into good and evil premised
on the assumption that universal ethical systems are necessary and possible in the modern era.

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**All Too Human Monstrosities: The Bureaucrat and the Obedient**

Following Eichmann’s execution by hanging, his body was cremated and his ashes were strewn into the sea. There were two expressed purposes for this action, the first being to avoid tainting Israeli soil. The second reason was so that there could not be a memorial erected to Eichmann. While I do not intend to speculate on how or whether the “soil” of a country could be tainted, the issue of memorialization deserves pause. There is no question as to whether Eichmann has been memorialized. The publicity of the trial ensured that since the 500 foreign correspondents made Eichmann a household name worldwide. The relevant question involves the consequences of particular forms of remembering Eichmann. This chapter, itself a type of memorial of Eichmann, presented contrasting narratives of the trials of Adolf Eichmann that instruct readers and viewers on how to remember Eichmann, his deeds, and his trial. Consequently, these narratives instruct their readers and viewers on the meaning and demands of justice. To draw this chapter to a close, I summarize the consequences of remembering Eichmann in the way Arendt suggests, with an emphasis on the practical ethical lessons learned from the most famous social-psychological response to the Eichmann trial—the obedience experiments of Stanley Milgram.

In Arendt’s *Eichmann in Jerusalem: A Report on the Banality of Evil*, we are offered the image of a bureaucrat who serves as a cog in a murderous machine. In this
account we learn that hands farthest away from the actual torture and killing share the responsibility for the crimes. We are shown how they often bear the lion’s share of the responsibility. In the case of administrative genocide, normally benign acts like managing inventory and keeping schedules are articulated to the deportation, concentration, and extermination of people. The office bureaucrat need not (although they may well) harbor any resentment, hatred, or any other form of ill-will to serve a function that endorses and enables atrocities. For the Eichmann case, Arendt instructs about the irrelevance of Eichmann’s desires or motives. The consequences of his bureaucratic leadership will not change if it is discovered that he was or was not anti-Semitic. He is no more or less guilty if he is found to have ill sentiments or warm regards for the six million Jews and millions of others whose trip to the camps and gas chambers he facilitated. In the case that he did not have ill-sentiments, as Arendt argues, we are met with what is perhaps the most frightening portrait of the human condition—the banality of evil—here meaning the simple fact that one can, without ill-will, criminal intent, or “evil” disposition, play a major role in torture, murder, genocide, and other crimes against humanity. If we come to the trial looking for a monster, there is no monster more frightening than the banal bureaucrat.

At the same time, we learn from Arendt that complicity lubricates the wheels of the machine. Without complicity, as was in the case of Denmark, genocide is unlikely, if not, impossible. This lesson suggests that not only did those Nazis involved in the “final solution” share in the responsibility, so too did all of humanity capable of doing something to end the atrocity. The category of responsibility is exploded such that all are responsible for modern mass atrocities. Responsibility rests not in one’s inability to resist,
but rather in one’s direct or indirect complicity with murderous campaigns. Rather than being the source for phenomena such as “liberal guilt,” this lesson hinges on a demand for articulating our understanding of justice to normative demands for ethical or moral judgment and action. Following Arendt’s lessons, such judgments can not rest on claims of abstract universality. Rather, they must be built upon the dialogic activities of people acting together in an agonistic public realm. If this is not the case, narratives like “justice” are presupposed and given to act and think instead of us. Even if we would judge the actions and thoughts produced by a particular instantiation of justice to be fair or meritorious, the method of getting there is precisely the same as the one produced by the totalitarian state that gave the world the death camps.

In sum, Arendt paints a picture of Eichmann as the bureaucrat and Eichmann as the fool. He had the capacity for coldness and cruelty, but, at the end of the day, was an office functionary and social climber who followed orders. He was still guilty. In Arendt’s re-rendering of the court’s decision, she states that he should hang not because of his intentions or motives but because, by doing what he did, he proved himself unfit to live amongst humans. Arendt’s judgment, like the brand of justice called for by Ben-Gurion, is not based upon legal precedent or Eichmann’s guilty mind (mens rea). Her judgment is delivered from a position of moral authority arrived at by using phronesis to negotiate universal moral principles.

With the trial of Adolf Eichmann underway in Jerusalem, social-psychologist Stanley Milgram began the experiment that made him infamous. For what were called the obedience, or obedience to authority experiments, Milgram set out to test whether otherwise normal people would do horrible things when commanded by an authority
figure. His tests were thereby designed to create an experimental condition capable of
testing the *Führerprinzip* used by Nazi criminals at the Nuremberg trials and at the trial
of Eichmann. In fact, Gordon. W. Allport spoke of the experimental paradigm as the
“Eichmann experiment.”\textsuperscript{121} Milgram notes that, while an adequate and appropriate
description of part of the purpose and accomplishments of the study, the findings are not
in any way limited to understanding Nazism and the Holocaust. He adds, “for the studies
are principally concerned with the ordinary and routine destruction carried out by
everyday people following orders.”\textsuperscript{122}

The four experimental conditions of the initial experiment shared the same basic
elements. My description is limited to the second experimental condition, portions of
which can be viewed in, *Obedience*, a short documentary of the actual experiment
produced by Stanley Milgram.\textsuperscript{123} Participants in the study, drawn from responses to a
newspaper advertisement and direct mail fliers, came to the laboratory under the pretext
of a memory experiment. At the laboratory, they met two confederates, the “scientist” in
a grey lab coat, and a fellow participant in a nondescript suit. The real and the
confederate participants were told that the experiment they were participating in
concerned the effectiveness of punishment for learning. They then chose a slip of paper
that indicated whether they were the “teacher” or the “learner.” The game was rigged.
Both papers said “teacher,” only the real participant would announce his role and the
confederate would announce himself as the “learner.” The learner was then put into a
room in isolation, strapped into a chair to avoid “excessive movements,” and rigged to a
device that ostensibly delivered electric shocks.
The experiment was then explained as consisting of a lesson involving a list of word pairs, such as “blue box, nice day, wild duck.” The teacher then read one of the words followed by a list of four potential pairs for that word, “Blue: sky, ink, box, lamp.” The learner was to select the correct answer and press a button corresponding to the correct answer. In the case of an incorrect answer, the teacher was to administer an electric shock of increasing voltage before proceeding. Upon hearing this, the confederate (learner) voiced a set of serious reservations he had about the potential effects of electric shocks on a heart condition he suffers from. Of course, we outsiders know that there were no real shocks delivered and that the confederate did not have a heart condition, but the researcher responded in character saying that the shocks might be painful but are not dangerous.

The subject/teacher was accompanied by the researcher in the lab coat to an adjoining room that included the controls of the shocking device. The teacher was given a test shock of 45 volts to indicate what the learner/victim would feel. The teacher was then instructed to begin the lesson, shocking the learner/victim at increasing intensities with each wrong answer. The “shock” levels increased at 15 volt intervals from 15 to 450, with labels ranging from “slight” to, “moderate,” “strong,” “very strong,” intense,” “extremely intense,” “Danger: severe shock,” and “XXX.” At intervals pre-selected by Milgram, the voice of the learner/victim, pre-recorded on a reel-to-reel, is heard through the wall. At 150 volts the situation sounds grim with the learner screaming “get me out of here, I told you I have heart trouble!” At 195 volts the victim repeatedly screams “let me out of here!” At 330 volts, the learner turned victim screams violently and protests that the researchers have no right to hold him there against his will. At 345 volts, the
screaming stops. The obedient twenty-five (out of forty) subjects who continued to the maximum level of shock heard nothing more from their victim for the duration of the experiment.

Milgram’s conclusions remain shocking to this day, and have been replicated to include contemporary American citizens. Milgram summarized his laboratory findings and put them into context of other historical cases of involving atrocities committed by Americans:

The results, as seen and felt in the laboratory, are to this author disturbing. They raise the possibility that human nature, or—more specifically—the kind of character produced in American democratic society, cannot be counted on to insulate its citizens from brutality and inhuman treatment at the direction of a malevolent authority. A substantial proportion of people do what they are told to do, irrespective of the content of the act and without limitations of conscience, so long as they perceive that the command comes from a legitimate authority.

In the film, Obedience, Milgram adds that “If in this study, an anonymous experimenter could successfully command adults to subdue a 50 year old man and force on him painful electric shocks against his protests, one can only wonder what government, with vastly greater authority and prestige, can command of its subjects.” Milgram indicates that the findings shore up a horrible potential of human beings. It is not a latent “evil,” but rather a misguided human virtue of obedience, whether it be doing what one is told or doing one’s duty, that clears the space for man’s inhumanity towards man.

Milgram explicitly articulated the lessons of his study to the case of Adolf Eichmann. Milgram notes that the societal complexities involved in the Holocaust make
it “psychologically easy to ignore responsibility when one is only an intermediate link in a chain of evil action but is far removed from the final consequences of the action.” In the case of Eichmann, Milgram observes that even he “was sickened when he toured the concentration camps, but to participate in mass murder he only had to sit at his desk and shuffle papers.” The people closer to or committing the actual murder justify their actions not through distance but rather on the basis of their deference to authority.

It is in this schema that Milgram recognizes the “evil” of modern societies, in that “there is a fragmentation of the total human act; no one man decides to carry out the evil act and is confronted with its consequences. The person who assumes full responsibility for the act has evaporated.” Thus, Milgram arrived at the same conclusion through experimentation that Arendt did through trial reportage—mens rea needs to be rethought to accurately reflect and respond to the character of modern crimes.

Only through a gross reduction of the lesson should Milgram’s observations be codified into a fear of a “postmodern” critique of the groundlessness of such foundational concepts as reason, justice, or even evil. Instead, Milgram’s observations are a call to action where interlocutors are invited to recognize how collective forces, including but not limited to governments, generate such foundational concepts to influence public memory or a social consciousness to achieve particular ends. It is not that individuals no longer bear responsibility for their deeds. Rather, in modern societies, one need not be a sadistic or evil to commit deeds with horrible consequences. One may do such “evil” while firmly believing that they unquestionably are a responsible person, model citizen, or good patriot.
It is here that Milgram makes his explicit connection to Hanna Arendt’s book *Eichmann in Jerusalem*. From his obedience experiments and his critical approach to her manuscript, Milgram finds that:

Arendt contended that the prosecution’s effort to depict Eichmann as a sadistic monster was fundamentally wrong, that he came closer to being an uninspired bureaucrat who simply sat at his desk and did his job. For asserting these views, Arendt became the object of considerable scorn, even calumny. Somehow, it was felt that the monstrous deeds carried out by Eichmann required a brutal, twisted, and sadistic personality, evil incarnate. After witnessing hundreds of ordinary people submit to the authority in our experiments, I must conclude that Arendt’s conception of the *banality of evil* comes closer to the truth than one might dare to imagine. The ordinary person who shocked the victim did so out of a sense of obligation—a conception of his duties as a subject—and not from any peculiarly aggressive tendencies.\(^{132}\)

So individuals may be found guilty, but in cases such as administration of genocide, their guilt need not lie in their motivations or intentions. As such, punishing the individual does little to either alter, restore, or even address the justice breeched by their actions. Individuals are found guilty of their actions and punished, as Arendt suggests, when we perform rituals of memory in a normative moral dimension. Justice is applied, but not thought through or necessarily altered. To encounter the Eichmann case in such a way that would reflect an Arendtian form of justice would require a critical encounter with the society that generated the individual Eichmann by effecting a total collapse of its previously affirmed moral principles. To do so well, the Nazi state and the individual
must not be written off as an aberrant caricature of a society gone wrong. Rather, justice will be done to this memory when we encounter the history of the Holocaust and its practitioners and recognize in it that “fearsome, word-and-thought-defying banality of evil.” In remembering this history, we are invited to see reflected not only what we may become, but what we are doing.
Notes


4 Historical definitions are drawn from the *Oxford English Dictionary*. Duden’s *Herkunftswörterbuch* (German etymological dictionary) shows the movement from Clement to Klement in the German language in the entry for “Klementine.”


7 Reynolds notes that “It had been a custom for each SS commander to have the insignia of his organization and his blood type tattooed in the left armpit.” Ibid., 6.

8 Reynolds account indicates that the man carrying the X-ray plates used his “trained physician’s fingers” to examine Klement. Ibid.
This exchange is only illustrative. Each account differs concerning the precise language used during the interrogation and the time at which the interrogation occurred. For matters concerning the capture, the account by Isser Harel is authoritative. In addition to heading the Eichmann operation, Harel was the top intelligence official in charge of Mossad and Shabak, Israel’s intelligence services. Harel and Shpiro, *The House on Garibaldi Street*, 166-67.

Reynolds’ book is based on the research done by Israeli journalists Ephraim Katz and Zwy Aldouby. They are listed as coauthors, although the preface indicates single authorship based upon materials provided by Aldouby and Katz. Reynolds, *Minister of Death: The Adolf Eichmann Story*, vi.


Ibid.


New York Times, “‘Show’ Trial Promised.”
19 Arendt notes that Newspapers in Beirut, Damascus, Jordan, and Cairo were openly sympathizing with Eichmann and regretting that he “had not finished the job.” Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil*, 9.


21 Ibid.

22 Ibid.

23 Ibid.


25 Ibid.


28 *New York Times*, “Israeli Note to Argentina on Eichmann.”

I, the signer below, Adolf Eichmann, declare by my own will: Since my true identity is known, I realize that it makes no sense to continue hiding from justice. I declare that I am disposed to travel to Israel to present myself there before a competent tribunal. I understand that I will receive legal help and I will do all possible to express without adornment the facts of my last years of service in Germany in order that a true picture of the facts be transmitted to future generations. I make this declaration by my own will. I have not been promised anything nor have I been threatened. I wish to attain at last my peace of mind (or internal peace). Since I do not recall the details and also I confuse some things, I ask that I be helped by putting at my disposition documents and testimonies in my determination to find the truth.

(Signed) Adolf Eichmann

New York Times, “Israeli Note to Argentina on Eichmann.”


33 Ibid.

34 Ibid.


36 Ibid.

38 Ibid.

39 Ibid.


42 Ibid.

43 Ibid.


45 Ibid., 1, 8.


47 Ibid.

48 A third bomb detonated in the homes of the terrorists, killing one and wounding two.

Ibid.


51 Translated and cited in: Ibid.


53 Ibid. What is unthinkable is the amount of journalists invited to the trial, not necessarily the idea that the trial could be fair.

Ibid.

Ibid., 4.

Ibid.

Ibid.


Ibid.

Ibid.

Ibid.

Ibid

The emphasis is in the original. Ibid

The emphasis is in the original. Ibid.


A joint draft was approved on July 28, 1960. The statement was official on August 3rd. See: New York Times, “Israel and Argentina Heal Rift on Eichmann,” *New York Times*,
July 29 1960, New York Times, “Israel, Argentina Declare Nazi Case a Closed Incident,”


71 See: Cesarani, *Becoming Eichmann: Rethinking the Life, Crimes, and Trial of A “Desk Murderer”*.


Dagme Barnouw argued that this was the “conventional wisdom,” of the trial and that such conventional wisdom was decidedly contra-Arendt. See: Dagme Barnouw, “The Secularity of Evil: Hannah Arendt and the Eichmann Controversy,” *Modern Judaism* 3, no. 1 (1983): 77. The quotation was originally drawn from the following: Charles Y. Glock et al., *The Apathetic Majority: A Study Based on Public Responses to the Eichmann Trial*, (New York: Harper & Row, 1966), 1.


Ibid.

Ibid.: 719.

Ibid.


Ibid.
For Arendt, the separation of these two would spell disaster, especially in the modern reduction of the universal to formulaic knowledge: “If it should turn out to be true that knowledge (in the modern sense of know-how) and thought have parted company for good then we would indeed become the helpless slaves, not so much of our machines as of our know-how, thoughtless creatures at the mercy of every gadget which is technically possible, no matter how murderous it is.” Arendt, *The Human Condition*, 3.


Ibid., 298.

Arendt describes the House of the People as “surrounded by high fences, guarded from roof to cellar by heavily armed police, and with a row of wooden barracks in which all comers are expertly frisked.” Ibid., 4.

Ibid., 5.

Ibid.

Ibid., 9.
Fittingly, Arendt notes that the American broadcast was sponsored by the Glickman Corporation and included commercial advertising. Ibid., 5.

Ibid., 9.

Ibid., 10.

Ibid., 11.

Ibid., 21.

Ibid., 124.

Ibid., 12.

My emphasis: Ibid., 117.

Ibid., 125.

Ibid., 125-26.

This passage stands in stark contradistinction to the critique of Arendt waged by Cesarani. Ibid., 131.

Ibid., 136.

Ibid., 108. It is important to notice that the content of this claim may be stripped of its context and applied to other political positions. This can be seen strikingly in the rhetoric used by anti-choice and anti-euthanasia advocates. The analogue advanced by such advocates is that the consequences of euthanasia or abortion are in the same family as the consequences of murder (or genocide as in the case of the most extreme anti-choice positions). Such advocates would charge pro-choice and euthanasia advocates with replacing the word “murder” with “choice.”

Ibid., 148.
A detractor to this statement might use examples of the private sphere as evidence of exceptions. Take for instance a family where the parents have the ability to met out punishments and rewards as they see fit in the raising of their children. While such punishments and rewards reflect the sense of justice shared by the parents and influence the formation of their children’s understanding of justice, the scale of influence is highly limited.

The matter becomes interesting on a larger scale when, for instance, punishments meted out for bad behavior are found to be relatively standard across many families. For example, when a small child is misbehaving, parents might use a “time-out,” which involves removing the child from the offensive situation and having them sit quietly for a period of time. In so doing, the parent is teaching the child how to sublimate their desire to misbehave by instead engaging in a period of quiet contemplation. While suitable for children, a “time-out” would seem like a type of ridicule if applied to the misbehavior of a teenager. To punish adolescents, parents might “ground” them, take away cell-phones, or temporarily deny access to the family car. For adolescents, the lesson concerning justice has moved from the sublimation of harmful desires to the retributive act of losing rights and privileges. At the same time, the punishment indicates that justice is restored by successfully undergoing a period of punishment. In both of these cases, the given
punishment are more or less uniform in the designated lessons to be learned concerning justice.

114 This is available on the following website archived by http://www.archive.org. The original site was taken out of circulation on or about November 2, 2004. PBS Online, *Eichmann Tape Odyssey: Making the Documentary* (November 2, 2004) Accessed on April 20 2008. Available at:

115 Ibid.

116 Ibid.

117 On the subject of memorializing Eichmann, it seems fair to say that if an individual or group was looking for a hero to help glorify traces of an anti-Semitic and/or Nazi past, the monstrous and calculating killer would be a better hero than a fool and a bureaucrat. In this case, Arendt’s depiction might be more successful at keeping Eichmann from becoming memorialized than scattering his ashes into the sea ever could. Nonetheless, the stakes here are much higher.

118 Denmark was invaded on April 9, 1940 and quickly fell to the Nazis. In 1943, the Nazis came after the Danish Jews but were met with a nationwide resistance including people from all walks of life and all religions. In October of 1943, 7220, Jews left Denmark on fishing boats with the help of the police and coast guard. 464 Jews, including many poor families, the elderly, and the disabled, were left behind and deported to Theresienstadt. The Danish government demanded reports on its citizens that were deported and was eventually granted a special visit by the Red Cross to Theresienstadt.
Despite the Nazis creating an elaborate hoax to cover up the atrocities, only 51 of Denmark’s deported Jews died. The reasons given for this remarkable resistance of the Nazis genocidal campaigns seems to lie solely in a sense of mutual respect for Jews as citizens of Denmark and an unwillingness to be complicit in acts of state violence.


119 This notion of liberal guilt is drawn from the work of Edwin Black. See: Black, “The Second Persona.”


122 Ibid.

123 All information included here is drawn from Stanley Milgram’s aforementioned manuscript *Obedience to Authority: An Experimental View* and his film *Obedience*. The experimental conditions controlled for proximity of the teacher to the learner. In condition 1, the teacher and learner were in separate rooms. Aside from the learner’s answers to the questions, the only contact was the sounds of the learner pounding on the wall in response to the electric shocks. In condition 2, pre-recorded screams, protests, and demands for the cessation of the experiment were triggered when the teacher administered shocks. In condition 3, the teacher and learner were in the same room but physically separated. In condition 4, the shocks were supposedly administered on a shock plate that the learner had to make contact with after each wrong answer. When the learner
refused to make contact, the teacher was instructed to physically force the learners hand onto the plate. Although obedience rates were shockingly high in all scenarios, the percentage of completely obedient subjects decreased as proximity increased as follows: 65%, 62.5%, 40%, 30%.


126 Milgram additionally compared the experiments to the My Lai massacre on March 16, 1958 during the Vietnam War and the trail of Lieutenant Henry Wirz who was commandant of the Camp Sumter, a Confederate Prisoner of War Camp in Andersonville, Georgia from 1864-1865.

127 Milgram, *Obedience to Authority: An Experimental View*, 186, 89.

128 Milgram and Pennsylvania State University. Media Sales., *Obedience*.

129 Milgram, *Obedience to Authority: An Experimental View*, 11.

130 Ibid.

131 Ibid.

132 Ibid., 5-6.

Chapter 4

Such that Never Again? Remembering Man’s Inhumanity Towards Man: Lessons on Consciousness from the 1979 President’s Commission on the Holocaust

Start Like the genocide of the Armenians before it, and the genocide of the Cambodians, which followed it—and like too many other persecutions of too many other people—the lessons of the Holocaust must never be forgotten.

President Ronald Reagan, Proclamation 4838, April 22, 1981

This year, as in the past, we join with Armenian-Americans throughout the nation in commemorating one of our saddest chapters in the history of this century, the deportations and massacres of a million and a half Armenians in the Ottoman Empire in the years 1915-1923.

President William Jefferson Clinton, April 24, 1998

On this day, we pause in remembrance of one of the most horrible tragedies of the 20th century, the annihilation of as many as 1,500,000 Armenians through forced exile and murder at the end of the Ottoman Empire.

President George W. Bush, April 24, 2004

I have issued the command — and I’ll have anybody who utters but one word of criticism executed by a firing squad — that our war aim does not consist in reaching certain lines, but in the physical destruction of the enemy. Accordingly, I
have placed my death-head formation in readiness — for the present only in the
East — with orders to them to send to death mercilessly and without compassion,
men, women, and children of Polish derivation and language. Only thus shall we
gain the living space which we need. Who, after all, speaks today of the
annihilation of the Armenians?

Adolf Hitler, Ordering his military commanders to attack Poland, August 22, 1939

Remembrance of atrocities, or anything for that matter, does not necessarily make a
c better present or lay the groundwork for averting atrocities in the future. There simply is
no guarantee that humans will not invent new reasons for and methods of unleashing
horrors onto one another and the world. “Never again!” emerges out of this context as a
ma ntra for vigilant remembrance. This highlights the specific human capacity for
articulating memory of the past to present concerns. For better and worse, memory may
be made useful as a form of civic instruction. In this chapter, I analyze how and to what
ends the United States officially remembers genocide. I focus on the foundation of
national modes of remembering the Holocaust. The context of the Armenian genocide
provides a precarious backdrop for this chapter. It is at once widely cited as the first case
of genocide in the 20th century; the term “genocide” was coined with this event in mind.
At the same time, contemporary attempts to get the United States government to
officially remember the mass killing of Armenians by the Ottomans as genocide have
caused quite a stir on national and international levels. The Republic of Turkey
threatened that, if the United States were to remember the atrocities as “genocide,” it
would prohibit the use of its territory for staging the United States’ war in Iraq.
In the context of contemporary genocide remembrance, I analyze the memory work of the President’s Commission on the Holocaust published in 1979 as *The President’s Commission on the Holocaust: Report to the President*. This document, included in full as an appendix to this manuscript, lays out the plans for the United States’ official multifaceted “living memorial” to the Holocaust. The work of the Report’s rhetoric included a definition of what the Holocaust means to the United States, how best to remember it, and what the consequences of such memory ought to be for American citizens. The United States Holocaust Memorial Museum, the Committee on Conscience, the days of remembrance, and an educational institution were direct products of this rhetorical document. In my analysis, I trace the politics of the United States memorial work, with a special emphasis on how Holocaust remembrance is and ought to be articulated to continued humanitarian action.

**The Politics of Genocide Remembrance**

On October 10, 2007, Tom Lantos, a Holocaust survivor, United States Representative (D – California) and Chairman of the House Foreign Affairs Committee, stood before a group of his peers to open the discussion of House Resolution 106. His remarks began, “today we are not considering whether the Armenian people were persecuted and died in huge numbers at the hands of the Ottoman troops in the early 20th Century. There is unanimity in the Congress and across the country that these atrocities took place. If the resolution before us stated that fact alone, it would pass unanimously.” But the resolution contained one element—actually one word—that, despite the facts of the
historical record, provoked righteous indignation and threats of force from the Turkish government and drew out a politics of appeasement from the Bush Administration. The word causing all the fuss was “genocide.” Representative Lantos continued, “the controversy lies in whether to make it United States policy at this moment to apply a single word—genocide—to encompass this enormous blot on human history.”

The resolution Lantos was opening for discussion is properly entitled “The Affirmation of the United States Record on the Armenian Genocide.” It contains thirty enumerated pieces of support for labeling the massacres of Armenians in the Ottoman Empire from 1915-1923 as genocide. The massacres were indicted on May 24, 1915 by the Allied powers including England, France, and Russia as a “crime against humanity,” which was the first time that such a charge was brought up against a government. The resolution further notes that the Turkish government itself indicted, tried, and convicted many of its officials and top leaders following World War I for the “organization and execution” as well as the “massacre and destruction of the Armenians.” Archival repositories containing evidence of the genocide are located in Austria, France, Germany, Great Britain, Russia, the United States, and the Vatican. Aside from the documentary evidence, the genocide of the Armenians has been subject to legislation and commemoration in the United States since February 9, 1916 while the atrocities were being committed. At that time, the Senate resolved that “the President of the United States be respectfully asked to designate a day on which the citizens of this country may give expression to their sympathy by contributing funds now being raised for the relief of the Armenians,” who at the time were enduring “starvation, disease, and untold suffering.” Under the tutelage of President Woodrow Wilson, Congress chartered an
organization, Near East Relief, which contributed around $116,000,000 to aid survivors of the genocide, including 130,000 orphans that were fostered by Americans. Senate Resolution 359 from May 11, 1920 ended any lingering doubts about how Americans interpreted the events, stating that “the testimony adduced at the hearings conducted by the sub-committee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered.”

The following month, General James Harbord reported to the Senate of the American Military mission to Armenia that “mutilation, violation, torture, and death have left their haunting memories in a hundred beautiful Armenian valleys, and the traveler in that region is seldom free from the evidence of this most colossal crime of all the ages.”

The historical record presented thus proves that the opening remarks by Representative Lantos accurately rendered the official position held by the United States government. The United States has not contested the facts of the systematic persecution and murder of the Armenian people by the Ottoman Empire. The facticity of the event is taken to be a given. Furthermore, despite remaining impotent and unable to end the killings, the United States did provide some philanthropic relief and attempt some diplomatic action while the killings were happening. Nonetheless, as Lantos aptly recognized in October 2007, the term genocide was conspicuously missing. The reason is quite simple: the word “genocide” was not coined until 1944 when Raphael Lemkin laid it out in his book *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress*. There he defined genocide in the following passage:
Generally speaking, genocide does not necessarily mean the immediate
destruction of a nation, except when accomplished by mass killings of all members of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be the disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups.¹⁵

Lemkin cited the “Armenian case as a definitive example of genocide in the 20th century.”¹⁶

Lemkin’s definition was taken up by the United Nations for the definition of genocide in Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide on December 9, 1948, which entered into force on January 12, 1951:

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the group;
(e) Forcibly transferring children of the group into another group.¹⁷
This resolution, as well as Lemkin’s work upon which it was based, unequivocally “recognized the Armenian Genocide as the type of crime the United Nations intended to prevent and punish by codifying existing standards.” This recognition was repeated by the United Nations War Crimes Commission as a precedent for trying the crimes of Nazi Germany in the Nuremberg tribunals.

The Armenian Genocide was thus a precedent for the Nazi Holocaust, and international law was reconciling itself to become responsive to the most virulent of modern crimes—genocide. Of no minor importance is the fact that three of the five permanent member states did not ratify the treaty until a much later date, with the United States of America being the last to sign on November 25, 1988. The United States’s signature was qualified by two “reservations” and five “understandings,” including the reservation that the United States must give its consent on a case by case basis before it will submit to the jurisdiction of the International Court of Justice. The Republic of Turkey, the most direct successor to the regime that committed these crimes against humanity that inspired the legal category of genocide, joined into this treaty on July 31, 1950 without attaching any reservations to its signature.

Since Turkey is party to the treaty, one might conclude that there could have been some legal ramifications of publicly acknowledging that the Ottoman Empire had committed genocide. This is not, however, the understanding held by genocide scholars and activists. The Elie Wiesel Foundation for humanity publicized a letter in which fifty-three Nobel Laureates called for “tolerance, contact and cooperation between Turks and Armenians.” To clarify the lack of legal ramifications of officially recognizing the crimes as genocide, the laureates cite the 2003 “Legal Analysis on the Applicability of
the United Nations Convention on the Prevention and Punishment of the Crime of Genocide to Events which Occurred During the Early Twentieth Century,” which argued that, while the atrocities meet the legal criteria of genocide, the “Genocide Convention contains no provision mandating its retroactive application.”24 This indicates that the movements to acknowledge the specific character of the crimes committed from 1915 to 1923 are centered on public memory as it bears on present and future actions rather than a plan to apply retroactive punishments to those accused of the crimes. This is further supported by the fact that those deemed most responsible for the genocide were condemned to death by Turkish courts.25 The 2003 Legal Analysis concluded that “At least some of the [Ottoman] perpetrators knew that the consequences of their actions would be the destruction, in whole or in part, of the Armenians of eastern Anatolia, as such, or acted purposefully towards this goal and, therefore, possessed the requisite genocidal intent.”26

Looking over this record it seems remarkably uncontroversial to use the term “genocide” when speaking about the massacre of the Armenians by the Ottomans from 1915-1923. The very term “genocide” was coined, the international legal statue to prevent and punish genocide was derived from said definition, and the famous Nuremberg with the Armenian genocide as a precedent. The Republic of Turkey signed the statute without reservations. The United States has a long history of publicly acknowledging and solemnly remembering this event as a crime against humanity, and even, in the case of President Reagan, as genocide. Nonetheless, while Representative Lantos opened the discussion of House Resolution 106, the Republic of Turkey responded publicly by threatening to both withdraw logistic support for the United States
military (including the use of Turkey to transport armaments to Iraq) and to intensify its military campaign against the Kurdish rebel/terrorist group known as the Kurdistan Worker’s Party. This intensification includes a threatened expansion into northern Iraq, which had been to that point the only region in the country that had remained relatively stable since the U.S. launched its war in Iraq. 27 The New York Times reports that Turkish General Yasar Buyukanit elaborated on Turkey’s threats saying that House Resolution 106 was “sad and sorrowful,” indicating that it “has caused considerable disappointment in Turkey,” and that if it were passed by the full House of Representatives, “our [Turkey’s] military relations with the U.S. would never be as they were in the past. . . . We could not explain this to our public. . . . The U.S., in that respect, has shot itself in the foot.” 28 The “disappointment” is actually codified into Turkish law since “identifying Armenian killings as genocide is considered an insult against Turkish identity, [which is] a crime under 301 of the Turkish penal code.” 29

While denying the status of the killings of the Armenians, Turkish General Ilker Basbug publicly stated that the “killing of 12 Turks in late September [2007] by Kurdish rebels was ‘a crime against humanity.’” 30 These killings were cited as one of the main reasons for intensifying their campaign against the Kurds. As Turkey’s Parliament voted 507-19 to authorize the use of military force against Kurds in Iraq, American Ambassador Morton Abramowitz sounded the obvious bell that “this is a very big warning sign to the Americans and to the Iraqi Kurds.” 31 I contend that the warning bell extends beyond Americans and Kurds to all wishing to lessen the threats and realities of crimes against humanity, including genocide. The moral lesson here compounds the cliché that “those who cannot remember the past are condemned to repeat it.” In this
case, we have a people publicly announcing that the very act of remembering the past will serve as a warrant for breaking alliances and intensifying military campaigns against an ethnic group which it has been at war with.

The Bush Administration, like the Clinton administration before it, quickly advanced a policy of appeasement. The evidence of coercive attempts to stymie the vote is chilling. For instance, Representative Mike Pence (R - Indiana) has supported the resolution in the past but was persuaded by President Bush to vote against House Resolution 106. After describing the “gut-wrenching” feeling deriving from changing his position, Representative Pence announced that “while this is still the right position . . . it is not the right time.” In addition to pressure from the Bush administration, The New York Times reported that “the Turkish government also went to work, hiring a lobbying team to raise concerns about the potential backlash in Turkey if the resolution was approved, particularly when Turkey is a staging ground for the Iraq war.” Killing the genocide bill clearly was not the sole goal of this lobbying; as late as November 5, 2007, London’s Times reported that Turkish Prime Minister Recep Tayyip Erdogan “has made it plain that he wants U.S. cooperation as the price for exercising restraint [in northern Iraq].”

Such cooperation illustrates a type of forgetting of the past that allows for a brutal repetition of the past. The Ottomans and the Allies signed the Treaty of Sèvres on August 10, 1920 to make peace between the Ottoman Empire and the Allies following the first World War. Consequently, the former empire was to be partitioned into numerous countries including Armenia and Kurdistan. The new republic did not hold up its end of the bargain. After the Turkish War of Independence, the Treaty of Sèvres was replaced
by the Treaty of Lausanne on July 24, 1923 without provisions for Armenian or Kurdish
territories in Anatolia. Winston Churchill noted that “In the Lausanne Treaty, which
established a new peace between the allies and Turkey, history will search in vain for the
name Armenia.” Failure to remember the past has helped lead the U.S. to ally with one
of the Central Powers of World War I credited with having committed the first modern
genocide. This itself is not a problem, but the terms of the alliance include military
actions against the Kurds, a people who lost their claim to independent statehood with the
Turkish Republic’s withdrawal from the Treaty of Sèvres.

A lingering question for witnesses to the debate that also serves as an argument
against the resolution is formed in the question: “Why now?” On the level of historical
narrative, the cause for recognizing the specific character of the crime and honoring those
fallen is not new. Instead, it is a continuation of nearly a century’s worth of political
activism that was given a great deal of press due to both the likelihood of the law’s
passage and the U.S.’s reliance upon Turkish soil for military excursions into Iraq.

On a more foundational level, the question, “Why remember?”, drives to the heart
of the ethics of memory work. From the outset, it appears painstakingly evident that no
singular answer will ever exhaust the multiplicity of perspectives on the question. Why
should we remember the Armenian genocide, the Holocaust, other genocides or
atrocities, or any event for that matter? Adolf Hitler’s use of the historical apathy towards
the memory of the Armenian genocide as support for his campaign to exterminate the
Poles is a sobering call for revising George Santayana’s axiomatic warning that “those
who cannot remember the past are condemned to repeat it.” In the case of Hitler, the past
is not subject to unwitting repetition through forgetfulness. Rather, remembering the past
in a particular way, that is remembering how a past atrocity had been forgotten, served as grounds for Hitler’s declaration that it will, in fact, be repeated. In this case, the repetition is not the genocide itself, but that the genocide he planned of the Poles would be forgotten. This case thus shows that, while forgetfulness is fertile soil, it is a type of directed remembering that serves as the foundation upon which genocidal campaigns are founded. Instead of unwitting repetition, it becomes clear that political power resides in those who understand how the past is rhetorically deployed for present purposes. Those who get us to remember the past in particular ways direct its repetition.

Nonetheless, recognizing Hitler’s instrumentalization of the forgetting of the Armenian genocide is not a sufficient answer to the question, “Why now?” This point is punctuated by the notion that there is no necessary correspondence between remembering the past and the creation of a present or future worth repeating. The current move to remember the atrocities committed against the Armenians evidences this in no uncertain terms. The Republic of Turkey made it clear that the cost of remembrance was the destabilization of U.S./Turkey relations and the potential destabilization of Northern Iraq. As Congress delayed its bid to label the atrocities committed against the Armenians “genocide,” the Turkish Republic made it evident that it would not perceive remembrance as an issue of legal terminology, moral necessity, or historical facticity. Remembrance would be taken as a violation of an unspoken agreement between the U.S. and the Republic of Turkey with actionable consequences. The U.S. government did not take the moral, legal, or historical high ground.

The spirit of the moment that we are thrust into highlights the politics involved in genocide remembrance. What is more, remembering this conflict over remembrance
gives readers of this manuscript an idea of some of the tension that served as a backdrop for the discussions that went into the development of the United States official memory work to acknowledge the genocidal campaigns that took place during the Second World War. In “The Politics of Memory in Germany, Israel and the United States of America,” Mathias Haß notes that this inclusion was partially responsible for the success of the President’s Commission on the Holocaust, which solicited the active involvement of immigrant communities (Jewish, Polish-American, Ukranian-American, and Armenian-American) in the planning of the United States Holocaust Memorial Museum. While the decision was made to maintain a focus on Nazi attempts to eliminate European Jewry, a compromise was made for the case of the Armenians. Both the 1979 President’s Commission Report on the Holocaust and the Holocaust Memorial Museum cite Adolf Hitler asking “Who remembers the Armenian’s?” While the remembrance of Jewish victims of the Nazi Holocaust is nearly ubiquitous, Hitler’s question is likely to receive much the same response as it did in 1939. This is perhaps why the United States Holocaust Memorial Council resolved on April 30, 1981 that the Armenian Genocide will be included in the United States Holocaust Memorial Museum.

Rather than focusing on shortcomings or failures of memory, in this chapter I seek to draw out the potential benefits of Holocaust remembrance. To this end, I focus on the report drafted by the President’s Commission on the Holocaust in 1979, which is the foundational document for the creation of the United States Holocaust Memorial Museum. With Elie Wiesel at the helm, the Commission’s work offers valuable insight into both the reasons for and methods of preserving painful memories from the past. At the same time, it shows how the work of developing the official American memorial
response to the Nazis’ genocidal campaign defined the parameters of the historical event while simultaneously outlining the limitations of memory work. In the second section, I situate the work of the Commission in the writings of social critics trying to make sense of public memory. Here I focus on the seminal work of James Young, *The Texture of Memory: Holocaust Memorials* while reflecting on the work of Mathias Haß and Maurice Halbwachs. I then turn to the most provocative byproduct of the President’s Report on the Holocaust—the Committee on Conscience. The concept of the Committee on Conscience thereby serves as an example of how justice might be restored to memory in the case of American Holocaust memorialization.

**President’s Commission on the Holocaust**

Our central focus was memory—our own and that of the victims during a time of unprecedented evil and suffering. That was the Holocaust, an era we must remember not only because of the dead; it is too late for them. Not only because of the survivors; it may even be too late for them. Our remembering is an act of generosity, aimed at saving men and women from apathy to evil, if not from evil itself.

Elie Wiesel, Letter to President Jimmy Carter Semptember 27, 1979

The capture and trial of Adolf Eichmann captivated the world in 1960 and 1961 and subsequently opened a new dialogue about the genocidal campaign perpetrated by the Nazis. With the aid of Hannah Arendt, and to a lesser extent Stanley Milgram, the trial put on display one of the most frightening aspects of the human condition in the
modern age—that little more than seemingly banal actions can be the driving force behind campaigns of mass violence including genocide, and that we are programmed to obey authority even in cases when obedience seems immoral, unethical, or inhumane. Concurrent with these lessons were increased worldwide efforts to remember the Holocaust. Israel’s memorial, Yad Vashem Martyrs’ and Heroes’ Remembrance Authority, was officially established by act of Knesset in May 18, 1953. After a number of semi-official rituals of remembrance at the site, The Dachau Concentration Camp Memorial Site was dedicated on May 9, 1965. The site of the death camp Treblinka, where around 850,000 Jews were murdered and “sun-bleached bones and skulls still poked through the sandy earth as late as 1957,” was transformed into a memorial site with a mausoleum at the site of the gas chambers (1958) and “the greatest of all genocidal cemeteries” (design accepted February 28, 1960, completed circa. 1964).

Whereas other smaller monuments and memorials had cropped up across the United States, an official memorial remained dormant until President Jimmy Carter appointed the President’s Commission on the Holocaust on November 1, 1978 in Executive Order Number 12093. Carter’s Executive Order established that the President would appoint twenty-four members of the Commission, including the chair. He proceeded by appointing author, activist, and Holocaust survivor Elie Wiesel (recipient of the Nobel Peace Prize in 1986). The remaining ten members were composed of Congresspersons appointed by the Speaker of the House of Representatives and the President of the Senate. Matthias Haß argues that this inclusion of Senators and Representatives suggests that the Commission’s work was done in a “highly politicized atmosphere” with “lobby groups involved . . . from the very beginning.” Accordingly,
the Commission’s work was political from the outset, as is any attempt to engage in memorialization. The U.S. case is different because, while there is little to be argued about the presence of memorial sites at the centers of concentration and killing or in Israel, the physical center of the Jewish Diaspora, the move to Holocaust remembrance in the United States required some explanation. President Carter charged his Commission on the Holocaust with setting forth such an explanation by posing three questions to the commission:

1. Why remember?
2. Whom are we to remember?
3. How are we to remember?

The Commission’s Report answered each question in great detail. The report itself is relatively brief, filling only eighteen pages of text. However, the bound edition, entitled *The President’s Commission on the Holocaust: Report to the President*, puts the Commission Report into context with several significant historical documents. The historical documents include the executive order creating the President’s Commission on the Holocaust, the cover letter submitted with the Commission Report, a summary of the “study mission” that Committee members took to memorial sites in Eastern Europe, Denmark, and Israel, speeches by Elie Wiesel, President Jimmy Carter, and Vice President Walter F. Mondale, acknowledgements, credits, and the report itself.
That Peculiar Character of the Nazi’s Genocide: Whom are We to Remember? and Why Remember?

After outlining the functioning of the commission, the commission report gets into the thick of its memory work by outlining its general purpose and guiding principles. This section sets out to answer questions 1 and 2 posed by President Carter (Why remember? and Whom are we to remember?). The general purpose is laid out as follows: “The Commission’s efforts have been undertaken in the services of memory, with the conviction that in remembrance lie the seeds of transformation and renewal.” Here, memory is presented as an agent with serviceable needs (similar to the way that Hannah Arendt discussed the demands of justice, detailed in Chapter 2), which establishes the notion that the historical event dictates its own means of remembrance. This phrasing thereby sets out to obfuscate the politics of remembrance by codifying the memory work of the commission as a type of manifest historical destiny. Memory is presented as the agent of historical representation with people being its mere vessels.

This codification becomes more apparent in the next sentence outlining the two guiding principles providing the “philosophical rationale” for the Commission’s work: “(1) the uniqueness of the Holocaust; and (2) the moral obligation to remember.” The former principle suggests the contour of an overarching task that the Commission charged itself with—defining the “Holocaust.” As we recall from the previous chapter, “many Americans may have first heard the word ‘Holocaust’ used to describe this chapter of history during telecasts of the [Eichmann] trial.” Indeed, there is nothing inherent in the word “Holocaust” that necessitates its attachment to this historical blight. Nonetheless, today, when the title, “the Holocaust” is set apart with a capital letter and a
definitive article, it is taken to reference the Nazi regime’s systematic campaign of terror and genocide responsible for the murder of some six million Jews and nearly six million others. The victims were selected for social exclusion, concentration, and extermination based on demographic characteristics including religion, mental and physical ability, national identity, sexual orientation, and political affiliation.

One of the most harrowing facets of the Holocaust, as discussed in the previous chapter, was how seemingly banal acts of bureaucrats like Adolf Eichmann became the enabling and driving forces behind mass murder. *Eichmann is, indeed, the first person named in the Commission’s Report*, which, consequently, supports Arendt’s thesis. The commission recognizes that “Adolf Eichmann, who supervised the roundup of Jews for deportation, could claim he never personally killed a single person; employees could insist they did not know what they were doing; executioners could explain that they were only following orders.” It is on this note that the Commission report explains that “the Holocaust was not a throwback to medieval torture or archaic barbarism but a thoroughly modern expression of bureaucratic organization, industrial management, scientific achievement, and technological sophistication.” It is as if in these moments, the Commission is “summing up the lesson that this long course in human wickedness had taught us—the lesson of the fearsome, word-and-thought-defying *banality of evil.*” As with Arendt’s account, the Commission directly indicts not just the killers who looked their victims in the eyes, but those who pushed papers across desks with no necessary ill-will towards those whose murders that their bureaucratic motions enabled.

While recognizing the centrality of banal bureaucratic motions and mindsets to the implementation of genocide, the commission set out to teach a different lesson. The
lesson can be viewed by pausing on the specific meaning that the report sets out for the term “Holocaust.” The definition comes in the first sentence of the section “The Uniqueness of the Holocaust,” which is the third sentence of the actual Commission Report. The Holocaust is defined as the “systematic bureaucratic extermination of six million Jews by the Nazis and their collaborators as a central act of state during the Second World War; as night descended, millions of other peoples were swept into this net of death.”

Here, we see that the Commission was engaged in the work of forging two interconnected claims, (1) that the Holocaust is to be remembered, primarily, in terms of Jewish victims, and (2) that the atrocities are unique in the annals of history.

The Committee’s political maneuvers designed to place the emphasis on remembering Jewish victims are pronounced most clearly in Elie Wiesel’s cover letter that accompanied the Commission Report. While recognizing the need to remember all of the innocent victims of the Holocaust, the commission asserts that “there exists a moral imperative for special emphasis on the six million Jews. While not all victims were Jews, all Jews were victims, destined for annihilation solely because they were born Jewish.”

While this claim is presented as if it were firmly founded on an unquestionable epistemological foundation, these are moments where we may clearly see we how the rhetoric of public memorialization may be used to influence ethical judgments and the historical record.

Despite pronouncements by the Commission that there is a moral imperative to remember, moral imperatives do not exist as natural things to be found. Nature is indifferent to morality or imperatives derived from morality. Rather, such imperatives are created by human actors to help make the human life-world intelligible and as part of
social contracts governing human relations.\(^57\) Looking back to the work of Hans-Georg Gadamer and Ernst Cassirer presented in the first chapter of this manuscript, the ethos [dwelling place] of the world and of history is, for humans, consubstantial with the language that contains and discloses it.\(^58\) Morality, here rendered, refers to a set of values or structure of valuation that people in a society normatively possess. A moral imperative would then be an action, value, or belief that one must hold to be considered fully in line with the social contract. The moral imperative then emerges from the work of the Commission’s efforts to recast the historical narrative of the Nazi genocide to refocus the event on what the Commission considers to be the proper ethical subject. The question, “Whom are we to remember?” stands in for a more pointed justificatory question, “For what purposes are we to remember (this particular event and particular groups of people in relation to this event)?” In short, this is a question of power. The Committee notes that the centrality of Jewish victims is a matter of historical essentialism rather than political or ethical necessity. The moral imperative lies not in the category of victims—“the Event is essentially Jewish, yet its interpretation is universal.”\(^59\) Jewish victims are to be remembered not because they were Jews, but because the history of world Anti-Semitism was a driving force behind the Holocaust. The Commission States, “the killers carried out their plans only when they realized that the outside world simply did not care about the Jewish victims. Soon after, they decided they could do the same thing, with equal impunity, to other peoples as well. As always, they began with Jews. As always, they did not stop with Jews alone.”\(^60\) While the depth and centrality of world Anti-Semitism for the Nazis is beyond question, this series of statements is but one narrative interpretation of the history of the Holocaust.
In this spirit, the Committee asks how many people could have been saved if there was a President’s Commission to prevent the Holocaust appointed in 1942 or 1943. At a risk of sounding like a retrospective determinist, this would have been too late for the Jewish victims. The Wannsee Conference that set the *Endlösung* [final solution] into effect happened on January 20, 1942. Using the President’s Commission on the Holocaust as a symbolic marker, it took 10 months to go from executive order to Commission Report. It would take over a decade more before it would be dedicated in 1993. The victims could not have waited that long. Furthermore, even Adolf Eichmann’s charges were dated from the years 1939-1945, which included the era of the misleadingly labeled “T-4 Euthanasia Program” that included the systematic extermination of the mentally ill and physically deformed. While a similar case may be made for political dissidents, homosexuals, and gypsies, people with disabilities were among the first to be systematically killed. The United States Holocaust Memorial Museum testifies to this point stating that “The T-4 program became the model for mass murder of Jews, Roma (Gypsies), and others in camps equipped with gas chambers that Nazis would open in 1941 and 1942. The program also served as a training ground for SS members who manned these camps.” It is wholly imaginable that one may begin to understand the historical conditions for creating the Holocaust by studying the Nazis rhetorical tactics of exclusion of people with disabilities that, in turn, had the extreme consequences of concentration and extermination. Henry Friedlander has done just that in his book *The Origins of Nazi Genocide: From Euthanasia to the Final Solution*, which is highlighted by the United States Holocaust Memorial Museum.
What would happen if the record was set differently, and instead of recognizing the Holocaust as an essentially Jewish Event, the record would recognize the multifaceted forms of prejudices that cleared the space for the systematic slaughter of millions of innocent civilians? This would require an active vigilance against the articulation of nationalistic politics to a garden variety of discourses of hatred including those that are anti-Semitic, anti-queer, xenophobic / anti-foreigner, anti-communist, anti-liberal, anti-international law, and ableist. While this might seem as a type of fragmentation of the historical record that might dilute its pedagogical value, such memory would allow contemporaries to better understand the multiple fronts of prejudices on which Nazism and its genocidal campaigns were built. One of the immediate consequences that would be felt would be in the rhetoric of the American presidency. With such an encompassing understanding of Nazism and the Holocaust, it would be much more difficult for people like President George W. Bush to claim a position of moral superiority in annual Holocaust memorial speeches on April 24. During 2007, the Bush administration was pushing for a Constitutional ban on gay marriage, pursuing national policies designed to ignore the Geneva Conventions such that the US may detain foreign nationals, inviting xenophobic attitudes with proposals to build a fence on the US-Mexican border, and denouncing American politicians with the moral courage to label the killings of Armenians by the Ottoman Empire genocide. While he could hold and present these positions, a broader knowledge of the Holocaust might serve as a beacon for more tolerance in thought, word, and policy by U.S. nationals.

Due, in part, to the success of the memory work of the Commission and a certain brand of Holocaust historians, such interpretive possibilities are taken to be of a seditious
lot. The Commission states that “The Jews were Hitler’s primary victims against whom the total fury of the Holocaust was unleashed: to dilute or deny this reality would be to falsify it in the name of a misguided universalism.”65 The rhetoric of the Commission Report works in such a way as to structure its readers, and by extension those who experience the rhetoric of United States Holocaust remembrance. The Report presents the Holocaust as an event that must, necessarily, be centered on the experience of one category of victims. One may mourn other categories, but will become an object of denunciation the moment such mourning issues a challenge to the pecking order of victims or begins to propose ethical positions regarding all victims as equally deserving of remembrance and continued vigilance. The Commission Report continues by suggesting what might constitute proper remembrance of other victims of the Holocaust by noting that the official mode of remembrance will pay some homage to the other categories of peoples targeted for concentration and extermination.

The rhetoric of memorialization presented is reflected in proscriptions of “proper” Holocaust historiography. It is in this spirit that Terrence Des Pres issued three demands for Holocaust historiography in his chapter “Holocaust Laughter:”

1. The Holocaust shall be represented, in its totality, as a unique event, as a special case and kingdom of its own, above or below or apart from history.

2. Representations of the Holocaust shall be as accurate and faithful as possible to the facts and conditions of the event, without change or manipulation for any reason—artistic reasons included.
3. The Holocaust shall be approached as a solemn or even sacred event, with a seriousness admitting no response that might obscure its enormity or dishonor its dead.\(^{66}\) (1988, 217)

Ernst Van Alphen argued that Des Pres’s “formulated prescriptions for ‘respectable’ Holocaust Studies [were made] in all seriousness.”\(^{67}\) Without belaboring the point, each of these demands are attempts to control the direction and meaning of the Holocaust. They do so by issuing a demand for witnesses of history to ask questions of historicity but rather accept the narratives that have been given a stamp of approval. It is as if Des Pres and the Commission took a cue from Plato in the *Republic* by first supervising the story tellers.\(^{68}\) By contrast, Van Alphen shows how the aesthetic performance of Boltanski broke these commandments while creating a space to better understand and honor the millions of victims of Nazism.\(^{69}\)

Lest this path be beaten into some sort of unwarranted tacit condoning of the malignant work of Holocaust deniers, we ought to recognize their venomous spittle as a symptom rather than a cause. In their special case, the issue at hand is not to disprove their libelous rants but rather to inquire into how such people were given to become so heinously ill-informed and poisonous. A secondary question might concern the consequences of their belief structures in terms of emotional, social, and cultural development. Answers to such questions might lead to new modes of preventing further ills and enhancing tolerance for ethnic diversity—one of the Commission’s noted goals.\(^{70}\)

Thus far we see that the responses to whom are we to remember? and why remember? require a lot of forgetting on the part of audiences. Whom are we to remember? is answered, primarily, with Jewish victims with the other categories of
victims on the periphery. Why remember? is answered in line with the issue of Jewishness at the center of the claim to uniqueness, sacredness, and moral interpretation for understanding present ills. Despite how natural such claims may seem presently, these are claims that the Commission Report set out to prove. Let us now question the claim of uniqueness by stepping back briefly to the case of the Armenian genocide in hopes of deepening the consequences of our remembrance of the Holocaust.

Forgetting the genocide of the Armenians is the first prerequisite for the claim of uniqueness. Looking back to the introduction of this chapter, we recall that the Armenian case was taken by Raphael Lemkin as a definitive act of genocide when he created the term “genocide,” was recognized as the type of crime addressed by the UN Convention on the Prevention and Punishment of the Crime of Genocide, and used as a precedent for trying Nazis in the Nuremberg trials.\textsuperscript{71} In the face of this record, the Commission argued against this on two fronts—the quantity of violence and the manner and purpose of the genocide. The quantity of violence is a matter of discussion that need not be taken up here.\textsuperscript{72} The latter is quite provocative, with the Commission noting that, “never before had genocide been an all-pervasive government policy unaffected by territorial or economic advantage and unchecked by moral or religious constraints.”\textsuperscript{73} The Report notes that the Nazi genocide was the first case where violence was intensified after subjugation. Furthermore, the Report cites the harrowing feature of the genocide—that “the destruction frequently conflicted with and took priority over the war effort.”\textsuperscript{74} This section concludes, “Clearly, genocide was an end in itself independent of the requisites of war.”\textsuperscript{75}
Lemkin’s work suggests that this understanding of genocide misses the mark and distracts us from one of the most horrific characteristics of the Nazi war stratagem—that winning the war was not requisite for Nazi victory. Instead, success could be achieved through the “Germanization” of their lands. It is Lemkin’s book, *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress*, not the Commission Report, which shows how pervasive the program of genocide was to the Nazis idea of victory. For this we turn back to Chapter 9 of Lemkin’s book, which is where he coined the term “genocide.”

Lemkin’s definition of genocide, cited above, has one unique quality that is glazed over by the work of the Commission—that the physical destruction of the “enemy” is but one way of committing genocide. *The other way is more subversive and just as deadly, however, the target for killing is not bodies but memory.* Lemkin writes, “genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor.” In this sense, *transformational mimesis*, whereby the cultural specificities of the oppressed group are destroyed and replaced by the specificities of the oppressor, is part of a genocidal program.

Lemkin argues that the Nazis had a different understanding of war than that which is generally accepted. He states that “genocide is the antithesis of the Rousseau-Portalis Doctrine,” which is the doctrine guiding the Hague Conventions that outline the rules for warfare. This doctrine “holds that war is directed against sovereigns and armies, not against subjects and civilians. In its modern application in civilized society, the doctrine means that war is conducted against states and armed forces and not against populations.” As Lemkin notes, National Socialism could not accept the Rousseau-
Portalis Doctrine because it was waging a total war and placed the nation over the state, forcing the Nazis to wage “a war not merely against states and their armies but against peoples.” On this point, Lemkin cites Alfred Rosenberg from his influential Nazi propaganda tract *Der Mythus des 20. Jahrhunderts* [*The Myth of the Twentieth Century*], “History and the mission of the future no longer means the struggle of class against class, the struggle of Church dogma against dogma, but the clash between blood and blood, race and race, people and people.”

This new doctrine of war came with a new understanding of and plan for victory. The victory involved the systematic weakening and degradation of the identity of the peoples as part of processes such as “Germanization,” “Magyarization,” or “Americanization.” The point, however, is not to merely impose one cultural pattern onto another or substitute one pattern for another. Rather, the point is to weaken the cultural pattern of the occupied peoples to the extent that its memory no longer exists. This *mnemonocide* is what Lemkin is speaking about in terms of the Nazis plans of altering biological patterns in Europe. In the biosphere of nations, particular national patterns become more pervasive and powerful as the memories of peoples and their cultures are destroyed. Thus, Lemkin notes that even before the war Hitler envisaged genocide as a means of changing the biological interrelations in Europe in favor of Germany. Prior to the World War, Hitler argued:

. . . It will be one of the chief tasks of German statesmanship for all time to prevent, by every means in our power, the further increase of the Slav races. Natural instincts bid all living things not merely conquer their enemies, but also destroy them. In former days, it was the victor’s prerogative to destroy entire
tribes, entire peoples. By doing this gradually and without bloodshed we demonstrate our humanity. We should remember, too, that we are merely doing unto others as they would have done to us.”

With a twisted sense of logic, genocide—committed through both physical and symbolic destruction—was taken by the Nazis as a sign of their strength and humanity. Likewise, it was a strategy for winning the war since “genocide is more destructive for a people than injuries suffered in actual fighting, the German people will be stronger than the subjugated peoples after the war even if the German army is defeated. In this respect, genocide is a new technique of occupation aiming at winning the peace even though the war itself is lost.” Of course the Nazis may have imagined winning the war in traditional terms at first. Regardless, their plan for warfare allowed them to steal the winner’s victory in defeat by using genocide to prepare a “Germanized” nation reflecting the visions of the Nazis desired biological makeup.

The Holocaust is unique. Its uniqueness does not solely lie in terms of the quantity of violence. Nor does its uniqueness rest in how the Nazis allowed genocide to take precedence over their war efforts. Rather, the Holocaust is unique because it demonstrates a terrifying aspect of modern warfare—that victory may be thought of in terms of the physical or symbolic destruction of the other’s culture and memory rather than the conquering of armies or territory. It is in this lesson that the Holocaust is most harrowing. Furthermore, and most significantly, this lesson permeates the justifications for memory and the modes of remembrance offered by the President’s Commission on the Holocaust. So now the questions “Whom are we to remember?” and “Why remember?” are articulated to a greater cause of subverting a mode of Nazi victory. The
act of memory is not enough to restore Europe’s “biological” diversity that was destroyed by the Nazis killings of the Jews and others. Such memory does, however, stand as a different sort of use of the Platonic model of influencing ethics by supervising narrative. By telling these stories, those who perished reside in the minds and hearts of the living—even generations after the fact. This principle may best be seen in the controversial memory work set forth by French Prime Minister Nicolas Sarkozy’s new pedagogical plan of having 10-year olds adopt a story of a child during the Nazi regime.86

How are We to Remember? The “Living Memorial” and the Committee on Conscience

Under the tutelage of Wiesel, the Commission set out on the task of memory work by first answering the pragmatic question for memory work, “how?” followed the theoretical and ethical questions of “why?” and “whom?” The Committee’s “Proposals and Projects: Specific Recommendations” comprise ten of the Report’s 18 main pages (sans appendices). The Report’s prescriptions for the official modes of remembrance are multifaceted, thorough, comprehensive, and delivered with a passion that demands our respect and attention. The suggestions are broken into three “components” of a “living memorial” including:

1. A memorial/museum
2. An educational foundation
3. A Committee on Conscience

Taken together, these were to provide the contours of the United States’ official remembrance of the Holocaust.
The phrase “living memorial” warrants particular attention. For scholars of rhetoric, this phrasing demonstrates the responsiveness to the powerful potential of memory possessed by Wiesel and the Commission. Part of the “living” quality of the museum was to be derived from the integration of interactive technology into the memorial museum. The Commission noted that “Recent technological innovations in computers and information banks now make it possible for museum visitors to become active learners and inquirers.”\textsuperscript{88} This is, however, only a small part of what they were getting at under the banner of “living.”

A shared experience of magnitude, culture, contemporary relevance, and enduring presence is central to the Commission’s conceptualization of the “living memorial.” By the Report’s design, this experience is shaped by the content of the memorial, its container (its proposed physical structure), and the ways in which visitors are invited to experience such content. Beginning with the suggestion that the content of a monument may effectively “commemorate the victims, no structure can fully reveal the process that culminated in extermination; nor can it document the awesome dimensions of the crime or analyze its causes and implications.”\textsuperscript{89} This indicates that the Commission took the transformative potential of the rhetoric of public memory seriously as they imagined themselves producing a forensic space designed to adjudicate matters of the past in an attempt to suggest modes of acting in the present and future. In this self-presentation, we are reminded of John Poulakos’s sophistic definition of rhetoric “\textit{rhetoric is the art which seeks to capture in opportune moments that which is appropriate and attempts to suggest that which is possible}.”\textsuperscript{90} In this sense, the Commission imagined itself engaging in the arts of rhetoric by doing the “appropriate” memory work of honoring the victims while
articulating such memory work to a reflection on real or potential problems for contemporaries.

The Commission took its work to influence a memoriescape rather than erecting or altering a landscape. The physical space of the memorial was presented as a pragmatic necessity to stage the rhetorical work performed by the act of memorialization. The Commission argued that “while no monument in and of itself can speak to the present or inform the future, the Commission does recommend the erection of a physical structure as a setting for a living memorial.” The physical structure was proposed as and was later inaugurated as the National (United States) Holocaust Memorial Museum.

While an educational foundation is to be considered a distinct facet of the living memorial, pedagogical applications of the memory work was the central focus and goal of the Committee. As a pedagogical memorial, the physical structure would work together with the propositional content to intuit a narrative of the Holocaust to influence the ways visitors respond to present and future ills. Thinking back to Chapter 1, the verb “to intuit” is used here to highlight the fact that the “living memorial’s” design is to influence its audiences intuitive experience of their life world in ways that exceed the space of the memorial. On this point, the Report argues that “the museum would provide a fluid medium in which to apply historical events to contemporary complexities; its presentations would not be static but designed to elicit an evolving understanding.” This type of evolutionary sense of understanding would thus, by design, be responsive to ever-changing political needs. The individual points of articulation, for instance calling on memories of the Holocaust to condemn the Armenian Genocide or demand intervention in the genocide happening in the Darfur region of Sudan, could be supplied by the
museum. When the memorial is successful, the person leaving the memorial space is different than the one who entered. Visitors, so to speak, become a part of the memorial by applying its lessons to other contexts intuitively, as if there were no need for the intervention of reasoning processes. The specifics of this work show how the memorial/museum would be designed to uphold the principle represented by the Committee on Conscience, namely that “a memorial unresponsive to the future would also violate the memory of the past.”

The pedagogical goals of influencing and altering intuition are, in large part, achieved by the ways in which rememberers are invited to see themselves in the memorial space. The Commission argued that the living memorial “will speak not only of the victims’ deaths but of their lives, a memorial that can transform the living by transforming the legacy of the Holocaust.” At the historical moment of the Report, this was a conceptual proposition, but would eventually be achieved in a myriad of ways including the architecture of the façade and interior of the museum, the identification cards given to visitors of the museum, scholarly and popular publications endorsed and made possible by the memorial foundation, and the combined memorial performances occurring throughout the annual days of remembrance. In the language of Dwight Conquergood, visitors to the memorial space are hailed in as ethnographers doing the work of coperformative witnessing. This means that the visitors are engaged in a type of participant-observerivation re-imagined such that the story of a people is listened to not just with the mind, but the ears and the heart.

When the whole person (metaphorically the mind, ears, and heart) turns its attention to the Holocaust, what do they learn and, who speaks, and how? The answer
suggested by those with narrow essentialist positions such as Des Pres may respond in language similar to Gideon Hausner’s opening speech offered during the trial of Adolf Eichmann. Hausner’s argument envisioned himself as a conduit of an accusation doing God’s work rather than a constructor of a case doing the work of the State. With eloquence befitting a poem, Hausner began the prosecution:

When I stand before you, judges of Israel, in this court, to accuse Adolf Eichmann, I do not stand alone. Here with me at this moment stand six million prosecutors. But alas, they cannot rise to level the finger of accusation in the direction of the glass dock and cry out J’accuse against the man who sits there... Their blood cries to Heaven, but their voices cannot be heard. Thus it falls to me to be their mouthpiece and to deliver the heinous accusation in their name.97

Hausner did not, as discussed in the previous chapter, speak exclusively for the dead. His job was to speak on behalf of Prime Minister David Ben-Gurion for the state of Israel. Part of Hausner’s work was to exact a modicum of retribution and a mountain of due recognition of the majority of the victims of the Holocaust that were chosen as victims on the sole basis that they were Jewish. Hausner imagined himself joined by six million Jewish victims not the nearly twelve million innocent people systematically murdered by the Nazi regime. Hausner, in short, spoke for a State among states a People among peoples. His speech and the trial that ensued were part of the Israeli government’s attempt to recreate create a public memory of the Holocaust by putting history itself on trial.98 This newly shaped public memory was to perform a series of didactic functions for the general public inside and outside Israel and Judaism.
As it was in the case of Israel and the Eichmann trial, so it too was in the case of the 1979 President’s Commission on the Holocaust—the efforts to remember produced a unique understanding of the Holocaust to serve distinct didactic purposes. In his seminal text on Holocaust Memorials, *The Texture of Memory: Holocaust Memorials and Meaning*, James E. Young convincingly argues that in “every nation’s memorials and museums, a different Holocaust is remembered, often to conflicting political and religious ends.” In Young’s account, modes of remembrance are thereby seen as serving pragmatic purposes for particular peoples. This thesis was specifically addressed by the 1979 President’s Commission on the Holocaust when they stated that “special emphasis would also be placed (in a memorial museum) on the American aspect of the Holocaust—the absence of an American response . . . the American liberation of the camps, the reception of survivors after 1945, the lives rebuilt in this country and their contribution to American society and civilization, the development of a new sensitivity to the Holocaust, and the growing respect for multi-ethnic, multi-dimensional aspects of American culture.” By no means would these be the only issues covered, but covering them was part of translating the Holocaust to the needs of an American public memory.

Mathias Haß, Professor and freelance consultant for The House of the Wansee Conference and the Topography of Terror Foundation in Berlin, Germany, teases an understanding of the rhetoric of memory from such an emphasis. Specifically, Haß recognizes the 1979 Commission’s emphasis as an attempt to recontextualize the Holocaust into a membranescape of American values. Haß argues, similar to Young, that the product of the American memorial could not be otherwise given that memory is radically located in the specificities of context. He argues quite astutely that “memory
does not exist beyond the specific societal context in which remembering takes place. It is inseparable from time, place, and people who imbue events with specific meanings. Speaking of a single universal memory, therefore, is misleading since it overlooks the exact context in which memory is formed.”

This lesson sheds light on the inaugural memory work laid out by French sociologist Maurice Halbwachs. He trained scholarly focus on memory by showing how history is rewritten by present generations on the medium of collective memory. It is there that people are given to “reconstruct an image of the past with the predominant thoughts of society.”

Haß’s account, while theoretically astute, is also quite troubling. In the section “The use and misuse of history,” Haß argues that the United States Holocaust Memorial Museum’s goal of “drawing attention to crimes against human rights worldwide” is tantamount to an “unconscious (mis)use of the history to fit the needs of American society.” This is suggesting that Haß’s observation that the US Holocaust Memorial Museum’s emphasis on American values was not neutral. Rather, his observation was to be taken as a sharp criticism of a flaw in the memorial—namely its explicit (albeit unconscious) responsiveness to context.

While the official US Holocaust memorialization may be criticized on many grounds, the primary misuse here is Haß’s analogy to Friedrich Nietzsche’s second Untimely Meditation which may be translated into English as “The Uses and Disadvantages of History for Life.” In that meditation, Nietzsche described the three species governing much of our attitudes towards history—the antiquarian, monumental, and critical. Nietzsche found that each species could be used in such a way that creative forces could be stifled. For example, an overdetermined emphasis on antiquarian history
would discourage contemporaries from recognizing the value of recent contributions in the arts and sciences. An abuse of monumental history would occur, for instance, when a burgeoning artist would go to Rome to take in the work of the “Old Masters” only to give up their artistic pursuits because they could never see themselves producing works in line with Michelangelo, Bernini, Boromini, or the like. Under this schema invoked by Haß’ phrasing, it would be a misuse for us to remember the Holocaust as inert history. Instead, the demands of history, used in the services of bettering life, would be to recount this event such that it would invigorate action. Nietzsche lays this notion out in certain terms as his own *ceterum censeo*,\(^{105}\) borrowed from Johann Wolfgang von Goethe, “Moreover I hate everything which merely instructs me without increasing or directly quickening my activity.”\(^{106}\)

To be fair, Haß’s parentheses around the term “(mis)use” indicates that he recognizes the articulation of Holocaust remembrance to contemporary human rights contexts as both a use and a misuse. The additional layer of mis-use Haß centers on is the over-articulation of US values to the Holocaust. This includes the value of applying lessons learned from historical human rights violations in the Holocaust to real or potential ones in present times. Here we witness the stultifying power of the dual demands including the essential Jewishness and essential uniqueness of the Holocaust.\(^{107}\) Brought to a focal point, these two hermeneutic categories amount to an expectation of incomparability and a denial of the distinctly human limitation of perspective. Once again, the history of the Holocaust is presented, as it was with Terrence Des Pres, “properly” as a continent of its own with inert content applicable only to mourning, not state-building or political intervention. Rather than being a type of insane or violent
history, the Holocaust is presented as eccentric history, that is, a historical event standing outside history. As the Holocaust is rendered eccentric, scholars and witnesses of the history of the Holocaust are able to evade some responsibility to real or potential human rights abuses happening as they re-witness, re-write, and re-publish history.

Despite the earlier critiqued emphasis on a hierarchy of victimization and an essential historical uniqueness, the 1979 President’s Commission Report on the Holocaust was interested in effecting a far more powerful series of changes by their retelling of the Holocaust. In a speech given at the National Civil Holocaust Commemoration Ceremony at the United States Capital Rotunda in Washington D.C. on April 24, 1979, Carter argued that “to truly commemorate the victims of the Holocaust, we must harness the outrage of our memories to banish all human oppression from the world.”

The Commission’s agreement with Carter is nowhere more evident than in their proposal for the formation of a Committee on Conscience, which was and remains the most provocative element and potentially the most transformative element of the Commission’s work. The Committee on Conscience takes the rhetoric of public memory seriously in its commitment of articulating memories of the past to present and future action. The Committee recommended that

*a Committee on Conscience composed of distinguished moral leaders in America be appointed. This Committee would receive reports of genocide (actual or potential) anywhere in the world. In the event of any outbreak, it would have access to the President, the Congress, and the public in order to alert the national conscience, influence policy makers, and stimulate worldwide action to bring such acts to a halt.*
The Report does not provide details concerning the appointment process or what ought to be considered as qualifications necessary for such appointment. Instead of focusing on the mechanics, it emphasized the potential benefits and drawbacks.

The Commission argued that it “knows well the potential for the politicization of a Committee on Conscience.”\textsuperscript{110} It could be quite devastating for certain groups of Americans if the Commission’s goals were met. Take for instance the potential abuses that could be wrought if a distinguished moral leader with a similar set of beliefs as the late Reverend Jerry Falwell were to be given a place at the helm. As the historical record shows, Falwell had such aspirations as one of the creators of the organization known as the “Moral Majority,” which was a conservative Christian political lobby group that operated from 1979 to 1989. Falwell used his pulpit to advocate a variety of causes, notably against secularism and civil rights. His views are summarized in his post 9/11 remarks that gained him national attention. He stated

\begin{center}
I [Jerry Falwell] really believe that the pagans, and the abortionists, and the feminists, and the gays, and the lesbians who are actively trying to make that an alternative lifestyle, the ACLU, People for the American Way, all of them who have tried to secularize America. I point the finger in their face and say you helped this [the 9/11 attacks] happen.\textsuperscript{111}
\end{center}

Characters of this ilk are deeply enmeshed into American political and educational life. Falwell founded what is now known as Liberty University, an accredited private Baptist university serving approximately twenty-thousand students. To ensure that the conscience intuited at Liberty University remains constant, its instructors, with minor recent exceptions, are not offered tenure to assure that they may be fired at a moment’s notice.
for exercising their liberty to teach contrary to the school’s mission, which includes anti-abortion, anti-homosexuality, and creationism.\footnote{112} Students at Liberty University may be reprimanded or fined by engaging in such liberties as attending dances, entering rooms of students of the opposite sex, or getting involved in unauthorized petitions.\footnote{113} It is clear that Falwell was a moral leader, and a prominent and distinguished one at that. It is also clear that there is not a necessary correspondence between recognized moral leadership and the creation of a world marked by a tolerance for diversity necessary to stave off genocide and related crimes.

Despite such openings for abuse, the Commission argued that the potential benefits were far greater, particularly with regard to upholding the promise of “never again.” The Report argues that “the risks are worth taking if such a body can provide maximal exposure for dangerous developments, raising, in one scholar’s words, an ‘institutional scream’ to alert the conscience of the world and spark public outcry.”\footnote{114} Such publicity is designed to uphold the obligation assumed when peoples and nations look to the Holocaust and pronounce “never again.” Likewise, the Commission upheld that their most pressing and difficult concern was “the need to insure that such a totally inhuman assault as the Holocaust—or any partial version thereof—never recurs.”\footnote{115} The unanswered question remains—how does one go about preventing recurrence?

The question of how to prevent recurrence is answered on two fronts—publicity and influencing consciousness.\footnote{116} The memorial is to do justice to memories of the Holocaust by altering viewers’ consciousness. This is the general phenomena being addressed by the Committee on Conscience, with “conscience” referring to the internalization of the moralizing lessons. The term “consciousness” is here rendered, as it
was in the first chapter of this manuscript, from Albert Camus’s “Myth of Sisyphus,” where he defined it as the direction of attention. Rather than describing the physiological and psychological state of being awake or alert, this definition highlights how what one’s attention is directed at is consubstantial with what one is aware of or knows. This is not to be taken literally to mean that one only knows what they see in their field of vision. Rather, this is to be taken metaphorically to mean that the knower’s knowing is bound to their field of experiences.

To prevent the recurrence of genocide, the Commission set out to influence American consciousness by doing the rhetorical work of public memory. By providing a memorial site, learning center, days of remembrance, and a Committee on Conscience, the Commission’s work quite explicitly set out to alter the direction of its viewers attention—to metaphorically say “look here, this is important to remember this historical blight in such a way that similar tragedies never again happen.” This captures what the term “conscience” in Committee on Conscience entails. In a general sense, “conscience” refers to a faculty that distinguishes the rightness or wrongness of an individual’s action. The Committee on Conscience is beginning with the assumption that people with an intact conscience will recognize through the act of remembrance that the Holocaust was a wrong. The work of the Commission was to articulate such a recognition to supplemental actions and judgments. In the Commission’s work, specifically embodied by the Committee on Conscience, to develop a “conscience” with regards to the Holocaust means to develop a sense of remorse for past misdeeds and a sense of rectitude for pursuing actions that intervene in contemporary human rights violations. To have a
good conscience would then be to act in such ways that represent a commitment to
“never again.”

Since the Committee of Conscience would not have jurisdiction over armies or legislation, publicity emerges as its primary weapon for creating a consciousness intent on combating genocide. As indicated above, publicity comes in such forms as providing “institutional screams” offering “maximal exposure for dangerous developments.” The Committee, more importantly, designates its work in publicity as “alert[ing] the conscience of the world and spark[ing] public outcry.” This work is part of the entire memorial project insofar as the Commission invites the memorial to be judged in large measure by its effectiveness at doing justice to the memory of the past by being useful to the present and remaining responsive to the future. Through the inclusion of four fronts (memorial/museum, learning center, days of remembrance, and Committee on Conscience), the Commission’s memory work arguably reached an audience of all Americans and many foreign nationals.

There is a problem here concerning the normative expectations of what remembering will produce that may be understood by recalling Plato’s understanding of education. Plato presented the goal of education metaphorically as turning the head of the learner rather than putting information into their head. Plato argued that “education takes it for granted that sight is there but that it isn’t turned the right way or looking where it ought to look, and it [education] tries to redirect it appropriately.” In terms of this discussion, Plato then understood the goal of the economy of education as altering consciousness by altering the direction of attention. The assumption in the Commission Report, as in the Republic, is that the source of the education (distinguished moral leaders
or philosopher-kings) will produce the same “good” subject that judges and acts in a predetermined manner. Here we are reminded of the Wiesel’s sage warning, that while there is “no guarantee that those who remember the past will not repeat history, the failure to remember the past makes repetition more likely.” 124 This is why we ought to remember the Nazi Holocaust and the Armenian Genocide before it. To remember such events is “to sensitize us to [their] critical political lessons.” 125

**Rhetoric of Consciousness**

The rhetorical lesson from the 1979 President’s Commission on the Holocaust involves the rhetoric of consciousness. Within the rhetorical lore, this term is understood underneath the heading of perspective, which in Burkean terms is shorthand for motives and captured in the dramatistic perspective. 126 The term, “consciousness,” is thus a shorthand signifier for the human life world that is rife with limitations and persistently influenced by attitudes. This understanding seems strikingly indebted to Nietzsche’s understanding of “perspective,” which he took to be the basic condition of life. 127 With Nietzsche, the task was to restore truth to perspective by affirming that knowledge (truth claims or otherwise) happens as perspective. Such transformations embody the task of wakefulness. 128 By directing the viewer’s attention, one is offered a perspective amongst perspectives that may or may not lead to any meaningful accomplishments.

The key to efficacy here may be understood through Nietzsche’s presentation of rhetoric as trope, captured in John Poulakos’s sophistic definition of rhetoric. An advocate begins the rhetorical work of effecting change by seeking the appropriate.
(proprietas in Nietzsche’s On Rhetoric and Language). Propriety is a representation of power relations that govern social, political, and cultural exchanges that are all subject to the contingency of perspective. Once it is found, the work of the advocate does the work of deviating “from the proprietas by means of the tropes. These [tropes] are [used] to increase the clarity [of the deviation from proprietas] through the use of images and comparisons, or highly expressive brevity or amplification. Then, aphorisms and figures, as artistic means of speech, may strengthen the appropriateness.”129 In sum, the work of rhetoric is done by beginning with the appropriate, turning or deviating from it, and reestablishing the deviation as the appropriate.130 That which is appropriate is experienced, uncritically, as that which is true. Truth, from a critical perspective, then emerges as an experience of rhetoric rather than some type of fixed entity.131 That is, truth is the affirmation of one’s perspective (direction of attention or consciousness).

President Carter’s address at the National Civil Holocaust Commemoration Ceremony on April 24, 1979 epitomizes this approach to rhetoric by aiming to alter consciousness by beginning with propriety, troping it, and reestablishing the trope as the appropriate. As recorded in Haß’s criticism, Carter called for a “true commemoration” of the Holocaust, which necessitated the harnessing of “the outrage of our memories to banish all human oppression from the world.”132 This is a tall order but Carter was more strategic in his rhetorical work. He began by invoking the moral outrage towards the violence and inhumanness of the Holocaust. In so doing, he implicitly invoked an interpretation of American moral superiority in his call for banishing human rights abuses based on a principle of the indivisibility of human rights and human dignity.133 Carter thus began by invoking what his audiences might recognize as the appropriate.
After successfully invoking the appropriate (a discourse of American moral superiority and universal condemnation of the Holocaust), Carter was able to trope it into a pragmatic call for action. Note how smoothly this happens in the following passage, with a demand for a specific legislative shift as the impending result of propriety itself:

That commitment [to speak out for human rights here and abroad] imposes special responsibilities on us to uphold the highest possible standards of human justice and human rights here at home. I applaud the Congress in calling for this day of remembrance of the Holocaust. And I renew my call to the Senate to take a long overdue step this year by ratifying the International Treaty on the Prevention and Punishment of Genocide. Without concrete action, our words are hollow. Let us signify by deed as well as by word that the American people will never forget.134

At the conclusion of Carter’s enthymematic proof, that which was appropriate in the major premise invokes a responsibility that must be met through word and deed. Signing of the UN Genocide Convention is now to be taken as empirical proof for American moral superiority, commitment to human rights, and pledge to not allow genocide to recur while never forgetting the Holocaust. The President’s Commission on the Holocaust listed the ratification of this treaty as the first priority in its section on additional recommendations.135 As noted in the introduction of this chapter, The United States did not sign the treaty until November 25, 1988.136

With forty years of United States moral absence at the foundation, the Committee on Conscience has developed into an institution founded on the Genocide Convention. The United States Holocaust Memorial Council (which was chaired by Wiesel from 1980-1986) “directed the Committee on Conscience to base its work on the definition of
genocide found in the Convention on the Prevention and Punishment of the Crime and Genocide.” As of 2008, the mandate of the Committee on Conscience has been altered only slightly from what was designated in the 1979 Report. Its “mandate is to alert the national conscience, influence policy makers, and stimulate worldwide action to confront and work to halt acts of genocide or related crimes against humanity.” The changes include the addition of confrontation as a form of action and the addition of the category labeled “related crimes against humanity.” The substantial shift from 1979 to 2008 is that the mandate of the current Committee on Conscience recognizes that the crimes it is designated to respond to are already existing rather than potential phenomena. It consequently assumes the role of a necessary voice for intervention and cessation of human rights abuses actually occurring now.

The modes of action for preventing recurrence and intervening where recurrence is already a reality remain the same—publicity and consciousness. The current mandate records that the Committee on Conscience will carry out its work by using “a wide range of actions, including public programs and activities, temporary exhibitions and public or private communications with policy makers. It seeks to work whenever possible with other governmental and non-governmental organizations.” Presented as such, the Committee would then be expected to produce a variety of spaces for the general public to interact with and learn about various mass-scale human rights violations. Some of the current projects that fulfill this commitment include the R3 project, the Genocide Prevention Taskforce, the Voices of Genocide Prevention Project, and the Museum Mapping Initiative. The R3 project, Remembrance, Reflection, Response, is an online highschool outreach program designed to spread knowledge of the Holocaust in such a
way that youths would take an active interest in working to stop human rights violations
in contemporary times. The Genocide Prevention Taskforce is a project designed to
“develop guidelines to help future U.S. governments deal with genocide.” This task
force is co-chaired by former Secretary of State Madeleine Albright and former Secretary
of Defense William Cohen, both of whom signed a letter against H.R. 106, the
aforementioned U.S. resolution that would officially label the massacre of Armenians by
the Ottoman’s “genocide.” The Voices on Genocide Prevention Project produces a bi-
weekly audio series and podcast service with “human rights defenders, experts,
advocates, and government officials.” The Museum Mapping Initiative includes two
projects “Crisis in Darfur” and “Mapping the Holocaust. This provocative project was
made possible by a partnership between the US Holocaust Memorial Museum and the
Google Corporation. The project uses a series of mapping layers in Google Earth that
provide viewers with rich contextual information about atrocities being committed
currently and in the past in the Darfur region. This project is part of an avowed
commitment to intervention in Darfur.” The US Holocaust Memorial Museum website
boasts that the “Committee on Conscience has been in the lead in responding to the crisis
in Darfur since January 2004.”

Conclusion

Both critics and consumers of memory sites devoted to the Holocaust are thrust
into a precarious position. Questions concerning the value of the act of remembrance are
heretical by default. On this matter, there is no why here. Jeshajahu Weinberg,
founding director of the United States Holocaust Memorial Museum, similarly noted that
the “museum restricts itself meticulously to answering the question of how it
happened.” At the same time, answers to vital (in the most literal sense of the word)
questions are not at all evident. Why remember the Holocaust? What is to be done with
the memory of the Holocaust? In other words, for what purposes are memories of the
Holocaust to be put? If the answers were to respectively resound, “not sure,” “nothing in
particular,” and “for whatever purposes you desire,” then Holocaust remembrance must
be decried as self-indulgent, pornographic in its voyeuristic excesses, and therefore
something to be held in little esteem.

In this chapter we saw two competing structures of argumentation that seek to
influence peoples’ consciousness (direction of attention) and conscience (attributed
values) by presenting information about the Holocaust. On the one hand, as with the
Holocaust essentialists or eccentrics, the Holocaust itself is the claim. This claim is
supported by documentary evidence of the atrocities committed and the culture lost.
Uniqueness and magnitude are invoked to warrant the memory work. Competing
memories of the Event, including those re-memberings of the event as a trope for
understanding and calling for intervention in contemporary cases, are treated with
suspicion.

On the other hand, the claim is captured in variations of the imperative “Never
Again!” This claim must be connected with some program of action for it to be rendered
meaningful. The thinnest connection would be some variation of “We must remember the
Holocaust so that we never allow it to happen again!” This is a shallow assertion of
Santayana’s maxim, “those who cannot remember the past are condemned to repeat it.”
The claim is thickened when linked to a specific site or program for intervention in crises. Though cumbersome in its explicitness, the logic of a thicker claim is captured in the following: “Working to stop the conflict in Darfur is part of fulfilling a commitment to those victims of the Holocaust in whose names we pronounced, never again!” This claim is warranted by documentary evidence of the Holocaust and supported by evidence showing an analogy between the Holocaust and the issue being advocated.

US Holocaust remembrance, codified in the 1979 President’s Commission Report on the Holocaust, seeks to do justice to memories of the Holocaust by articulating remembrance to humanitarian vigilance. Those influenced by US Holocaust remembrance are better off from such remembrance. The status of the Holocaust as a watershed historical event allows it to function as an event with a nearly universal adaptor. However, the members of the President’s Commission were not so naïve as to allow the museum’s moralizing lesson to flutter around and be subjected to the idiosyncratic whims of each particular visitor, including the Holocaust-deniers and anti-Semites of the world. The committee took the work of the rhetoric of public memory seriously. In turn, if it gains even a modicum of ground in achieving the purposes that it is designed to—namely stopping present and future genocides—it is a living reminder as to why we should remember past atrocities and what purposes such memories should serve in alleviating man’s inhumanity towards man.

On April 8, 1975, House Joint Resolution 148 designated April 24, 1975 as “National Day of Remembrance of Man’s Inhumanity to Man,” and stated that “the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such a day as a day of remembrance for
all the victims of genocide, especially those of Armenian ancestry. The lesson of that day has been repeated at isolated moments in the decades that followed. House Resolution 106 of 2007 tried to make it an enduring memory, but its advocates have been at least temporarily silenced.

The Committee of Conscience stands as an important and persistent reminder that every day, not just April 24th, ought to be a National Day of Remembrance of Man’s Inhumanity to Man. The 1979 President’s Commission Report on the Holocaust, the document that created the Committee on Conscience, attests to the fact that remembrance is at once not enough and at the same time not specific enough. There is no necessary correspondence between the act of remembering and the consequences of such memory. For Hitler, remembrance of people’s lack of care for the Armenians was justification for his unrelenting campaign of expansion and genocide. Historical apathy to the plight of the Armenians indicated what the Nazi regime was counting on for the future of their Reich. The modern Republic of Turkey pledged to interpret the United States call to remembrance of the Armenian Genocide as grounds for an assault on the Kurds of northern Iraq.

In this light, the demand is not—Remember! Rather, the demand is to bear witness to the atrocities of the past with the hope of doing justice to the memories of those taken through asking such critical questions as:

(a) What were the historical conditions that allowed for the perpetration of atrocities?

(b) How are such conditions present in communities that we are a part of?
(c) How can memory of the atrocities be articulated to a program of altering such conditions?

(d) How can we best work to combat such atrocities in the present and future?

In short, these questions amount to a two-part demand that center on the productive force of the rhetoric of public memory: What are the consequences of remembering? How does one make remembering into a consequential action for altering the course of and improving the human condition? In other words, how are we to do justice to memory?
Notes

1 United States House of Representatives, “H. Res. 106: Affirmation of the United States Record on the Armenian Genocide Resolution,” (January 30, 2007), point 21. This document is archived online at: http://thomas.loc.gov/home/gpoxmlc110/hr106_ih.xml

2 Ibid., point 28.

3 Ibid., point 29.


5 We are trained to see the positive uses of the term “civic.” Civic education does transcend what we might consider normatively good and by governments whether they be republics, democracies, or tyrannies. We witness the darker side of civic education in, for instance, Hitler’s invocation of the memory of how history had forgotten the Armenian victims. His logic was that those Armenian victims were forgotten and his Polish victims will also be forgotten. It was, however, the memory of the act of forgetting, not the forgetting itself, that was made useful for justifying the atrocities about to be committed.

7 Ibid.


9 In point 6, the resolution records that despite the lack of enforcement of the verdicts, “the chief organizers of the Armenian Genocide, Minister of War Enver, Minister of the Interior Talaat, and Minister of the Navy Jemal were all condemned to death for their crimes.” Ibid.

10 The American holdings are in the United States National Archives and Record Administration in Record Group 59 of the United States Department of State, files 867.00 and 867.40. Ibid., points 7 and 8.

11 Ibid., point 11.

12 Ibid., point 12.

13 Ibid., point 13.

14 Ibid., point 14.


19 Ibid., point 18.

20 United Nations, "Convention on the Prevention and Punishment of the Crime of Genocide." The signatory file is archived online at:

21 Ibid., note 24, reservation 1 of the signatory file.

22 Ibid.


24 Ibid.


26 The Elie Wiesel Foundation for Humanity, Nobel Laureates Call for Tolerance, Contact, and Cooperation between Turks and Armenians.


29 Arsu, “Turkey Sethes at the U.S. Over House Genocide Vote.”


31 Ibid.

32 *The New York Times* reports that “When the issue last arose, in 2000, a similar resolution also won approval by a House committee, but President Clinton then succeeded in persuading a Republican speaker, J. Dennis Hastert, to withdraw the measure before the full House could vote. That time, too, Turkey had warned of canceling arms deals and withdrawing support for American air forces then patrolling northern Iraq under the auspices of the United Nations.” Myers and Hulse, “Vote by House Panel Raises Furor on Armenian Genocide.”

33 Ibid.


The inclusion of these groups, along with others including African-Americans is also cited in the Report of the President’s Commission on the Holocaust: United States President’s Commission on the Holocaust., *President’s Commission on the Holocaust: Report to the President, September 27, 1979*, 1.

38 Haß, *The Politics of Memory in Germany, Israel and the United States of America*.


40 United States President’s Commission on the Holocaust., *President’s Commission on the Holocaust: Report to the President, September 27, 1979*, 1.


42 Ibid., 65.

43 Ibid., 186.

45 Haß, *The Politics of Memory in Germany, Israel and the United States of America*.

46 A copy of this document is included as an appendix to this manuscript. Copies of the bound pamphlet may be acquired through the United States Holocaust Memorial Museum. The pagination of this bound edition is used in this manuscript. A digital copy is currently archived on the museum’s homepage at:

http://www.ushmm.org/research/library/faq/languages/en/06/01/commission/

47 The full contents are as follows:

1. Letter to President Jimmy Carter from Chairman Elie Wiesel dated September 27, 1979. (pages i-vi)
2. Table of contents (page vii)
3. The Report to the President (pages 1-18)
4. Appendices (pages 19-40)
   a. Appendix A – Executive Order 12093 creating the President’s Commission on the Holocaust (pages 20-21)
   b. Appendix B – report from the “Study Mission to Eastern Europe, Denmark, and Israel (pages 22-25)
   c. Appendix C – Address by President Jimmy Carter Made at the National Civil Holocaust Commemoration Ceremony April 24, 1979 at the United States Capitol Rotunda in Washington, D.C. (pages 26-27)
d. Appendix D – Remarks by Vice President Walter F. Mondale Made at the National Civil Holocaust Commemoration Ceremony April 24, 1979 at the United States Capitol Rotunda in Washington, D.C. (page 28)

e. Appendix E “The Holocaust: Beginning or End?” Remarks Made by Elie Wiesel, Chairman, President’s Commission on the Holocaust, Made at the National Civil Holocaust Commemoration Ceremony April 24, 1979 at the United States Capitol Rotunda in Washington, D.C. (pages 29-32)

f. Appendix F Presentation of the Report of the President’s Commission on the Holocaust to the President of the United States by Elie Wiesel, Chairman, The Rose Garden The White House Washington, D.C. (pages 33-34)

g. Appendix G Remarks of the President at the Presentation of the Final Report of the President’s Commission on the Holocaust The Rose Garden, The White House Washington, D.C. (pages 35-36)

h. Appendix H Commissioners, Advisory Board Members, Staff (pages 37-39)

i. Appendix I Acknowledgements (page 40)

48 United States President’s Commission on the Holocaust., President’s Commission on the Holocaust: Report to the President, September 27, 1979, 3-5.

49 Ibid., 2.
50 Ibid.


52 United States President’s Commission on the Holocaust, President’s Commission on the Holocaust: Report to the President, September 27, 1979, 5.

53 Ibid., 4.


55 United States President’s Commission on the Holocaust, President’s Commission on the Holocaust: Report to the President, September 27, 1979, 3.

56 Ibid., iii.

57 On this note, I am presenting the social contract through Thomas Hobbes. In the Leviathan, Hobbes argues that we come together out of a desire for self-preservation threatened by a fear of violence from the other. In this sense, people may affirm the moral imperative “thou shall not kill,” out of a desire not to be killed rather than the imperative having some type of innate truth. Hobbes’ notion of the social contract stems from his understanding of human nature expressed in the phrase homo homini lupus (man is a wolf to man). See: Thomas Hobbes and C. B. Macpherson, Leviathan (Baltimore: Penguin Books, 1968).

58 See: Cassirer, Language and Myth, 61, Gadamer, Reason in the Age of Science, 50.

59 United States President’s Commission on the Holocaust, President’s Commission on the Holocaust: Report to the President, September 27, 1979, iii.

60 Ibid.
61 Ibid.

62 This is the nomenclature used in the Report.

63 See: http://www.ushmm.org/outreach/euthan.htm

64 See: Henry Friedlander, The Origins of Nazi Genocide: From Euthanasia to the Final Solution (Chapel Hill: University of North Carolina Press, 1995). See also:

65 United States President’s Commission on the Holocaust., President’s Commission on the Holocaust: Report to the President, September 27, 1979, 10.


68 Plato, Grube, and Reeve, Republic, 377b-c.

69 Alphen, “Deadly Historians: Boltanski’s Intervention in Holocaust Historiography.”

70 On speaking about ethics, the Commission Report cites that learning to recognize the particular against the tyranny of universal ethical claims is part of gaining a toleration for ethnic diversity. “We can also come to understand that a universalistic ethic unbalanced by respect for particular variation is ultimately tyrannical. Tolerance for ethnic diversity can be enhanced.” United States President’s Commission on the Holocaust., President’s Commission on the Holocaust: Report to the President, September 27, 1979, 6.
It could be understood in various ways, ranging from death tolls to abstract quantifications of the suffering of the victims. The first critique of such reliance on quantity that may be critiqued on its basic ethical foundations. Here, one might ask why quantity is a primary concern in these large scale acts of violence. For instance, does the fact that only approximately 1.5 Armenians perished make it less significant than the victims of the Nazis? How can one make such distinctions? The contrast is sharper against the atrocities committed against the United States on September 11, 2001, an event that took the lives of approximately 3000 people. In contemporary circles, this is considered a watershed moment in American and World history. The quantity argument runs into another roadblock with the mass scale atrocities committed in the former Soviet Union (1922-1953). Estimates of the death toll of this regime range from three to twenty million (depending on which deaths are attributed to the repressive regime). Without belaboring the point, the issue at hand isn’t the quantity of violence, but the potency of the rhetoric circulated concerning the value of those lives lost.

United States President’s Commission on the Holocaust., President’s Commission on the Holocaust: Report to the President, September 27, 1979, 3.

Ibid.

Ibid.

This phrasing is taken from Richard Morris’s discussion of the “educational” programs imposed by the United States Government on Indian Reservations. He distinguishes didactic mimesis, or imitation based on instruction where the subject has some agency from transformational mimesis where the subject is forced to become a representation of that which it imitates. See: Richard Morris, “Educating Savages,” Quarterly Journal of Speech 83, no. 2 (1997).


Alfred Rosenberg, quoted in: Ibid., 81, footnote 5.

Adolf Hitler, quoted in: Ibid., 81, footnote 7.


United States President’s Commission on the Holocaust., President’s Commission on the Holocaust: Report to the President, September 27, 1979, 9.

Poulakos, “Toward a Sophistic Definition of Rhetoric,” 36.
United States President’s Commission on the Holocaust., *President’s Commission on the Holocaust: Report to the President, September 27, 1979*, 9.

Ibid.

Ibid., 14.

Ibid., 9.


In this passage, Conquergood is citing Johannes Fabian’s call for a “turn from interpretive to performative ethnography,” which Conquergood interprets as an “ethnography of the ears and heart that reimagines participant-observation as coperformative witnessing.” Ibid.


Arendt cites Premiere Ben-Gurion describing what was on trial during the trial of Adolf Eichmann: It is not an individual that is in the dock at this historic trial, and not the Nazi regime alone, but anti-Semitism throughout history.” Ibid., 19.

Young, *The Texture of Memory: Holocaust Memorials and Meaning*, ix.

United States President’s Commission on the Holocaust., *President’s Commission on the Holocaust: Report to the President, September 27, 1979*, 10.

Haß, *The Politics of Memory in Germany, Israel and the United States of America*.

The specific frameworks of memory discussed by Halbwachs are class, family, and religion. Halbwachs and Coser, *On Collective Memory*, 40.
Haß, *The Politics of Memory in Germany, Israel and the United States of America*.

See: Nietzsche, *History*.

Towards the end of his career, Cato the Elder influenced the Romans to eventually war with Carthage by ending all of his speeches with the sentence: *Ceterum censeo Carthaginem esse delandam* [Moreover I am of the opinion that Carthage be destroyed].


This structure of this move is roughly analogous with Plato’s bow to Adrasteia. See chapter 1 of this manuscript.

President Carter’s speech is included in the bound edition of the Report to the President by the President’s Commission on the Holocaust. United States President’s Commission on the Holocaust., *President’s Commission on the Holocaust: Report to the President, September 27, 1979*, 26.

The emphasis is from the original. Ibid., 13.

Ibid., 14.


See: http://www.liberty.edu/

See: http://www.liberty.edu/

United States President’s Commission on the Holocaust., *President’s Commission on the Holocaust: Report to the President, September 27, 1979*, 14.

Ibid., 13.
I use the term consciousness instead on conscience to signify the emphasis on perspective rather than moral evaluation. Consciousness will be discussed in greater detail below.

See: Camus, *The Myth of Sisyphus and Other Essays*.

Collective consciousness and collective memory are strikingly similar. Insofar as collective memory is not tied to specific contents of remembrance, they are effectively the same term. If collective memory is tied to such specificities, i.e. the statue of Giordano Bruno in Rome’s Campo de’ Fiori, then the terms are different. In this case, viewers of Bruno’s statues with minimal knowledge of the events that happened at the spot are partaking in a different form of collective remembrance than those that do not. Bruno was a philosopher burnt at that spot as a heretic for his views on religion and science. He has since become remembered as a martyr for science and free speech. A Lack of awareness of the specificities of Bruno’s beliefs, trial, and execution by no means diminishes the passerby in Campo de’ Fiori’s consciousness of issues of freedom of thought and expression. Collective consciousness would thus serve to capture the contours of a people’s direction of attention rather than the specific memories or experiences that constitute it.

To understand this better, let’s look at the United States juridical system. The court system, as it is, is a type of committee on “justice,” or a committee on consciousness with regard to justice. Its actions and pronouncements dictate what counts as just within a particular society. In fact, the most direct way to disabuse oneself of an unremitting belief that universal justice exists in the world of human affairs outside of the clouds is to
inquire into nominations of Justices to the United States Supreme Court. If the Justices were “justly” applying the Constitution to particular cases, there would be no reason to fear the honorable John Roberts or Samuel Alito. As it is, mere application is not possible without interpretation, judgment, and argument. Their work and its product, namely justice, is distinctly rhetorical. Decisions rendered by the court are offered to the national consciousness as justice.

120 United States President’s Commission on the Holocaust., President’s Commission on the Holocaust: Report to the President, September 27, 1979, 14.

121 Ibid.

122 Plato, Grube, and Reeve, Republic, 518c.

123 Ibid., 518d.

Plato Republic 190

124 United States President’s Commission on the Holocaust., President’s Commission on the Holocaust: Report to the President, September 27, 1979, 5.

125 Ibid.

President’s Commission on the Holocaust Elie Wiesel, Chairman page 5

126 Burke, Permanence and Change: An Anatomy of Purpose, 29-36.

127 Nietzsche’s position is laid out in the introduction of this manuscript. See: Nietzsche and Kaufmann, Beyond Good and Evil, 2.

128 Ibid.

Poulakos’s definition, cited above, seems to stop at the second phase (deviation from *proprietas*), which he refers to as the “attempts to suggest that which is possible.” The third phase, whereby the deviation is reestablished as the appropriate, is implied as the potential outcome of an advocate’s successful attempt of suggesting the possible. See Poulakos, “Toward a Sophistic Definition of Rhetoric,” 36.

This captures the meaning of the definition of truth provided in: Nietzsche, “On Truth and Lying,” 248, 50.


Ibid., 26-27.

Ibid., 27.

Ibid., 16.

Perhaps the treaty would have been signed earlier had Carter won reelection; however, the aforementioned “Moral Majority” emerged in 1979 to combat what it saw as the “seeming moral downfall” of the United States. By 1980, the organization boasted amongst its ranks over “100,000 Evangelical pastors, Catholic priests, and orthodox rabbis,” 7 million families as members, 8.5 million new voter registrations, and $70 million in funds to promote its “pro-life, pro-traditional family, pro national defense, and pro-Israel platform” and the candidacy of Ronald Reagan. Falwell’s group is credited
with delivering two-thirds of the white, evangelical Christian vote to Reagan, who is subsequently praised for appointing 3 Supreme Court Justices and 378 federal judges.

Although the role of the Moral Majority in delivering the white, evangelical Christian vote is widely cited, it is drawn here from Randall King’s essay on the use of mass media for political and religious goals. He cites that “Television pastor Jerry Falwell is credited with creating an alliance through the Moral Majority that gave Ronald Reagan two-thirds of the white, evangelical Christian vote.” Randall E. King, “When Worlds Collide: Religion and Media at the 1970 East Tennessee Billy Graham Crusade. (Appearance by President Richard M. Nixon),” *Journal of Church and State* 39, no. 2 (1997): 273. All other quotations in this note are from the “Moral Majority Timeline” available online at:

http://www.moralmajority.us/index.php?option=com_content&task=view&id=5&Itemid=29

137 The “Mandate” of the Committee on Conscience is available online at:

http://www.ushmm.org/conscience/about/mandate/

138 http://www.ushmm.org/conscience/about/mandate/

139 http://www.ushmm.org/conscience/about/mandate/

140 Silvio Carrillo, *Ex-Cabinet Officials to Co-Chair Task Force to Prevent Genocide*


See: http://www.ushmm.org/conscience/

This is drawn from Primo Levis’s *Survival in Auschwitz* where he recounts the following event when “driven by thirst, I eyed a fine icicle outside the window, within hand’s reach. I opened the window and broke off the icicle but at once a large, heavy guard prowling outside brutally snatched it away from me. ‘Warum?’ I asked him in my poor German. ‘Hier ist kein warum’ (there is no why here), he replied, pushing me inside with a shove.” Primo Levi, Primo Levi, and Philip Roth, *Survival in Auschwitz: The Nazi Assault on Humanity*, (New York: Simon & Schuster, 1996), 29.


United States House of Representatives, “H. Res. 106: Affirmation of the United States Record on the Armenian Genocide Resolution,” point 20. This call was repeated on September 10, 1984 with House Joint Resolution 247 that designated April 24, 1985 as “National Day of Remembrance of Man’s Inhumanity to Man,” likewise calling for the president to call “upon the people of the United States to observe such a day as a day of remembrance for all the victims of genocide, especially the one and one-half million people of Armenian ancestry who were the victims of the genocide perpetrated in Turkey between 1915 and 1923, and in whose memory this date is commemorated by all Americans and their friends throughout the world.”
Chapter 5

Epilogue: The Secret Power of the Hidden Archive and the Ghosts of Guantanamo Bay

Start Human rights and human dignity are indivisible. American must, and always will, speak out in the defense of human rights not only in our own country, but around the world.

Jimmy Carter, Address at the National Civil Holocaust Commemoration Ceremony April 24, 1979 United States Capitol Rotunda Washington, D.C.¹

So long as I'm the president, I will press for freedom. I believe so strongly in the power of freedom. You know why I do? Because I've seen freedom work right here in our own country. I also have this belief, strong belief, that freedom is not this country's gift to the world. Freedom is the Almighty's gift to every man and woman in this world. And as the greatest power on the face of the earth, we have an obligation to help the spread of freedom.

George W. Bush, press conference April 13, 2004²

I believe there has been a gross violation of my human rights, particularly to that right of freedom and innocence until proven guilty... I still don’t know what crime I am supposed to have committed.

Moazzam Begg, former detainee at Guantanamo Bay, Cuba, to his father³
Moazzam Begg was one of the suspected al-Qaeda or Taliban operatives held as “enemy combatants” outside of national or international law at an American military compound in Guantanamo Bay. Although their detainment in Gauntanamo Bay was designed to make them invisible before the law, they will always remain a “visible in-visible” even if they will have been forgotten if the Bush administration succeeds in its vision of global justice. This status was exacerbated on January 11, 2002 when the U.S. released infamous photos of the detainees being held at Camp X-Ray in Guantanamo Bay, Cuba (Camp X-Ray was replaced by Camp Delta on April 28, 2002). These photos strengthened the visibility of the detainees on both national and international registers.

In one photo there are approximately ten blindfolded and shackled men in bright orange jumpsuits kneeling on rocks in a barbed wire pen with American soldiers looming ominously over them. In another photo, a blindfolded detainee nursing his right leg is being carried by two soldiers down a barbed wire corridor towards seven awaiting soldiers. In these photos, as with all the photos of the prison camps at Guantanamo Bay released by the government, the military personnel are either facing away from the cameras or their faces are digitally removed. As with all images, the rhetorical power and “meaning” of these visual images are linked to the sensus communis of the communities in which they are received and to the intertexts (captions, articles, speeches) they are juxtaposed against. In the U.S., these photos were linked to a systematic debasement of global civil society in the name of global justice and national security.

The road to the indefinite detainment of unnamed and uncharged people was paved by the U.S. Congress one week following the crime that claimed thousands of lives on September 11, 2001. At that time, President Bush was given the authority to use
“necessary and appropriate” means to fight “terrorism.” The Bush administration translated this to mean that it had the unequivocal rights to implement foreign and domestic policies that systematically undermine human and civil rights in addition to waging a global war on terror that has claimed thousands of lives and billions of dollars. Consequently, the administration’s actions have systematically exposed that there is no necessary correspondence between declared theories of government (such as democracy) and practices of freedom, justice, liberty, and the like.

Jess Bravin of the *Wall Street Journal* reported that “Guantanamo is the linchpin of the [Bush] administration’s strategy to block judicial oversight of such prisoners. Fenced off from Castro’s Cuba, it is the ‘legal equivalent of outer space’” because it is not under the jurisdiction of the Ninth U.S. Circuit Court of Appeals like the bases on U.S. territories in the Pacific. In March, 2003, the U.S. Court of Appeals for the D.C. Circuit upheld that American courts do not have jurisdiction over non-Americans captured and detained abroad during a war. Since the “war” being fought is the perpetual war on terror, this logic implies that perpetual war will justify perpetual detainment. With little hope for justice, even that “justice” that provides an easy death, a wave of suicide attempts came over Guantanamo, more than 30 of which have been officially recognized.

The International Committee of the Red Cross was allowed to view the camp in January of 2004. The Red Cross announced its disappointment with the legal status, condition, and treatment of the prisoners. On November 30, 2004, the Red Cross delivered a report to the US government arguing that the practices at Guantanamo Bay were “tantamount to torture.” The Red Cross argued that "the construction of such a system, whose stated purpose is the production of intelligence, cannot be considered
other than an intentional system of cruel, unusual and degrading treatment and a form of torture." In May of 2005, Amnesty International weighed in, labeling Guantanamo Bay as the “Gulag of our times.” These reports were, respectively, ignored and denounced.

Cofer Black, former head of the CIA Counterterrorist Center, spoke about the “operational flexibility” that the CIA exercises when dealing with suspected terrorists. He stated: “This is a very highly classified area, but I have to say that all you need to know: There was a before 9/11, and there was an after 9/11. . . . After 9/11 the gloves come off.” The gloves coming off is one of the CIA’s watchwords for the systematic torturing of suspects detained by America overseas. While holding unnamed humans outside the reach of law, the United States began defending its direct implementation of “stress and duress” tactics, such as extended interrogation, sleep deprivation, withholding needed medicaments, confinement, and bondage. There are also “indirect” methods of torture implemented by the United States. Dana Priest and Barton Gellman of the Washington Post report a military official discussing handing suspects over to third parties for more explicit acts of violence: “We don’t kick the [expletive] out of them. We send them to other countries so they can kick the [expletive] out of them. This process is referred to as “extraordinary rendition” or “torture by proxy.” Another official reportedly supervising the capture and transfer of terror suspects, “If you don't violate someone's human rights some of the time, you probably aren't doing your job.”

On April 22, 2004, Toni Locy of the USA Today announced that the “Accused Terrorists Face [a] Different Kind of Justice.” Six of the suspected al-Qaeda or Taliban operatives being held as “enemy combatants” outside of national or international law at Camp Delta “have been designated for possible trial by military tribunal . . . in which the
scales of justice are tipped against foreign terrorism suspects in favor of protecting national security.”¹¹ These six will be tried by a judge and jury composed of three to seven military officers handpicked by the Pentagon, one of whom will be a “legally trained ‘presiding officer.’” The Bush administration has additionally reserved the dual discretion of holding the trials in secret if it wishes and to detain acquitted suspects indefinitely “if it [the Bush administration] believes they [the acquitted suspects] pose a threat to security.”¹²

The administration’s positions have altered slightly along with certain legal restrictions imposed by U.S. courts. One significant change came on March 3, 2006 when the U.S. Department of Defense responded to court orders to begin releasing the names of the detainees.¹³ The administration has also altered its position on indefinite detention of all prisoners. This position, presented in a speech given by Secretary of State Condoleezza Rice on December 21, 2007, now states that many of the remaining 300 or so prisoners (referred to as “bad people”) may be released if their nations of origin assure the U.S. that they will not be able to cause any additional harms.¹⁴

The hearings for six high-profile detainees are set to begin in 2008 in a newly constructed facility at Guantanamo Bay—Camp Justice. The UK Newspaper, The Guardian, reports that work on Camp Justice began in September 2007 and was completed in March 2008, consisting of “a windowless courthouse, holding cells, and tents for 550 officials, lawyers, and journalists.”¹⁵ In this windowless courtroom, these high-profile detainees, including the man who allegedly masterminded the terrorist attacks on September 11, 2001, Khalid Sheikh Mohammed, will face 169 charges
including “conspiracy, murder in violation of the laws of war, attacking civilians, destruction of property, and terrorism.” 16 If convicted, they face the death penalty.

Like Adolf Eichmann’s trial in the House of Justice [Beth Hamishpath], this trial at Camp Justice is already being called a show trial. This time, however, it is the critics, not the proponents, referring to the trial as a show. Vincent Warren, executive director of the Center for Constitutional Rights labeled these cases as “essentially show trials” that “are being used to justify six years of lawlessness and barbarity this government has been doing.” 17 U.S. Homeland Security Secretary Michael Chertoff, The Guardian reports, “has insisted the six Guantanamo Bay prisoners accused over the September 11 attacks will be fairly tried despite concerns about a ‘show trial.’” 18 The Pentagon states that Mohammed has already confessed for being responsible for 9/11; CIA Director Michael Hayden admitted that Mohammed was subjected to waterboarding, a type of torture used by interrogators to simulate drowning. 19 The judges, instructs Chertoff, will decide whether information obtained by torture will be presented, stating “The judges will decide what’s reasonably admissible and what’s not admissible.” 20

Inaction echoes audibly in the silence of Guantanamo and the detainees whose humanity is systematically stripped away through the combined depersonalization of ignorance, aversion, and omission. Despite what they may or may not have done, what horrors they may or may not have inflicted on civilians and soldiers alike, these people were detained outside U.S. and international laws and protections in the name of 290 million U.S. citizens. The only recourse to justifying this action is through catchwords—“they are threats to national security” or just plain “evil.” Instead of judging the legal and moral implications of detaining people indefinitely without due process and subjecting
them to torture, the Supreme Court has risen to affirm that no court in the American “justice” system has jurisdiction over those bodies, for we are not to remember them as full-fledged human beings like ourselves, held by the U.S. abroad during a war that has no foreseeable end and no clearly identifiable enemy.

The camps at Guantanamo Bay do more than detain, interrogate, and discipline “dangerous” bodies. More significantly, they operate as a representative anecdote for how the Bush administration wants U.S. citizens and the world to remember (and forget) its global war on terror. As a public memorial, Guantanamo attests to both the importance and the precariousness of public memory, particularly as it bears on the way peoples are disposed to ideographs such as liberty, freedom, and justice.21

Far from banking on a culture of amnesiacs, the Bush administration has taken public memory to be the domestic frontline for its war on “terror.” Through an endless repetition of the same nationalistic clichés, the administration offers the public a memory that articulates it (both the administration and the public) to freedom and freedom to democracy. The strategy involved in this move is rooted in the psychological foundation of publics. In Publics and Counterpublics. Michael Warner argues that “publics exist only by virtue of their imagining. They are a kind of fiction that has taken on life, and very potent life at that.”22 Following Friedrich Nietzsche’s discussion of truth in “On Truth and Lying in an Extra-Moral Sense,” we might assume that the imagined public will solidify into a type of “truth” over time. Nietzsche describes truth as “a mobile army of metaphors, metonyms, anthropomorphisms, in short, a sum of human relations which were poetically and rhetorically heightened, transferred, and adorned, and after long use seem solid, canonical, and binding to a nation. Truths are illusions about which it has
been forgotten that they are illusions." If Nietzsche does not strike home on this point, let us recall that this notion of the production of truth through the repetition and eventual forgetting of stories was Plato’s proposed method in his Republic for producing perfect justice in the good city.

The illusory quality of truth and the imaginary reality of publics may be forgotten, but it is not lost. Explaining the “essentially political dimension” of Jan Patočka’s genealogy of responsibility, Jacques Derrida presents an axiom, “namely that history never effaces what it buries; it always keeps within itself the secret of whatever it encrypts, the secret of its secret.” In this manuscript, I explored the politics of public memory designed to encrypt specific secrets or foster a targeted forgetfulness while encoding certain memories. We saw firsthand how advocates in the public sphere do their work by attempting to alter our experience of the world with the rhetoric of public memory. Since we take in far more than we remember (or far more than we see to use a sight metaphor), advocacy operates by altering publics consciousnesses (direction of attention).

This exploration was opened with the claim that all knowledge happens as knowledge of bodies derived through experience, which is to say that, despite how people are cultivated to experience knowledge, all knowledge happens as perspective. Reflecting back on the manuscript, I must add that knowledge is just memory. Rather than putting knowledge, per se, as the object of inquiry, it might be more fruitful to question how we may do justice to memory.

The role of the rhetorical critic focusing on the rhetoric of public memory offers one such path to this brand of justice. Asking how memory is produced in rhetorical
discourses (from the individual speech to an entire *paideia*) offers valuable insight into the ways in which we are disposed by rhetoric to experience and interact with the world around us. The critic who is a scholar of rhetoric does not stop there. Recall Edwin Black’s argument presented in the introduction to this manuscript: “there is something acutely unsatisfying about criticism that stops short of appraisal,” that is of judgment. Scholarship in rhetoric shows that “what is already before us in the world may not be all there can be.” Drawing on John Poulakos, I understand rhetoric to be “the art which seeks to capture in opportune moments that which is appropriate and attempts to suggest that which is possible.” Thus, in addition to explaining how we are invited to experience a set of rhetorical discourses and how such experiences alter our experience of the world, I attempted to suggest ways to improve or alter our experiences of these discourses.

My criticism moved through Plato’s *Republic*, Hannah Arendt’s *Eichmann in Jerusalem: A Report on the Banality of Evil*, and the 1979 *President’s Commission on the Holocaust: Report to the President*. Taken together, these sites offer an opportunity to witness the rhetoric of public memory in action. This act of witnessing happens at two distinct levels. One level is marked by distance. Plato and Arendt have passed from this world and the President’s Commission on the Holocaust is long defunct. To criticize their work seems less dangerous, severe, or presentist. It feels safer to question that which historical distance does not allow us to directly affect. The other level of witnessing happens much closer on a firsthand or intrapsychic scale. While each chapter dealt centrally with a central discourse, none of these discourses exist in isolation. Rather, they are of a type that affords the opportunity to see residues of power that exist far beyond
the particular case. The historicity of beliefs we are instructed to hold dear—particularly reason and justice—are hidden in these discourses.

It is evident that I, nor any author, will not have the ultimate say about my writings, so here I will try to account for what I took as my penultimate task in this manuscript—namely trying to grasp the aporia of memory in contemporary American political life that comes to a focal point in the detainee camps in Guantanamo Bay, Cuba. I was not trying to understand in specific terms how or why the camps happened. Rather, I sought to encounter the camps through a series of related concepts in the deep history of the rhetoric of public memory. I turned towards three moments in history that Goethe would label “pregnant” for their ability to explain whole lineages of experience. This allowed me to end this stage of the journey better understanding who I am and “we” are, and how I and “we” became who we are. There is no archive that is more hidden than that which shapes, produces, and reproduces ourselves. When hidden, the archive may wield power over and instead of people in the world. Understanding how selves are formed, deformed, and reformed through the experience of the rhetoric of public memory is one step towards both understanding the limits of and reclaiming some of the possibilities of human agency.

Derrida argued that “There is no political power without control of the archive, if not memory. Effective democratization can always be measured by this essential criterion: the participation in and the access to the archive, its constitution, and its interpretation.” 28 While agreeing fully with this claim, this manuscript suggests “effective democratization” may be proclaimed and experienced as extant without the populace having access to the archive or meeting any criteria that may be considered
“democratic.” Furthermore, this manuscript suggests that the content of the archive may be of secondary importance to a general understanding of the experience of rhetoric and public memory. By first understanding and then re-experiencing the rhetoric of Plato’s *Republic*, Hannah Arendt’s *Eichmann in Jerusalem: A Report on the Banality of Evil*, and the 1979 *President’s Commission on the Holocaust: Report to the President*, we are able to begin to do justice to memory.

I am haunted by the ghost of Guantanamo Bay, by what that sight represents and how it has been used to induce particular remembrance and forgetfulness. I hope that those intent on mass harm are never afforded the opportunity. That is “reasonable.” I also lament justice being supplanted by proclamations of security. That is likewise “reasonable.” While disheartening, it is “just” to recognize how “democracy,” “justice,” “reason,” and like terms are indifferent to the dehumanization of any other others. Nietzsche saw a glimmer of health in nihilism insofar as the will-to-power remained intact in people that would rather will nothing than not will at all. My hope centers on an evolution of this humanistic agent, an agent that is neither wholly free nor wholly determined. I hope that human will is neither dead nor limited to nihilism. I hope that we may find ways to understand and affirm rather than detain and forget other others. I believe that our most profound problems are with memory, perspective, and knowledge rather than with some sort of fixed and immutable truth. I believe that rhetorical criticism may help us become more human and more humane. I believe that it is possible to do justice to memory.
Notes

1 United States. President’s Commission on the Holocaust., President’s Commission on the Holocaust: Report to the President, September 27, 1979, 26-27.


4 Jacques Derrida explains a “visible in-visible” as “an invisible of the order of the visible that I can keep in secret by keeping it out of sight.” Derrida, The Gift of Death, 90.


7 Hannah Arendt discusses Heinrich Himmler’s use of watchwords or catch phrases that were used to justify the rituals of violence carried out during the Third Reich. See: Arendt, Eichmann in Jerusalem: A Report on the Banality of Evil, 105-06.

8 Priest and Gellman, “U.S. Decries Abuse but Defends Interrogations: ‘Stress and Duress’ Tactics Used on Terrorism Suspects Held in Secret Overseas.”
9 President Bush publicly acknowledged the existence of overseas CIA prisons in September of 2006 when three high ranking Al-Qaeda operatives were transferred from overseas to Guantanamo Bay. “Bush Admits to Cia Secret Prisons,” BBC News, September 7 2006. Available online at: http://news.bbc.co.uk/2/hi/americas/5321606.stm


11 My emphasis. Locy, “Accused Terrorists Face Different Kind of Justice.”

12 Ibid.

13 While 317 names (slightly more than 60% of those known to have been held at Guantanamo in March of 2006) were initially released, many more names have since been released. The U.S. Department of Defense currently hosts a document containing 759 names entitled “List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006.” See: List of Individuals Detained by the Department of Defense at Guantanamo Bay, Cuba from January 2002 through May 15, 2006. Accessed on May 20, 2008. Available at: http://www.defenselink.mil/news/May2006/d20060515%20List.pdf.

http://www.guardian.co.uk/world/2008/mar/22/guantanamo.usa


http://www.guardian.co.uk/world/2008/feb/11/guantanamo

17 The Center for Constitutional Rights is a civil rights activist organization that originated in 1966. It has provided legal representation for detainees at Guantanamo Bay. Matthew Weaver and Ed Pilkington, “Guantanamo Six Will Have Fair Trials, Insists Chertoff,” *Guardian*, February 12 2008. Available online at:
http://www.guardian.co.uk/world/2008/feb/12/guantanamo.september11

18 Ibid.

19 Ibid. More information may be found in the following article: Scott Shane, “Waterboarding Focus on Inquiry by Justice Department,” *The New York Times*, February 23 2008.

20 Weaver and Pilkington, “Guantanamo Six Will Have Fair Trials, Insists Chertoff.”

21 For scholars of rhetoric, ideographic criticism is an underdeveloped counterpart to genealogical inquiry. Michael Calvin McGee defines the term ideograph as “one-term sums of an orientation, the species of ‘God’ or ‘Ultimate’ term that will be used to


Appendix

President’s Commission on the Holocaust: Report to the President

Appendix: President’s Commission on the Holocaust: Report to the President

President's Commission on the Holocaust
Office of the Chairman
September 27, 1979

Dear Mr. President:

It is with a deep sense of privilege that I submit to you, in accordance with your request, the report of your Commission on the Holocaust. Never before have its members, individually and collectively, given so much of themselves to a task that is both awesome and forbidding, a task which required reaching far back into the past as well as taking a hard look into the future.

Our central focus was memory--our own and that of the victims during a time of unprecedented evil and suffering. That was the Holocaust, an era we must remember not only because of the dead; it is too late for them. Not only because of the survivors; it may even be late for them. Our remembering is an act of generosity, aimed at saving men and women from apathy to evil, if not from evil itself.

We wish, through the work of this Commission, to reach and transform as many human beings as possible. We hope to share our conviction that when war and genocide unleash hatred against any one people or peoples, all are ultimately
engulfed in the fire.

With this conviction and mindful of your mandate, Mr. President, we have explored during the past several months of our existence the various ways and means of remembering—and of moving others to remember—the Holocaust and its victims, an event that was intended to erase memory.

Our first question may sound rhetorical: Why remember, why remember at all? Is not human nature opposed to keeping alive memories that hurt and disturb? The more cruel the wound, the greater the effort to cover it, to hide it beneath other wounds, other scars. Why then cling to unbearable memories that may forever rob us of our sleep? Why not forget, turn the page, and proclaim: let it remain buried beneath the dark nightmares of our subconscious. Why not spare our children the weight of our collective burden and allow them to start their lives free of nocturnal obsessions and complexes, free of Auschwitz and its shadows?

These questions, Mr. President, would not perhaps be devoid of merit if it were possible to extirpate the Holocaust from history and make believe we can forget. But it is not possible and we cannot. Like it or not, the Event must and will dominate future events. Its centrality in the creative endeavors of our contemporaries remains undisputed. Philosophers and social scientists, psychologists and moralists, theologians and artists: all have termed it a watershed in the annals of mankind. What was comprehensible before Treblinka is comprehensible no longer. After Treblinka, man’s ability to cope with his condition was shattered; he was pushed to his limits and beyond. Whatever has happened since must therefore be judged in the light of Treblinka. Forgetfulness is no solution.

Treblinka and Auschwitz, Majdanek and Belzec, Buchenwald and Ponar, these and other capitals of the Holocaust kingdom must therefore be remembered, and for several reasons.

First, we cannot grant the killers a posthumous victory. Not only did they humiliate
and assassinate their victims, they wanted also to destroy their memory. They killed them twice, reducing them to ashes and then denying their deed. Not to remember the dead now would mean to become accomplices to their murderers.

Second, we cannot deny the victims the fulfillment of their last wish; their idée fixe to bear witness. What the merchant from Saloniki, the child from Lodz, the rabbi from Radzimin, the carpenter from Warsaw and the scribe from Vilna had in common was the passion, the compulsion to tell the tale--or to enable someone else to do so. Every ghetto had its historians, every deathcamp its chroniclers. Young and old, learned and unlearned, everybody kept diaries, wrote journals, composed poems and prayers. They wanted to remember and to be remembered. They wanted to defeat the enemy's conspiracy of silence, to communicate a spark of the fire that nearly consumed their generation, and, above all, to serve as warning to future generations. Instead of looking with contempt upon mankind that betrayed them, the victims dreamed of redeeming it with their own charred souls. Instead of despairing of man and his possible salvation, they put their faith in him. Defying all logic, all reason, they opted for humanity and chose to try, by means of their testimony, to save it from indifference that might result in the ultimate catastrophe, the nuclear one.

Third, we must remember for our own sake, for the sake of our own humanity. Indifference to the victims would result, inevitably, in indifference to ourselves, an indifference that would ultimately no longer be sin but, in the words of our Commissioner Bayard Rustin, "a terrifying curse" and its own punishment.

The most vital lesson to be drawn from the Holocaust era is that Auschwitz was possible because the enemy of the Jewish people and of mankind--and it is always the same enemy--succeeded in dividing, in separating, in splitting human society, nation against nation, Christian against Jew, young against old. And not enough people cared. In Germany and other occupied countries, most spectators chose not to interfere with the killers; in other lands, too, many persons chose to remain neutral. As a result, the killers killed, the victims died, and the world remained world.
Still, the killers could not be sure. In the beginning they made one move and waited. Only when there was no reaction did they make another move and still another. From racial laws to medieval decrees, from illegal expulsions to the establishment of ghettos and then to the invention of deathcamps, the killers carried out their plans only when they realized that the outside world simply did not care about the Jewish victims. Soon after, they decided they could do the same thing, with equal impunity, to other peoples as well. As always, they began with Jews. As always, they did not stop with Jews alone.

Granted that we must remember, Mr. President, the next question your Commission had to examine was whom are we to remember? It is vital that the American people come to understand the distinctive reality of the Holocaust: millions of innocent civilians were tragically killed by the Nazis. They must be remembered. However, there exists a moral imperative for special emphasis on the six million Jews. While not all victims were Jews, all Jews were victims, destined for annihilation solely because they were born Jewish. They were doomed not because of something they had done or proclaimed or acquired but because of who they were: sons and daughters of the Jewish people. As such they were sentenced to death collectively and individually as part of an official and "legal" plan unprecedented in the annals of history.

During our journey to Eastern Europe--a full description of which is attached (Appendix B)--the Commission observed that while Jews are sometimes mentioned on public monuments in Poland, they were not referred to in Russia at all. In Kiev's Babi Yar, for instance, where nearly 80,000 Jews were murdered in September 1941, the word Jew is totally absent from the memorial inscriptions.

Our Commission believes that because they were the principal target of Hitler's Final Solution, we must remember the six million Jews and, through them and beyond them, but never without them, rescue from oblivion all the men, women and children, Jewish and non-Jewish, who perished in those years in the forests and camps of the kingdom of night.
The universality of the Holocaust lies in its uniqueness: the Event is essentially Jewish, yet its interpretation is universal. It involved even distant nations and persons who lived far away from Birkenau's flames or who were born afterward.

Our own country was also involved, Mr. President. The valiant American nation fought Hitler and Fascism and paid for its bravery and idealism with the lives of hundreds and thousands of its sons; their sacrifices shall not be forgotten. And yet, and yet, away from the battlefield, the judgment of history will be harsh. Sadly but realistically, our great government was not without blemish. One cannot but wonder what might have happened had the then American President and his advisors demonstrated concern and compassion by appointing in 1942 or 1943 a President's Commission to prevent the Holocaust. How many victims, Jews and non-Jews, could have been saved had we changed our immigration laws, opened our gates more widely, protested more forcefully. We did not. Why not? This aspect of the Event must and will be explored thoroughly and honestly within the framework of the Commission's work. The decision to face the issue constitutes an act of moral courage worthy of our nation.

The question of how to remember makes up the bulk of the Commission's report. Memorial, museum, education, research, commemoration, action to prevent a recurrence: these are our areas of concern. I hope that these recommendations will be acceptable to you, Mr. President, reflecting as they do the joint thinking of the members of the Commission and its advisors over a period of 7 months.

During that time, we held meetings and hearings and studied known and hitherto undisclosed material. Our hope was to reach a consensus among our diverse membership, which includes academicians and civic leaders, Christians and Jews, native Americans and survivors from the deathcamps who found a welcome and a refuge here and who now, as American citizens, enjoy the privileges of our democracy.
Special attention was paid to the opinions, views, and feelings of the survivors, men and women who know the problems from the inside and who ask for nothing more than the opportunity to show their gratitude. "Our adopted country was kind to us," says Commissioner Sigmund Strochlitz, "and we wish to repay in some way by helping to build a strong and human society based on equality and justice for all." Their willingness to share their knowledge, their pain, their anguish, even their agony, is motivated solely by their conviction that their survival was for a purpose. A survivor sees himself or herself as a messenger and guardian of secrets entrusted by the dead. A survivor fears he or she may be the last to remember, the last to warn, the last to tell the tale that cannot be told, the tale that must be told in its totality, before it is too late, before the last witness leaves the stage and takes his awesome testimony back to the dead.

In the hope that you will enable this testimony to be brought to the attention of the American people, and the world, I submit the attached report to you, Mr. President.

Respectfully yours,

The Honorable Jimmy Carter
President of the United States
Washington, D.C. 20500

1 FUNCTIONING OF THE COMMISSION
On November 1, 1970, President Carter established the President's Commission on the Holocaust and charged it with the responsibility to submit a report "with respect to the establishment and maintenance of an appropriate memorial to those who perished in the Holocaust, to examine the feasibility for the creation and maintenance of the memorial through contributions by the American people, and to recommend appropriate ways for the nation to commemorate April 28 and 29, 1979, which the Congress has resolved shall be 'Days of Remembrance of Victims of the Holocaust.'" *

The Commission, chaired by Elie Wiesel, consisted of 34 members, including survivors, lay and religious leaders of all faiths, historians and scholars, five Congressmen and five Senators, and was aided by a 27-person Advisory Board.

The Commission began its operations on January 15, 1979, holding its first meeting one month later on February 15. Subsequent to the first meeting, the Commission divided into a series of working subcommittees: Museum and Monument, Secondary Education and Curricula, Higher Education and Research, Human Rights, "Days of Remembrance," Fact-Finding and Travel Mission, and Funding. Each of the subcommittees, co-chaired by a member of the Commission and of the Advisory Board, met to formulate and refine the Commission's recommendations. All formulations were then presented to a meeting of the Advisory Board on April 10 and to the Commission as a whole on April 24.

In addition, during the first weeks of the Commission's life, suggestions were solicited from thousands of Americans: survivor organizations and individual survivors; a broad range of civic, labor, and religious leaders; Holocaust scholars and educators; members of the Polish-American community who had been subject to Nazi persecution as well as Armenian, Black, and other Americans whose historic experience make them particularly sensitive to the issues raised by the Holocaust.
In its surveys and dialogues, the Commission sought to formulate collectively what might constitute an appropriate national memorial to all those who had perished in the Holocaust while still honoring the memory and identity of those groups singled out for mass annihilation. In many respects, the recommendations and proposals of the Commission reflect the collective wisdom gleaned from discussion with a broad cross-section of individuals and groups.

During this formative period, several Congressmen held local hearings in their districts on the work of the Commission, with testimony from scores of witnesses, including survivors, teachers, clergymen, representatives of a broad range of community organizations, civic and political leaders, scholars, educators, theologians, artists, and writers. After the Commission had reached its preliminary conclusions, additional public hearings were held.

Within the first 3 months the Commission planned many of the activities conducted during the Days of Remembrance and developed models for future commemorations of the Holocaust. The Days of Remembrance activities culminated in a National Civic Holocaust Commemoration Service held in the Capitol Rotunda on April 24, the internationally recognized memorial day for the Holocaust (see Proposal 4 for a report of nationwide activities).

The second Commission meeting was actually held on the Day of Remembrance, April 24. It refined the proposals of the various subcommittees, and then charged the staff and committees to develop final recommendations. On June 7, the Commission met a third time to consider the proposals; overwhelming approval was given to the recommendations which make up the body of this report. Furthermore, the Commission decided to undertake a fact-finding mission, at the members' personal expense, to sites of Holocaust annihilation and memorials in Poland, the Soviet Union, Denmark, and Israel. The purpose of the journey was threefold: to ascertain what other countries have done, to lay the foundation for future cooperation between the Commission and major memorial and scholarly institutions, and
to pay tribute to the victims of the Holocaust by visiting the places of their death and the shrines erected to their memory. (A report of the fact-finding mission is in Appendix B.)

II. GUIDING PRINCIPLES

The Commission's efforts have been undertaken in the service of memory, with the conviction that in remembrance lie the seeds of transformation and renewal. Throughout the Commission's work, two guiding principles have provided the philosophical rationale. They are: (1) the uniqueness of the Holocaust; and (2) the moral obligation to remember.

The Uniqueness of the Holocaust

The Holocaust was the systematic, bureaucratic extermination of six million Jews by the Nazis and their collaborators as a central act of state during the Second World War; as night descended, millions of other peoples were swept into this net of death. It was a crime unique in the annals of human history, different not only in the quantity of violence--the sheer numbers killed--but in its manner and purpose as a mass criminal enterprise organized by the state against defenseless civilian populations. The decision was to kill every Jew everywhere in Europe: the definition of Jew as target for death transcended all boundaries. There is evidence indicating that the Nazis intended ultimately to wipe out the Slavs and other peoples; had the war continued or had the Nazis triumphed, Jews might not have remained the final victims of Nazi genocide, but they were certainly its first.

The concept of the annihilation of an entire people, as distinguished from their subjugation, was unprecedented; never before in human history had genocide been an all-pervasive government policy unaffected by territorial or economic advantage and unchecked by moral or religious constraints. Ordinarily, acts of violence directed by a government against a populace are related to perceived needs of national security or geographic expansion, with
hostilities diminishing after the enemy surrenders. In the case of the Nazis, however, violence was intensified after subjugation, especially in Poland and other parts of Eastern Europe, against all the subjugated populations. Jews were particular targets despite the fact that they possessed no army and were not an integral part of the military struggle. Indeed, the destruction frequently conflicted with and took priority over the war effort. Trains that could have been used to carry munitions to the front or to retrieve injured soldiers were diverted for the transport of victims to the death camps. Even after the Nazi defeat on the Russian front, when it became evident that the Germans had lost the war, the killings were intensified in a last desperate attempt at complete annihilation. Clearly, genocide was an end in itself independent of the requisites of war.

In the Nazi program of genocide, Jews were the primary victims exterminated not for what they were but for the fact that they were Jews. (In the Nuremberg Decree of 1935, a Jew was defined by his grandparents' affiliation. Even conversion to Christianity did not affect the Nazi definition.) While Gypsies were killed throughout Europe, Nazi plans for their extermination were never completed nor fully implemented. However, Nazi plans for the annihilation of European Jews were not only completed but thoroughly implemented. Many Polish children whose parents were killed were subjected to forced Germanization-- that is, adoption by German families and assimilation into German culture-- yet Jewish children were offered no such alternative to death.

The Holocaust was not a throwback to medieval torture or archaic barbarism but a thoroughly modern expression of bureaucratic organization, industrial management, scientific achievement, and technological sophistication. The entire apparatus of the German bureaucracy was marshalled in the service of the extermination process. The churches and health ministries supplied birth records to define and isolate Jews; the post office delivered statements of definition, expropriation, denaturalization, and deportation; the economic ministry confiscated Jewish wealth and property; the universities denied Jewish students admission and degrees while dismissing Jewish faculty; German industry fired Jewish workers, officers, board members and disenfranchised Jewish stock holders; government travel bureaus coordinated
schedules and billing procedures for the railroads which carried the victims to their deaths.

The process of extermination itself was bureaucratically systematic. Following the mob destruction of Kristallnacht, a pogrom in November 1938 in which at least 36 Jews were killed, 20,000 arrested, thousands of Jewish businesses looted and burned, and hundreds of synagogues vandalized, random acts of violence were replaced by organized, passionless operations. Similarly, the angry, riotous actions of the S.A. gave way to the disciplined, professional procedures of the S.S., which by 1943 had substituted massive, impersonal factories of extermination for the earlier mobile killing units. The location and operation of the camps were based on calculations of accessibility and cost-effectiveness, the trademarks of modern business practice. German corporations actually profited from the industry of death. Pharmaceutical firms, unrestricted by fear of side effects, tested drugs on camp inmates, and companies competed for contracts to build ovens or supply gas for extermination. (Indeed, they were even concerned with protecting the patents for their products.) German engineers working for Topf and Sons supplied one camp alone with 46 ovens capable of burning 500 bodies an hour.

Adjacent to the extermination camp at Auschwitz was a privately owned, corporately sponsored concentration camp called I.G. Auschwitz, a division of I. G. Farben. This multi-dimensional, petro-chemical complex brought human slavery to its ultimate perfection by reducing human beings to consumable raw materials, from which all mineral life was systematically drained before the bodies were recycled into the Nazi war economy; gold teeth for the treasury, hair for mattresses, ashes for fertilizer. In their relentless search for the least expensive and most efficient means of extermination, German scientists experimented with a variety of gasses until they discovered the insecticide Zyklon B, which could kill 2,000 persons in less than 30 minutes at a cost of one-half-cent per body. Near the end of the war, in order to cut expenses and save gas, "cost-accountant considerations" led to an order to place living children directly into the ovens or throw them into open burning pits. The same type of ingenuity and control that facilitates modern industrial development was rationally applied to the process of
destruction.

During previous centuries, excess populations were alleviated through emigration to less populated regions, but by 1920 the frontiers had receded and the New World no longer absorbed the overflow from the Old. When Germany could not ship out a population she wished to eliminate (no country was willing to accept Jews), she took the next fatal step and sent them up in smoke. In a world of increasing over-population, the inclination to duplicate the Nazi option and once again exterminate millions of people remains a hideous threat. The curse of the Holocaust is a dire warning.

The Holocaust could not have occurred without the collapse of certain religious norms; increasing secularity fueled a devaluation of the image of the human being created in the likeness of God. Ironically, although religious perspectives contributed to the growth of anti-Semitism and the choice of Jews as victims, only in a modern secular age did anti-Semitism lead to annihilation. Other aspects of modern dehumanization contributed to the Holocaust, notably the splitting of the human personality whereby men could murder children by day and be loving husbands and fathers at night. The division of labor that separated complete operations into fractions of the whole permitted thousands to participate in a massive bureaucracy of death without feeling responsible. For example, Adolf Eichmann, who supervised the roundup of Jews for deportation, could claim he never personally killed a single person, employees could insist they did not know what they were doing; executioners could explain they were only following orders.

Whether the product of technology or a reaction against it, the horror of the Holocaust is inextricably linked to the conditions of our time. By studying the Holocaust, we hope to help immunize modern man against the diseases particular to the twentieth century which led to this monstrous aberration.

**The Moral Obligation to Remember**

The American philosopher George Santayana has warned that those who forget history are condemned to repeat it. The Holocaust reveals a potential pathology at the heart of Western civilization together with the frightening
consequences of the total exercise of power. Remembering can instill caution, fortify restraint, and protect against future evil or indifference. The sense of outrage in the face of the Holocaust expressed in the declaration "Never Again"--neither to the Jewish people nor to any other people--must be informed by an understanding of what happened and how.

Although we have no guarantees that those who remember will not repeat history, the failure to remember the past makes repetition more likely. Nothing more clearly illustrates this claim than Hitler's alleged response to those in his government who feared international opposition to genocide. "Who remembers the Armenians?," he asked. Indifference to that earlier twentieth-century attempt at genocide may well have fortified those who later questioned the impact of extermination if not its wisdom or necessity. Conversely, memory can avert future errors. Perhaps it is no accident that the government official most responsible for a fundamental shift in American policy toward the plight of the Jews, former Secretary of the Treasury Henry Morgenthau, Jr., was the son of the Ambassador to Turkey during the Armenian massacre in World War I. It was at the behest of Secretary Morgenthau that a report was prepared for the President on the murder of the Jews.

To remember the Holocaust is to sensitize ourselves to its critical political lessons. Nazism was facilitated by the breakdown of democracy, the collapse of social and economic cohesion, the decline of human solidarity, and an erosion of faith in the political leadership and in the ability of democratic governments to function. Recalling these danger signals intensifies our concern for the health of the body politic and the processes of democracy, the forms of government and the importance of human and social values.

By remembering the excesses that marked the Nazi era, we can learn again the importance of limits, of checks and balances. We can also learn that a democratic government must function and perform basic services and that human rights must be protected within the law. We can renew our appreciation for moral and philosophical guidelines, for the need to consider the human cost of scientific experimentation. We can strengthen our belief in inalienable individual rights. We can also come to understand that a
universalistic ethic unbalanced by respect for particular variation is ultimately tyrannical. Tolerance for ethnic diversity and pluralism can be enhanced.

But remembering is not easy for either individual or group. Confronting the Holocaust threatens to sear our souls and challenge our perceptions, our complacency. It introduces a tone of somberness and tragedy into human discourse and heightens our awareness of the precariousness and vulnerability of life. Not only has the moral landscape of human reality been altered by the Holocaust, but the acceleration of technology and nuclear power now threaten human existence itself. By focusing on the dangers inherent in the ends and means of a technological, bureaucratic society, study of the Holocaust and its implications can encourage a renewal of commitment to sanity and humanity.

Americans have a distinct responsibility to remember the Holocaust. Millions of our citizens had direct family ties with its victims, our armies liberated many concentration camps and helped rehabilitate their inmates, and many thousands of survivors have since made their homes in this country. On the negative side although the United States assumed a leadership role in rehabilitation after the war, our failure to provide adequate refuge or rescue until 1944 proved disastrous to millions of Jews.

In a 1944 memo presented to the President, senior officers of the Department of the Treasury accused State Department officials of neglect and acquiescence:

[State Department officials] have not only failed to use the Government machinery at their disposal to rescue Jews from Hitler, but have even gone so far as to use this Governmental machinery to prevent the rescue of these Jews.

They have not only failed to cooperate with private organizations in the efforts of these organizations to work out individual programs of their own, but have taken steps designed to prevent these programs from being put into effect.
They not only have failed to facilitate the obtaining of information concerning Hitler's plan to exterminate the Jews of Europe but in their official capacity have gone so far as to surreptitiously attempt to stop the obtaining of information concerning the murder of the Jewish population of Europe.

They have tried to cover up their guilt by:

- concealment and misrepresentation;
- the giving of false and misleading explanations for their failures to act and their attempts to prevent action; and
- the issuance of false and misleading statements concerning the "action" which they have taken to date.*

The preceding memo was written at the height of the war, when the industries of death were working 24 hours a day to eliminate European Jewry, yet there was still time to save Hungarian Jews. The document marked a turning-point in American policies toward the Holocaust for it moved the President to appoint the War Refugee Board. Prior to entering the war, the United States had reacted to Nazi atrocities with guarded outrage and quiet diplomacy. Many isolationists had considered the Nazi treatment of Jews a German domestic matter. When emigration was still part of the Nazi approach to the Jewish question American officials erected paper walls by rigidly enforcing both quota regulations and obscure requirements of the immigration laws so as to minimize the number of persons admitted to our shores. Jewish children were summarily denied admission or any form of preferential treatment. American consular officers demanded that immigration applicants produce certificates of good character from their government at the very time that the Nazis considered Jewishness itself criminal. The American principle of separation of church and state, which blinds our laws to the religious affiliation of individuals, found ironic misapplication. Instead of being recognized as refugees, German Jews were considered citizens of a hostile nation and were thus excluded.
Government conferences on world conditions issued public utterances of displeasure toward the Nazis, but such pronouncements only diffused public pressure, giving the appearance of action rather than substantively altering the situation. The international conference held in 1938 at Evian demonstrated the unwillingness of the nations involved to receive Jews. The United States refused to relax its immigration laws or to borrow on future quotas; Great Britain failed to open the doors of Palestine to immigrants; Canada, Argentina, France, Australia, New Zealand, and Panama were also among 32 nations unwilling to come to the rescue of the victimized Europeans. Ships of refugees seeking haven were turned away from port after port while the Nazis viewed the world's response as tacit compliance if not silent assent to their policies.

Failures of communication included the State Department's closing of secured embassy lines to private organizations, thus blocking the transmission of vital information confirming the existence of extermination camps and the plans to exterminate all the Jews. The State and War Departments displayed no recognition of the fact that the Holocaust was distinct from the general German war effort. Eyewitness accounts, reports from informed sources, and oft-repeated Nazi pledges to exterminate the Jews were not integrated, analyzed and internalized to form a basis of action.

During the work of this Commission, the controversy as to why Auschwitz was not bombed by the Allies was raised once again. Considering the documents that have been made available recently, a more thorough analysis of American policy can now be undertaken. If we are to be responsive to crises in the future, an examination of the errors, the value judgments and reasoning processes that led to decisions may be useful.

America did play a major role in bringing Nazi criminals to justice. Herbert Pell, the United States representative to the War Crimes Commission, was the driving force behind the American assent to charge war criminals with crimes
against humanity. The Nuremberg trials represent a new international moral standard for they reflect the conviction that each individual is responsible for his actions even in times of war.

Americans recognized early the need to confront and remember the Holocaust. General Dwight D. Eisenhower insisted that the concentration camps be fully documented and photographed, and General George S. Patton demanded that Germans in surrounding towns be forced to visit the scenes of the Nazis murders. For more than 6 years following the war, American soldiers managed the displaced persons camps, aiding in the survivors' recovery. These and similar efforts were among the most honorable in our nation's chronicles. Our armed forces witnessed not only the depths of despair and depravity but the resurgence of the human spirit, the yearning to live in freedom.

In reflecting on the Holocaust, we confront not only a collapse in human civilization but also the causes, processes, and consequences of that collapse. As we analyze the American record, we can study our triumphs as well as our failures so as to defeat radical evil and strengthen our democracy.

III. PROPOSALS AND PROJECTS:

1. SPECIFIC RECOMMENDATIONS

Because of the magnitude of the Holocaust, its scope and the critical issues it raises, the Commission recommends establishment of a living memorial that will speak not only of the victims' deaths but of their lives, a memorial that can transform the living by transmitting the legacy of the Holocaust.
The Commission recommends that the three components of such a living memorial be:

1. A memorial/museum
2. An educational foundation
3. A Committee on Conscience

While a monument alone may commemorate the victims, no structure can fully reveal the process that culminated in extermination; nor can it document the awesome dimensions of the crime or analyze its causes and implications. While no monument in and of itself can speak to the present or inform the future, the Commission does recommend the erection of a physical structure as a setting for a living memorial.

IV

1. National Holocaust Memorial/Museum

The Commission recommends that a National Holocaust Memorial/Museum be erected in Washington, D. C. The museum must be of symbolic and artistic beauty, visually and emotionally moving in accordance with the solemn nature of the Holocaust.

The Commission proposes that the museum become a Federal institution, perhaps an autonomous bureau of the Smithsonian Institution offering extension services to the public, to scholars, and to other institutions.

The museum would present the Holocaust through pictorial accounts, films, and other visual exhibits within a framework that is not merely
reportorial but analytic, encouraging reflection and questioning. Furthermore, the museum would provide a fluid medium in which to apply historical events to contemporary complexities; its presentations would not be static but designed to elicit an evolving understanding. Recent technological innovations in computers and information banks now make it possible for museum visitors to become active learners and inquirers.

Museum exhibits would focus on the six million Jews exterminated in the Holocaust and millions of other victims. Changing displays would allow for emphasis on areas of current concern.

Special emphasis would also be placed on the American aspect of the Holocaust--the absence of American response (exclusion of refugees, denials of the Holocaust, etc.), the American liberation of the camps, the reception of survivors after 1945, the lives rebuilt in this country and their contribution to American society and civilization, the development of a new sensitivity to the Holocaust, and the growing respect for the multi-ethnic, multi-dimensional aspects of American culture. Also incorporated would be the life and culture of the victims and not just the destruction process. Similarly, the museum would depict the extraordinary efforts to preserve human dignity and life during the Holocaust, the heroic resistance efforts, and the response of renewed life after the Event.

The museum would house a library, an archive of Holocaust materials, computer linkage to existing centers of Holocaust documentation, and a reference staff. Such facilities would enable both the general public and specialized scholars to study the record of the Holocaust. Conference rooms, a lecture hall, and audiovisual equipment would also be provided.

While the Commission has reached no specific conclusions as to the exact programmatic content of the museum--such conclusions await the creative imagination of designers, planners, and architects.
working in cooperation with scholars and survivors--it has formulated guidelines for the substantive themes to be conveyed.

*Life as Well as Death:* The museum is to treat the existence and culture of the Jews of Europe before and during the war, their religious practices, their social and political convictions, and their economic character as well as the cultures of other peoples exterminated by the Nazis in order to recreate a vision of the world that was lost.

*The Universal and the Particular:* The Jews were Hitler's primary victims against whom the total fury of the Holocaust was unleashed: to dilute or deny this reality would be to falsify it in the name of misguided universalism. Since Jews were not the only people to suffer and since others perished for their convictions or affiliations, for their nationality or race in the machinery of death initially designed for the destruction of Jews, the Commission recommends that the museum incorporate displays on the Poles, the Gypsies, and other exterminated groups. Similarly, the museum should speak of the heroic individuals and groups of many nations who risked their freedom and their lives to save Jews from arrest and extermination--e.g., the Danish people whose noble efforts resulted in the rescue of 92 percent of the Jewish population of Denmark, and of Raoul Wallenberg, the Swedish diplomat assigned to Hungary who saved 30,000 Hungarian Jews. The breakdown of human solidarity must also be presented, the betrayals, the failure of some underground movements to provide arms for resistance, the collaboration of some local populations with the Germans to isolate and execute Jews, and the cooperation of leadership.

The universal implications of the Holocaust challenge Western civilization and modern, scientific culture. What threatened one people in the past could recur to threaten another people or, indeed, all
humanity.

*The American Experience:* Since the museum is to be a national institution it should deal with the American role during World War II. This includes American accomplishments, such as the War Refugee Board which saved thousands, the military successes that led to liberation of the concentration camps the reception of survivors, and the support for a Jewish homeland, but it must also confront our nation's failures. The museum should deal, for example, with the inability of people to believe that the Holocaust was happening or to translate information into effective action.

*An Understanding of the Holocaust:* The museum should trace the roles of the bystanders as well as the perpetrators and victims, delving into such issues as the collapse of the Weimar Republic, the rise of Nazism, the reasons for the choice of the Jew as principal victim. It should elucidate the mechanisms of social control and psychological manipulation perfected by the Nazis.

*Location:* The Commission resolved that the memorial should be built in Washington, D.C., the capital of the country and the seat of government, for the materials to be presented by it affect all Americans, raising fundamental questions about government, the abuses of unbridled power, the fragility of social institutions, the need for national unity, and the functioning of government. By reminding us of the potential for violence in human society, the museum can contribute to a strengthening of the democratic processes.

*Model:* When the Commission inquired as to an appropriate location for the memorial within the framework of current governmental activities, an independent institution and/or autonomous bureau of the Smithsonian Institution were presented as possible models. In addition to offering displays, the memorial/museum could parallel other
services offered by the Smithsonian and other Federally sponsored institutions. For example, the plan to sponsor curricula development and other educational programs (see page 12) might be analogous to those of the Alliance for Education in the Arts, a program of the John F. Kennedy Center for the Performing Arts which offers school systems throughout the nation a wide variety of outreach programs. The archival resources proposed for the memorial/museum could, like the Kennedy Center library, be linked to the Library of Congress and thus be enabled to provide research facilities and informational retrieval systems servicing both the casual student and the serious scholar. Like the Woodrow Wilson International Center for Scholars, another bureau of the Smithsonian, the memorial might also become a center of learning hosting conferences and stimulating Holocaust-related research. In the manner of the National Gallery of Art, it could also assist local museums and resource centers throughout the country in planning and developing Holocaust presentations. The relationship between institutions and the memorial/museum would be one of cooperation and mutual nourishment, with the national center playing a central cooperative role.

An association with the Smithsonian Institution either as an autonomous bureau or in a cooperative working relationship is desirable by virtue of a shared concern. Dedicated to the diffusion of knowledge among men, its various divisions celebrate the triumphant achievements of human history and creativity: the evolution of the human species (The National Museum of Natural History), the increasing human control of environment (The National Museum of History and Technology), the aesthetic genius of the human imagination (The National Collection of Fine Arts and the Hirshhorn Museum and Sculpture Garden), and the extension of the boundaries of human civilization to the skies and outer space (The National Air and Space Museum).
If the present branches of the Smithsonian represent the accomplishments of civilization, the Holocaust illuminates an alternate dimension of human experience, as well as the power of life to resist and renew itself. The Holocaust raises basic questions about human nature and its capacity for evil. The fact that this process of destruction was committed by one of the most cultured and technologically advanced societies adds a somber dimension to the progress of humanity celebrated by the Smithsonian. The connection of the memorial/museum with the various parts of the Smithsonian would allow the presentation of a more complete picture of civilization, a greater vision of its promises and dangers.

2. **Educational Foundation**

   The Commission recommends that there be included as part of a Holocaust memorial an Educational Foundation dedicated to the pursuit of educational work through grants, extension services, joint projects, research and exploration of issues raised by the Holocaust for all areas of human knowledge and public policy.

   The Foundation should stimulate and support such work in all sections of the country within existing programs, both academic and educational, as well as within the network of institutions that deal with the Holocaust. The Educational Foundation should also assist with the development of appropriate curricula and resource material while working cooperatively with those school systems which wish to implement the study of the Holocaust. The Washington center would function also as a clearinghouse for the exchange of information.

   To implement the conviction of the Commission that the study of the Holocaust become part of the curriculum in every school system in the country, the Foundation should include various support systems, financial aid, evaluation of Holocaust courses presently offered in
public and private schools, consortia, conferences, teacher-training workshops, and summer institutes for educators and scholars.

In the area of higher education, the Foundation should make available to scholars and graduate students fellowships for research and travel as well as matching grants for institutions or faculty who work with students. Other activities to be coordinated by the Educational Foundation would involve project funding, translations into English of important works in many languages and a visiting faculty program.

The Commission recommends that a publishing program be part of the Educational Foundation, with priority given to out-of-print classics, new works of special merit, survivors' accounts, and documentary or photographic publication. Emphasis should also be placed on scholarly studies which are essential to an understanding of the Holocaust but which are not commercially viable.

Finally, in recognition of the powerful educational role of the media, the Foundation should offer development grants and prizes for work in the arts, literature, and the media.

Because of the Commission's conviction that the teaching of the Holocaust is a critical dimension of the living memorial, the Educational Foundation is proposed to complement the museum by helping and encouraging the introduction of the study of the Holocaust in junior and senior high schools and universities, as well as by stimulating the development of resources for such teaching and study. Further, the Educational Foundation would encourage research on the Holocaust and promote the interaction of scholars and educators.

The Educational Foundation would confine itself to developmental and supportive functions. Standard history and other textbooks can be encouraged to deal with the Holocaust as a substantive part of their
treatment of World War II.

Teacher-training is another major area for the Educational Foundation, a need intensified by the growth in the number of colleges and secondary schools teaching the Holocaust. Within the past 5 years, course offerings have increased fifty-fold, and it is estimated that by 1985 over a thousand school systems will offer specific courses. While the subject of the Holocaust is now handled on the college level within a variety of departments--literature, history philosophy, religion, psychology, and sociology--there is only one graduate program in Holocaust studies anywhere in the United States: Temple University, which offers a Ph.D. in religion with a specialty in the Holocaust. Many university and high school teachers assigned to teach the Holocaust courses would profit from more adequate preparation.

The availability of teaching resources during this sensitive stage in the development of Holocaust studies could have a beneficial effect on the projects undertaken and help set standards in the field. New materials could be widely disseminated.

While the growing interest in the Holocaust has evoked the publication of scores of new books in recent years, research funds are still very scarce. Through its financial support, the Foundation could stimulate research and publications in the field. Through its archive and library facilities, equipped with information retrieval systems, it could facilitate access to scholarly material from centers throughout the world.

The Commission recommends that the Foundation also be charged with funding oral history projects of survivors living in America as well as of American soldiers who helped liberate concentration camps. This uniquely American aspect of the Holocaust will be lost with the
passage of time and the death of those witnesses if such projects are not initiated soon. While some attempts have been made,--e.g., the oral history projects of the Center for Holocaust Studies, Emory University and the American Jewish Committee--these undertakings have been handicapped by limited resources and the absence of a coordinating repository for materials.

The Foundation could also sponsor or co-sponsor social science research on the effects of trauma on survivors and their children. It might also commission musical or artistic activities relating to the Holocaust and offer creative input to improve the quality of media presentations on the Holocaust.

3. Committee on Conscience

_The Commission recommends that a Committee on Conscience composed of distinguished moral leaders in America be appointed. This Committee would receive reports of genocide (actual or potential) anywhere in the world. In the event of any outbreak, it would have access to the President, the Congress, and the public in order to alert the national conscience, influence policy makers, and stimulate worldwide action to bring such acts to a halt._

Of all the issues addressed by the Commission, none was as perplexing or as urgent as the need to insure that such a totally inhuman assault as the Holocaust--or any partial version thereof--never recurs. The Commission was burdened by the knowledge that 35 years of post-Holocaust history testify to how little has been learned. Only a conscious, concerted attempt to learn from past errors can prevent recurrence to any racial, religious, ethnic, or national group. A memorial unresponsive to the future would also violate the memory of the past.
In the years following the Holocaust, Americans repeatedly explained: "We didn't know. We didn't understand the magnitude of the problem. If only we had known, something would have been done." Trusting in the moral responsiveness of the American people and other peoples throughout the world, the Commission feels that the task now is to combat silence and ignorance; if evil cannot be totally eliminated, it may at least be alleviated.

The Commission recognizes that genocide has both a legal and political definition. It knows well the potential for the politicization of a Committee on Conscience, but the risks are worth taking if such a body can provide maximal exposure for dangerous developments, raising, in one scholar's words, an "institutional scream" to alert the conscience of the world and spark public outcry. Open hearings could be instituted in the event of major offenses against peoples, so that early reports of atrocities would not be suppressed, as they were between 1941 and 1943.

The Committee on Conscience would not duplicate the roles of existing human rights agencies, whether national or international, but would concentrate upon genocidal situations, transmitting information and advocating strong action on the part of the United States, other countries, or the United Nations.

To explore the potential for preventive action, as an example, the Chairman of the President's Commission on the Holocaust traveled to Argentina this summer to witness first-hand the massive human rights violations that have been reported. Because of regrettable State Department unresponsiveness, the scope of the Chairman's contacts were limited. Valuable information, however, was obtained.

The Boat People further illustrate the unique role that the Committee on Conscience can play. Speaking for the Commission, the Chairman appealed directly to the President of the United States to intervene on their behalf. He was also named to the delegation at the international conference at Geneva, in which role he was able to help bring about
international relief activities. This is not to presume that the Commission is or would be the lone voice to redress an outrage; the media, by the persistence of its reporting, has continually focused attention on the plight of the Boat People. Yet the voices which spoke out of the experience of the Holocaust resonated with special authenticity. By being reminded of Evian (a conference of 32 nations held in 1938 that failed to rescue the Jews when Hitler flung that challenge in the world's face), the recent Geneva Conference on the Boat People was sensitized to the price of inaction. Because of the Administration's awareness of the failures of the past, the Vice President's somber address invoking the spectre of Evian commanded great urgency. He said:

Our children will deal harshly with us if we fail. The conference at Evian 41 years ago took place amidst the same comfort and beauty we enjoy at our own deliberations today. One observer at those proceedings--moved by the contrast between the setting and the task--said this:

"These poor people and these great principles seem so far away. To one who has attended other conferences on Lake Geneva, the most striking thing on the eve of this one is that the atmosphere is so much like the others."

Let us not be like the others. Let us renounce that legacy of shame. Let us reach beyond metaphor. Let us honor the moral principles we inherit. Let us do something meaningful--something profound--to stem this misery. We face a world problem. Let us fashion a world solution.

History will not forgive us if we fail. History will not forget us if we succeed.
4. **Days of Remembrance**

The Commission recommends that the Days of Remembrance of Victims of the Holocaust be proclaimed in perpetuity to be held annually, commencing on the Sunday of (or preceding) the internationally recognized Holocaust Commemoration Day.

The Commission further recommends that the Holocaust Memorial be charged in its charter with the continuing responsibility to develop means of commemorating the Days of Remembrance. This mandate is integral to the work of the proposed Holocaust Memorial.

The President charged the Commission to implement the Congressional resolution calling for the observance of April 28 and 29, 1979, as "Days of Remembrance." The authors wanted the observance "to occur on days when Americans worship in the churches and synagogues of the nation, to coincide with the internationally recognized Holocaust Commemoration Day, and to mark the anniversary of a significant American involvement in the Holocaust, namely, the liberation of Dachau by American troops."

Mindful of the legislative intent and the task of commemorating events so shattering as to defy description, the Commission extended the commemoration to a week-long period so as to include the internationally recognized Holocaust Commemoration Day.

The programs initiated by the Commission were built on the foundation of two decades of commemoration activities, intensified this year by governmental involvement. Given the limited resources of the Commission, the number of activities were restricted to those capable of providing models for future years. Working on its own and in cooperation with several states, communities, and national organizations, the Commission organized the following activities:

1. National Civic Holocaust Commemoration Service in the Capitol Rotunda. President Carter led the leaders of the nation
and invited guests in a memorial service that included music from the Holocaust sung by the Atlanta Boy Choir, a Presidential address, remarks by the Vice President, an address by the Chairman of the Commission, a candle-lighting ceremony, and appropriate prayers.

2. In the State of Minnesota, a model for state observances, with the help of the local community and the state leaders, programs included:

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<th>In the State of Minnesota, a model for state observances, with the help of the local community and the state leaders, programs included:</th>
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<td>a.</td>
<td>An exhibit of Holocaust art in the Interchurch Center of Minnesota.</td>
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<td>b.</td>
<td>A conference and teacher workshop, featuring Professor Raul Hilberg as the keynote speaker and scholar in residence, on &quot;The Implications of the Holocaust for Western Society.&quot;</td>
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<td>c.</td>
<td>A state civic ceremony similar to the national ceremony, held in the state capitol with an address by the Governor and a Commissioner.</td>
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<td>d.</td>
<td>An ecumenical Christian service of commemoration with the participation of all major Christian churches.</td>
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<td>e.</td>
<td>A Jewish service of commemoration with the participation of all the local synagogues of Minneapolis-St. Paul.</td>
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<tr>
<td>f.</td>
<td>A series of documentaries and Holocaust films shown statewide on public and network television.</td>
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3. Other Activities: Similar statewide activities were held in Connecticut and New Jersey with a member of the Commission or its Advisory Board participating in the services
The Commission also participated in the largest Holocaust commemoration service in North America held annually in New York City, organized by the Warsaw Ghetto Resistance Organization and sponsored by other survivors' organizations. Over 25,000 people attended.

The Commission also joined in a Holocaust commemoration service at the National Cathedral in Washington, D.C., at which Senator John Danforth, an ordained Episcopal minister, was the guest preacher. A special liturgy and litany were composed for the occasion which was shared with all Episcopal ministers throughout the United States.

As a model for future observances, the Commission has worked with the City of Sommerville, Massachusetts, on a series of commemorative and educational assemblies in its high schools, featuring films and talks by survivors. The Commission also assisted the National Educational Television network with the selection of appropriate documentary films related to the Holocaust for broadcast throughout the commemorative week.

The Commission's views regarding the Days of Remembrance directly reflect this year's experience. Foremost among its proposals is that these days become a part of the national calendar. The international Holocaust commemoration day falls on the 27th of Nisan by the lunar calendar, a date that never conflicts with either Easter or Passover; the week of Remembrance should begin on the preceding Sabbath.

5. Additional Recommendations
The following recommendations for governmental action are offered by the Commission as appropriate forms of remembering the victims of the Holocaust:

a. **Ratification of the Genocide Convention:**

   *The Commission joins with the President of the United States in urging the Senate to ratify the Genocide Convention.*

   The Genocide Convention itself was the outgrowth of the worldwide moral revulsion upon the revelation of the full enormity of the Holocaust. The Commission believes that the knowledge that perpetrators will be held responsible for the crime of genocide can play some role in preventing such acts in the future. Moreover, the punishment of criminals involved in the genocidal activities of World War II was criticized on the grounds that genocide was not recognized as a crime by international law prior to 1939.

b. **Prosecution of Nazi War Criminals in America:**

   *The Commission recommends direct governmental intervention to:*

   1. Assure high priority to the investigation and, if warranted, prosecution of Nazi war criminals in America.
   2. Insure adequate funds and staffing for the Office of Special Investigator charged with the prosecution of accused Nazi war criminals in our midst.
   3. Assign experienced trial lawyers to the prosecution staff.
   4. Insist that government agencies render accessible all relevant records and testimony.
5. Exert diplomatic influence to assure the cooperation of other governments in obtaining materials pertaining to ongoing investigations and trials of alleged Nazi war criminals.

Since the end of World War II, more than 200 individuals accused of direct complicity in genocide and other Nazi crimes have lived in the United States, free from prosecution or deportation in cases where their American citizenship was obtained by fraud or denial of their past record. The allegation that some of these criminals found refuge and employment under the auspices of various U.S. agencies lends dramatic emphasis to the moral necessity for finally resolving this issue.

The Commission has viewed with gratitude recent steps taken by the Congress and the Executive Branch to rectify these situations. It wishes to underscore the historical importance of this quest for justice.

c. Jewish Cemeteries Abroad:

The Commission recommends that in recognition of the sanctity of the physical remains of the Jewish communities of Eastern Europe and the right of the dead to a final resting place, the State Department should continue to express its concern over the destruction of cemeteries, urging that they be maintained in a suitably respectable manner.

One of the few remnants of Jewish life in Eastern Europe are the cemeteries. In recent years, the cemeteries have been destroyed by new building projects, housing developments, and road construction. The Commission strongly urges that pressure be brought to prevent vandalism, to repair markers
or to supply markers where they are missing, and to maintain grounds.

6. Funding

The Commission concludes that the proposed physical memorial/museum to the Holocaust with its educational foundation is achievable.

The Commission recommends that financial support be provided through a public-private partnership involving government participation and private fund-raising, employing the model of the Kennedy Center for the Performing Arts and other major memorials. The Federal Government would provide seed money (up to $1 million) for the broad design of facilities and program plus a challenge grant to be matched in the private sector over a 3-year period.

The Commission respectfully requests the direct moral support, endorsement, and involvement of the White House in this effort.

The sources of funds for establishing and maintaining the Holocaust memorial and its programs can include large individual contributors, foundations, associations, institutions, corporations, civic organizations, churches, and synagogues as well as voluntary contributions from Americans in all walks of life throughout the country.

In accordance with the President's guidelines and in the light of the universal significance of the Holocaust, the Commission holds that funding for the memorial should be realized principally through public subscription. Despite the size of the project, the Commission
believes that it can receive extensive public support.

While financial support may be largely non-governmental, issues raised by the Holocaust are so fundamentally tied to public policy that funding of the memorial must involve a national effort. The Commission deems Federal participation crucial to the mobilization and channeling of public concern.

A land grant and governmental status would symbolize Federal commitment while leaving the major responsibility for funding and initiative to the American people through the private sector, as was the case in the Woodrow Wilson International Center for Scholars or the National Gallery of Art. The dialectic of a government-private partnership, a national center with grass roots programming, and an academic endeavor with ethical exploration would in itself be an extraordinary cultural and political model.

Funds will be needed for the museum/memorial, for endowing or capitalizing both continuing programs and one-time building costs, and for the acquisition and computerization of scholarly archives. Cost estimates will depend on many factors to be considered by the successor body to the Commission. It is intended that these funds will be raised primarily by private contributions supplemented by a land grant and challenge grants from the Federal Government.

V.

APPENDICES

APPENDIX A
EXECUTIVE ORDER
ORDER No. 12093

THE WHITE HOUSE

PRESIDENT'S COMMISSION ON THE HOLOCAUST

By virtue of the authority vested in me as President by the Constitution of the United States of America, and in order to create, in accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 1), an advisory committee on the establishment of a memorial to the victims of the Holocaust, it is hereby ordered as follows:

1-1. Establishment and Membership.
1-101. There is established the President's Commission on the Holocaust.
1-102. The Commission shall consist of not more than thirty-four members as follows:

(a) The President shall appoint twenty-four members of the Commission and shall designate one of these members to chair the Commission.
(b) The Speaker of the House of Representatives and the President of the Senate are each invited to designate five members of their respective Houses to serve as members of the Commission.

1-2. Functions of the Commission.
1-201. The Commission shall submit a report to the President and the Secretary of the Interior containing its recommendations with respect to the establishment and maintenance of an appropriate memorial to those who perished in the Holocaust.
1-202. The Commission's report shall examine the feasibility of obtaining funds for creation and maintenance of the Memorial through contributions by the American people.
1-203. The Commission shall recommend appropriate ways for the nation to commemorate April 28 and 29, 1979, which the Congress has resolved shall be "Days of Remembrance of Victims of the Holocaust."

1-301. To the extent permitted by law, the Secretary of the Interior shall provide all necessary administrative services, facilities, support, and funds necessary for the performance of the Commission's functions.
1-302. Each member of the Commission who is not otherwise employed in the Government may receive compensation for each day such member is engaged in the work of the Commission at a daily rate to be determined by the Secretary of the Interior. Such rate shall not exceed that payable pursuant to the Federal Advisory Committee Act.
1-303. Members of the Commission shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5702 and 5703) for persons in the Government service employed intermittently.
1-304. The functions of the President under the Federal Advisory Committee Act which are applicable to the Commission, except that of reporting to the Congress, shall be performed by the Secretary of the Interior in accordance with guidelines and procedures prescribed by the Administrator of General Services.

1-401. The Commission shall submit its final report to the President and the Secretary of the Interior not later than six months from the date of its first meeting.
1-402 The Commission shall terminate not later than thirty days after submitting its final report.

JIMMY CARTER
THE WHITE HOUSE,
November 1, 1978.

APPENDIX B
STUDY MISSION TO EASTERN EUROPE,
DENMARK AND ISRAEL
On July 29, 1979, 57 members of the Commission and Advisory Board, their spouses, and special consultants to the Commission departed on a 14-day working mission to study memorials and museums to the victims of the Holocaust, to visit sites of destruction, and to meet with government leaders and directors of institutions whose commitments and undertakings parallel the work of this Commission. Traveling at their own expense to Poland, the U.S.S.R., Denmark and Israel, the group confronted the past and its commemoration to further inform the Commission's recommendations.

In Warsaw the Commission began its agenda with a ceremony at the site of the Warsaw Ghetto Uprising. Tribute was also paid to the Polish losses during the war at the Nike Monument for the general Warsaw uprising, followed by a series of meetings with Polish officials. At a session with the Minister of Justice, the painful and critical issues of justice and truth were explored—justice to those who perpetrated the crime, and truth in understanding the roles of criminal, victim, and bystander. An exchange of Polish and American documents was discussed, and a tour conducted of Polish archives which included critical documents and photographs, Nazi manuals and albums. In the evening the Commission attended a performance by a remnant of the Jewish theater of Warsaw. The performance was a lyrical and musical interpretation of Chagall's paintings, spoken and sung in Yiddish, a language understood by few of the actors. Heavily subsidized by the Polish government, this troupe recalls the great theatrical tradition of the Yiddish stage.

The following morning the Commission traveled to Treblinka, the site of an extermination camp at which some 800,000 Jews were killed. (Unlike Auschwitz, Treblinka was restricted to Jews.) The camp was destroyed near the end of the war as the Nazis tried to eradicate all traces of their crime. The Polish government has built an extraordinary monument on the now-wooded site of Treblinka, a total environment of remembrance. Identical slabs of stone, suggesting railroad ties, lead the visitor to the center of the camp where two enormous stone forms stand separated only by a narrow opening. A shattered menorah is engraved near the top of the stone monument, and, on all sides, stretching as far as one can see, are hundreds of rough-hewn, jagged stones of various shapes and sizes, each inscribed with the name of a Jewish community obliterated during the Holocaust. Beyond the central monument, a flat, rectangular representation of charred and disfigured bones is set in a long ditch to symbolize the burned pyres of those who were gassed. The power of this
unforgettable sculpture at Treblinka convinced the Commission of the importance of a monument.

Throughout the journey in Eastern Europe, members of the delegation shared their impressions and their anguish. A scholar explained the relationship between the geographic location of a camp and its proximity to a population center; a survivor recollected a wartime experience--stories were told of betrayal and torture, anxiety and loss, desperation and agony, and some of hope and rescue.

On the third day the Commission traveled to Auschwitz, the largest and without doubt the most lethal of all extermination camps. Auschwitz contained persons from every country and nationality controlled by the Axis. In addition to Jews, most especially Poles, Soviet prisoners of war, Frenchmen, Serbs, Slavs, and Gypsies were killed at Auschwitz. An enormous railroad complex was located at the entrance to the camp; and the still sturdy brick construction of the barracks attest to its intended function as a continuing institution of subjugation and liquidation. Only with great difficulty could the survivors of Auschwitz in the delegation re-enter the infamous camp, seeing the walls, the electrified barbed wire, the torture chambers, the hospital for medical experiments, and the gas chambers where their loved ones had been put to death. A few kilometers away, at Birkenau, words of prayer were recited, wreaths laid, and spirituals sung, yet all attempts to speak seemed inadequate.

The visit to Poland was concluded by a series of meetings with the Ministry of Religious Affairs, the Polish Academy of Science, the Janusz Korczak Committee, the Ministry of Monuments, the Combatants Organization, and the Ministry of Foreign Affairs as well as the curators of the Museum at Auschwitz and the Jewish Museum in Warsaw. Everywhere the need to remember the Holocaust was discussed and the groundwork laid for future cooperation between the American and Polish governments, including the exchange of archival information and scholarship, educational resources for teaching, films, and publications. A number of Polish documentaries on the Holocaust were also viewed. The Commission was pleased by the general interest and encouragement it encountered and by the mutual commitment to remember.

Before leaving Poland, the Commission visited the Jewish cemetery in Warsaw, the burial place for over one-half-million Jews who died in Warsaw in the centuries preceding the liquidation of the ghetto. Seven hundred years of Polish Jewish culture
are represented by the graves of scholars and rabbis, writers, teachers, political leaders, artists, scientists, and actors. An empty field devoid of any marker is the mass grave of some 150,000 Polish Jews who perished from starvation or disease during the war before the ghetto was destroyed. The general neglect of the cemetery-disrepair and vandalization--disturbed the Commission, and our concerns were expressed to the appropriate authorities.

The Commission traveled from Poland to the Soviet Union, first visiting Kiev in the Ukraine where 100,000 people were massacred by the Nazis at Babi Yar. Beginning on the first day of the Jewish New Year in 1941 and continuing for 10 days until the Day of Atonement, 80,000 Jews were brought to Babi Yar and killed there within earshot of downtown Kiev. The monument is most impressive, set in the center of a ravine where the victims were buried. However, in both content and inscription the memorial is devoid of any reference, direct or oblique, to the fact that Jews were killed at Babi Yar. Shocked by this conspicuous omission, the Commission was alerted to the danger of historical falsification or dilution.

In Moscow the Commission met with the National Archivist, the Writer's Guild, the Soviet Academy of Sciences, the Institute of the History of World War II, the Deputy Minister of Culture, the War Veterans' Organization, and the Solicitor General to explore the difficulties of writing about the Holocaust. Of sensitizing people to pain and suffering without feeling a sense of morbidity, encouraging despair, or developing an immunity to pain. Furthermore, discussions were conducted pertaining to archival exchange and scholarly interchange. In a meeting with Solicitor General, Roman Rudenko, the Commission addressed the trials of Nazi war criminals. (Mr. Rudenko was the chief prosecutor of Nuremberg.) Before leaving Moscow, the Commission placed a wreath at the Soviet Union's Tomb of the Unknown Soldier.

For its last stop in Europe, the Commission traveled to Denmark to present a scroll of tribute to the Danish people and their government. The scroll reads as follows:

_In tribute to the Danish people and their government whose actions during the Holocaust served as a moral beacon of light in a world of total darkness. Your noble behavior has illuminated the moral landscape of humanity. May your deeds serve as a reminder of courage and human solidarity to a world still desperately In_
In casual conversation with our American delegation and in formal declarations, our Danish hosts frequently repeated that they had done nothing extraordinary or heroic in saving Jews and protecting their property. One Dane who is an accountant explained that he needs no congratulations for having refused to embezzle funds from his Jewish compatriots. When compared to the total cooperation of the entire Nazi economic ministry in the confiscation of Jewish holdings, the Danish humility toward their responsibility and their integrity was striking. During the Holocaust, ordinary, decent behavior became the extraordinary.

That there were great acts of courage in those dark times is indisputable. In Denmark, the Commission presented a scroll of honor in absentia to Raoul Wallenberg, a junior diplomat in the Swedish legation in Hungary, who coordinated a large-scale rescue operation during the war in which 30,000 lives were saved. Among many daring and innovative moves, Wallenberg rented buildings and flew the Swedish flag above them to declare them part of the Swedish Embassy, thus granting diplomatic protection to the inhabitants. He also issued Swedish passports to thousands of Jews in Budapest to prevent their deportation. Wallenberg was taken prisoner by the liberating Russian armies immediately after the war, and neither his presence in Russian prisons nor his fate have been satisfactorily clarified. (The Russian government produced a death certificate indicating that Wallenberg died in jail in 1947 but his death remains unconfirmed, and reports of his alleged whereabouts circulate periodically, as recently as last year.) The scroll presented to Wallenberg reads as follows:

*In tribute to Raoul Wallenberg, a man of rare daring and imagination, whose deeds saved thirty-thousand Jews in Budapest. His heroism and character have shown the world what could have been done and what should have been done. His compassion and courage will be remembered forever. For his actions, he paid with his freedom, if not with his life. This scroll is presented to his sister in his absence though conscious of his presence.*

The Commission also toured the Museum of Danish Rescue and Resistance in Copenhagen.
The final leg of the trip brought the Commission to Israel where it visited Yad Vashem, the Israeli National Remembrance Authority in its capital, Jerusalem, consisting of a museum, memorial and sculpture garden, archives, documentation center, research facilities, and educational resources. The Commission met with the leaders of Yad Vashem and working subcommittees of the Commission met with staff of the institution, and with prominent Israeli scholars who shared the fruits of their vast experience. The Commission was deeply impressed by the achievements of Yad Vashem and felt that close cooperation—a special relationship—with the Commission's successor body must be established.

The Commission also visited the Museum of the Diaspora, to examine its treatment of the Holocaust and use of modern media and display techniques, computer learning, and engaging presentations. Having visited Warsaw, the Commission included in its itinerary the Warsaw Ghetto Fighters' Memorial at a kibbutz in the Galilee founded by survivors of the Warsaw Ghetto Uprising. The kibbutz also houses a museum on the Holocaust. The Commission visited Mashuah, an experimental education institution designed to teach the Holocaust to both adolescents and adults through creative curricula, seminars, films, and educational materials. The delegation was also welcomed at Nes Ammim, a moshav founded by Dutch Christians and dedicated to atonement for the Holocaust. The Commission's work in Israel concluded with a meeting with the President of Israel at his home.

During its mission abroad, the Commission was able to secure or explore access to more archival records and documents for research on the Holocaust, for the memorial/museum envisioned, and for the prosecution of Nazi war criminals. The Commission learned from the examples of other Holocaust museums and memorials, and arranged for cooperation between other countries and the American endeavor. Finally, the trip itself, its meetings, and its ceremonies on behalf of the dead served as part of the living memorial which shall continue to bring the memory of the Holocaust and its implications to public consciousness.

APPENDIX C
ADDRESS BY PRESIDENT JIMMY CARTER

Made at the
National Civil Holocaust
Commemoration Ceremony  
April 24, 1979  
United States Capitol Rotunda  
Washington, D.C.

I am honored and also grave and solemn as I participate in this ceremony during Days of Remembrance for victims of the Holocaust.

Just five weeks ago, during my trip to Israel, I visited again Yad Vashem—the memorial to the six million. I walked slowly through the Hall of Names. And like literally millions before me, I grieved as I looked at book after book, row after row, each recording the name of a man or a woman, a little boy or a little girl, each one a victim of the Holocaust.

I vowed then—as people all over the world are doing this week—to reaffirm our unshakeable commitment that such an event will never recur on this earth again.

A philosopher has written that language itself breaks down when one tries to speak about the Holocaust and its meaning. Our words pale before the frightening spectacle of human evil which was unleashed upon the world, and before the awesomeness of the suffering involved; the sheer weight of its numbers—11 million innocent victims exterminated—6 million of them Jews.

Although words do pale, yet we must speak. We must strive to understand. We must teach the lessons of the Holocaust. And most of all, we ourselves must remember.

We must learn not only about the vulnerability of life, but of the value of human life. We must remember the terrible price paid for bigotry and hatred and also the terrible price paid for indifference and for silence.

It is fitting also that we recall today the persecution, the suffering and the destruction which has befallen so many other people in this century, in many nations, peoples whose representatives have joined us for this observance. For the central lesson of the Holocaust must be that, in the words of the poet, "Each man's death diminishes me."
To truly commemorate the victims of the Holocaust, we must harness the outrage of our memories to banish all human oppression from the world. We must recognize that when any fellow human being is stripped of humanity; when any person is turned into an object of repression; tortured or defiled or victimized by terrorism or prejudice or racism, then all human beings are victims, too.

The world's failure to recognize the moral truth 40 years ago permitted the Holocaust to proceed. Our generation--the generation of survivors--will never permit the lesson to be forgotten. Human rights and human dignity are indivisible. America must, and always will, speak out in the defense of human rights not only in our own country, but around the world.

That commitment imposes special responsibilities on us to uphold the highest possible standards of human justice and human rights here at home. I applaud the Congress in calling for this day of remembrance of the Holocaust. And I renew my call to the Senate to take a long overdue step this year by ratifying the International Treaty on the Prevention and Punishment of Genocide. With out concrete action, our words are hollow. Let us signify by deed as well as by word that the American people will never forget.

It is, perhaps, ironic that we meet today in a season of rebirth and renewal to recall a time of darkness and destruction that has no parallel in human history. And yet it is also fitting that we do so in this Rotunda, along with actual survivors of the Holocaust itself. For the Holocaust is also a story of renewal and a testament to the power of the human spirit to prevail.

People who saw their homes destroyed helped build a new homeland in the State of Israel. People like Elie Wiesel, the Chairman of my Holocaust Commission, who witnessed the collapse of all vision, created and shared with us a new vision. It is an incredible story of a people who refused to allow despair to triumph, who after having lost their children, brought new families into the world.

It is our collective task as well to learn from this process of renewal, the roots of hope--a hope not based on illusion or ignorance, but hope grounded in the rebirth of the human spirit and a reaffirmation of the sacredness of life.

With that hope, we will strive to build out of our memories of the Holocaust a world
joined by a true fellowship of human understanding, a world of tolerance and diversity in which all peoples can live in dignity and in peace.

APPENDIX D
REMARKS MADE BY VICE PRESIDENT
WALTER F. MONDALE

Made at the
National Civil Holocaust
Commemoration Ceremony
April 24, 1979
United States Capitol Rotunda
Washington, D.C.

Mr. President, Mr. Speaker, Mr. Majority Leader, Members of Congress, Distinguished Guests, Ladies and Gentlemen:

I am profoundly honored to join you, and all Americans, as we commemorate both the tragedy of the Holocaust, and the vibrant resilience of the human spirit.

Human nature casts a complex shadow on the history of civilization. The triumph of the human heart has its memorials—in our miracles of art, in the genius of our democracies, in the lesson of compassion at the soul of all religions.

But the history of humanity is also scarred by ignominy. Hatred, injustice, oppression, bloodshed: these, too, have their monuments that litter our nobler history like trash in a garden.

We meet today to recall both sides of human history—triumph as well as tragedy. We meet both to renew our grief, and to recommit our courage—to say Kaddish for the fallen, and to sanctify as well the work of the living.

The Holocaust beggars the human imagination. To recall it is to think the unthinkable. To describe it is to say the unsayable. To be its heir is to inherit a nightmare.
But the horror we commemorate today must not blind us to the life whose roots lie in its ashes. For today we also affirm that genocide has no part in human history. Today we declare that decency and dignity and life itself are inalienable, and must forever remain so. Today we bear witness not only to the unanswered cries of the eleven million, but also to the duty they confer on us: the duty to banish bloodshed from the annals of our children's future.

Today we bear witness. Elie Wiesel, the distinguished Chairman of President Carter's Holocaust Commission, put it this way in his moving novel, *The Oath*:

"We must tell, awaken, alert, and repeat over and over again without respite or pause, repeat to the very end those stories that have no end..."

We will repeat those stories without end. One of them is the tragedy of the Holocaust. But another--and just as important--is the story of the human heart in its relentless service of high ideals.

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**APPENDIX E**

**THE HOLOCAUST: BEGINNING OR END?**

Remarks Made by
Elie Wiesel
Chairman
President's Commission on the Holocaust

Made at the
National Civic Holocaust Commemoration Ceremony
April 24, 1979
United States Capitol Rotunda
Washington, D.C.

Mr. President, Mr. Vice President, Mr. Speaker, Leaders and Members of the
House and the Senate, Distinguished Guests:

Allow me to tell you a story.

Once upon a time, far away, somewhere in the Carpathian mountains, there lived a small boy, a Jewish boy, whose dreams were filled with God, prayer, and song.

Then one day, he and his family, and all the Jews of his town, were rounded up and exiled to a dark and evil kingdom. They arrived there at midnight. Then came the first separation, the first selection.

As the boy stood with his father, wondering whether his mother and sisters would come back, an inmate came to tell them the truth; this road led to the final destination of the Jewish people; the truth was there: in the fire, the ashes, the truth was in death. And the young boy refused to believe him; it had to be a lie, a nightmare perhaps, this could not be happening, not here, not now, not in the heart of civilized Europe, not in the middle of the twentieth-century. "Father," said the boy: "if this were true, the world would not be silent. . . ." "Perhaps the world does not know," said the father. And father and son walked on, part of an eerie nocturnal procession, toward mysterious flames of darkness.

Thirty-five years later--almost to the day--the same Jewish boy stands before you with a deep sense of privilege, to remind our contemporaries that in those times of anguish and destruction, only one people--the Jewish people--were totally, inexplicably abandoned--only one people were simply, cynically handed over to their executioners.

And we, the few survivors, were left behind to bear witness and tell the tale.

But before doing so, allow me, on behalf of your Commission on the Holocaust and its Advisory Board, to thank you, Mr. President, for summoning our Nation--and all nations--to keep their memory alive.

We also wish to express our profound gratitude to all the distinguished guests and national leaders for being here today at this unprecedented assembly, responding to this call for remembrance. No other country, and its government, besides Israel, has issued or heeded such a call, but then Israel is a case apart. Israel's commitment to
memory is as old as its history itself.

On my first night in the camp, which was the last for most of my friends, my family, my relatives, my teachers, I wrote:

Never shall I forget that night, which has turned my life into one long night, seven times cursed and seven times sealed. Never shall I forget that smoke.

Never shall I forget the little faces of the children whom I saw being thrown into the flames alive beneath a silent blue sky. Never shall I forget that sky.

Never shall I forget those flames which murdered my hopes forever.

Never shall I forget that nocturnal silence which deprived me, for all eternity, of the desire to live.

Never shall I forget those moments which murdered my soul and turned my dreams into dust, into smoke.

Never shall I forget these words even if I am condemned to live as long as God himself.

But Mr. President and friends--what does one do with such memories of fire--with so many fragments of despair? How does one live in a world which witnessed the murder of one million children and remained world?

Those of us who were there are haunted by those whose lives were turned into ashes, by those whose cemetery was the sky.

Terror-stricken families hiding in ghetto-cellars. Children running with priceless treasures: a potato or two, a crumb of bread. Endless lines of quiet men and women on their way to mass graves, reciting the Kaddish, the prayer for the dead, over themselves. Teachers and their pupils, mothers and their infants, rabbis and their followers, rich and poor, learned and illiterate, princes and beggars--all pushed inexorably toward death. "Father," says a young boy, "is it painful to die? Must I die?" "Think of something else," answers the father. "Think of tomorrow."
Treblinka and Ponar, Auschwitz and Babi Yar, Majdanek and Blezec: What happened? Did creation go mad? Did God cover his face? Did the Creator turn against his creation? Did the God of Israel turn against the people of Israel? The question everyone asked upon arrival inside the gates was: What does it all mean? Was there a design, a secret pattern?

We didn't know. we still don't. How can anyone explain evil of such magnitude? How can anyone comprehend so much pain and anguish? One cannot conceive of Auschwitz with or without God. But what about man? Who can understand the calculated deprivation of the killers? The indifference of the onlookers? When Jews did have a possibility of leaving Europe, how many countries were there ready to accept them?

What was the Holocaust: an end or a beginning’’ Prefiguration or culmination? Was it the final convulsion of demonic forces in history’’? A paroxysm of centuries-old bigotry and hatred? Or, on the contrary, a momentous warning of things to come?

Turning-point or watershed, it produced a mutation on a cosmic scale, affecting all possible areas of human endeavor. After Auschwitz, the human condition is no longer the same. After Treblinka, nothing will ever be the same. The Event has altered man's perception and changed his relationship to God, to his fellow man and to himself. The unthinkable has become real. After Belsen, everything seems possible.

Admittedly, I belong to a traumatized generation, hence I speak of my people the Jewish people. But when I, as a Jew, evoke the tragic destiny of Jewish victims, I honor the memory of all the victims. When one group is persecuted, mankind is affected. Still, for the sake of truth, we must remember that only the Jewish people's extermination was an end in itself. Jewish victims, stripped of their identity and of their death, were disowned by the whole world. They were condemned not for what they did or said, but for who they were: sons and daughters of a people whose suffering is the most ancient in recorded history.

Every occupied nation, every underground movement received help from London, Washington or Moscow. Not the Jews: they were the loneliest victims of the most inhuman of wars. A single airdrop, a single rescue mission would have proved to
them, and to the enemy, that they were not forgotten. But, Mr. President and friends, the truth is that they were forgotten.

The evidence is before us: The world knew and kept silent. The documents that you, Mr. President, handed to the Chairman of your Commission on the Holocaust, testify to that effect. Actually, pictures of Auschwitz and Birkenau had reached the free world much earlier. Still, when the Hungarian Jews began arriving there, feeding the flames with ten to twelve thousands persons a day, nothing was done to stop or delay the process. Not one bomb was dropped on the railway tracks to the death factories. Had there been a similar Joint Session of Congress then, things would have been different for many Jews.

And yet, and yet, when the nightmare lifted, there was no hate in the hearts of those who survived. Only sadness. And, paradoxically, hope, hope as well. For some reason they were convinced that out of grief and so much suffering a powerful message of compassion and justice would be heard and received. They were convinced that the Messiah would come and redeem the world. They were convinced that, after Auschwitz, people would no longer yield to fanaticism, nations would no longer wage war, and racism, anti-Semitism and class humiliation would be banned forever, shamed forever.

Little did we know that, in our lifetime, we would witness more wars, new racial hostilities, and an awakening of Nazism on all five continents. Little did we know that, in our lifetime, books would appear in many languages offering so-called "proof" that the Holocaust never occurred, that our parents, our friends did not die there. Little did we know that Jewish children would again be murdered, in cold blood by killers in Israel.

The survivors advocated hope, not despair. Their testimony contains neither rancor nor bitterness. They knew too well that hate is self-debasing and vengeance self-defeating. Instead of choosing nihilism and anarchy, they chose to opt for man. Instead of setting cities on fire, they enriched them. Many went to rebuild an ancient dream of Israel in Israel; they all chose to remain human in an inhuman society, to fight for human rights everywhere, against poverty every where and discrimination, for humankind, always.

For we have learned certain lessons. We have learned not to be neutral in times of
crisis, for neutrality always helps the aggressor, never the victim. We have learned that silence is never the answer. We have learned that the opposite of love is not hatred, but indifference. What is memory if not a response to, and against indifference?

So let us remember, let us remember for their sake, and ours: memory may perhaps be our only answer, our only hope to save the world from the ultimate punishment, a nuclear holocaust.

Let us remember, let us remember the heroes of Warsaw, the martyrs of Treblinka, the children of Auschwitz. They fought alone, they suffered alone, they lived alone, but they did not die alone, for something in all of us died with them.

APPENDIX F
PRESENTATION OF THE REPORT OF THE PRESIDENT'S COMMISSION ON THE HOLOCAUST TO THE PRESIDENT OF THE UNITED STATES

by

Elie Wiesel
Chairman

The Rose Garden
The White House
Washington, D.C.

Mr. President, Ambassador Evron, Distinguished Members of the Senate and House, Ladies and Gentlemen:

Thirty-eight years ago on September 27th, 1941, during the aseret yemei teshuva, what we call in our tradition the Days of Repentence, thousands of Jewish men, women and children were led through the sunny and peaceful streets of Kiev to be slaughtered at a place called: Babi Yar. For ten days--from Rosh Hashanah, the
Jewish New Year, until Yom Kippur, the Day of Atonement—the massacre continued. The procession seemed endless. The killers killed, the victims tumbled into ditches, and creation somehow remained unchanged and undisturbed.

What took place in Kiev, Mr. President, was repeated elsewhere in hundreds and hundreds of towns and villages in the Ukraine, Lithuania, Byelorussia, Poland. All over Eastern Europe the process of destruction went on and on and on. Entire communities perished overnight. Families disappeared. Ancient dynasties whose lineage could be traced back to King David and Moses were swept away with the winds of ashes. And God Himself must have covered His face in pain and anguish. Were they but a spasm of history? A tear in the ocean? An experiment of eternity in death?

In the course of our study, Mr. President, we tried to capture some of their silent outcries. We asked them for guidance. We returned to some of the sites where they perished. And all those who were there came away changed.

Mr. President, we were struck first by the beauty of the surroundings; the hills around Treblinka, the skies over Birkenau, the silence in Auschwitz. The killers had chosen the most beautiful sites and the most poetic words for their most hideous crimes.

We were struck by the proximity to cities and villages. Treblinka, Mr. President, is a 2-hour bus or train ride from Warsaw. Babi Yar is part of Kiev. Buchenwald is near Weimar. Auschwitz is close to Cracow. Ten thousand human beings were being murdered and burned every day, and nearby, life went on as usual.

How was all this possible? We do not have the answer, Mr. President. Perhaps there is none. Any given answer must be the wrong answer. But the members of your Commission believe, Mr. President, that we must seek an answer and this will not be easy. Unprecedented and unparalleled in magnitude, the Event of Auschwitz and Belsen is still surmounted by a wall of fire which no outsider can penetrate. All one can do is come close to the gate.

Some are living gates, the survivors. They alone know what happened. And they are ready and willing to share their knowledge; they know that they survived only to tell the tale, only to bear witness.
The words of the dead, too, are gates. Documents, poems, messages, diaries, letters, prayers, meditations; through them one can feel something of what they felt as they were waiting for the angel of death, for the Messiah.

I confess, Mr. President, that I belong to a traumatized generation and a traumatized people.

As a Jew, I was--and am--distressed by the tragic fate of the Jewish people; after all, they alone were destined to be totally annihilated; they alone were totally alone.

However, as a Jew I also came to realize that although all Jews were victims, not all victims were Jews.

But this is perhaps the first lesson we may draw from the Event, Mr. President, that although Jews were the first to be killed, they were not the only ones; others followed. The murder of one group inevitably provokes more murder.

We must also learn from what happened that words must be taken seriously. The time lapse between the antisemitic slogans in Berlin and the death industry in Treblinka was only 10 years.

We must take seriously all those who threaten other people today and all those who threaten the Jewish people today. From words to deed, the distance is not great.

We must also learn the dangers of indifference and neutrality. In times of evil, indifference to evil is evil. Neutrality always helps the killer, not the victim.

And we must learn the importance of stressing the moral dimension of all human endeavors. We have seen that scientists, scholars, physicians, politicians, and artists murder children, and still enjoy the cadence of a poem, the beauty of the painting. Culture without morality can easily push mankind to darkness, not redemption.

Yes, Mr. President, there are urgent lessons to be learned from this awesome event. And yet, and yet. We, the members of your Commission and their advisors are aware of our limitations. We have acquired some knowledge, but what are we to do with that knowledge? What are we to do with the whispers of men and women going to their graves? With the wisdom of ghetto children who knew more about life and
death than the oldest of my teachers? What are we to do with the sounds of the dead; the mute dreams of the living? What are we to do with them?

We must share them, and we understood this most intensely when we visited Poland, Soviet Russia, and Israel. Birkenau arouses man's most secret anguish. Jerusalem symbolizes our most fervent hope, and, therefore, we are attached to Jerusalem in such love and admiration. We must share whatever we receive with conviction and dedication if mankind is to survive.

Thus, Mr. President, it is with a profound sense of privilege and hope that on behalf of the President's Commission on the Holocaust and its Advisory Board I present to you its report. And for your own historic initiative, Mr. President, it is submitted to you with infinite gratitude.

APPENDIX G
REMARKS OF THE PRESIDENT
AT THE PRESENTATION OF THE FINAL REPORT
OF THE
PRESIDENT'S COMMISSION ON THE HOLOCAUST

The Rose Garden
The White House
Washington, D.C.

Mr. Chairman, the beauty of your words and the solemnity of your thoughts and the importance of the work of this Commission are all very impressive.

Eight months ago, I asked Elie Wiesel, and a distinguished group of Americans, some from the Congress, to take on an awesome responsibility. Jim Blanchard of Michigan and others said they couldn't be here because there is a vote pending in the House, but they have served well, along with a broad cross-section of Americans who have gone into this effort with a great deal of dedication and who have produced a report that will solve problems and picture for us proper actions in the future.

This is an awesome responsibility that you have performed. I asked this group to
recommend a fitting memorial in the United States to the victims of the most unspeakable crime in all of human history--the Holocaust. Rarely has a Presidential Commission faced a more sobering or a more totally important challenge. This event of the Holocaust, the crime against humanity itself, has no parallel in human history. A philosopher wrote that human language itself breaks down when confronted with the monstrous challenge of describing this evil.

So I want to pay a special tribute, on behalf of our Nation, to all those who have contributed to this effort and for the tremendous service that you have performed.

Your very work as a Commission is part of a living memory to the victims of the Holocaust. Your grappling with the meaning of this event has helped bring new understanding and moral vision to all who must confront this question. Your historic trip to the concentration camps in Eastern Europe, at the Babi Yar in the Soviet Union, has helped to arouse the conscience of the world and helped remind us once again we must never forget. And I know our country appreciates the fact that many of you went on those trips, not at Government expense, but at your own expense.

Out of our memory and understanding of the Holocaust we must forge an unshakeable oath with all civilized people that never again will the world stand silent, never again will the world look the other way or fail to act in time to prevent this terrible crime of genocide.

In addition to the Jewish people who were engulfed by the Holocaust simply because they were Jews, 5 million other human beings were destroyed. About 3 million Poles, many Hungarians, Gypsies, also need to be remembered. To memorialize the victims of the Holocaust, we must harness the outrage of our own memories to stamp out oppression wherever it exists. We must understand that human rights and human dignity are indivisible. Wherever our fellow human beings are stripped of their humanity, defiled or tortured or victimized by repression or terrorism or racism or prejudice, then all of us are victims. As Americans, we must, and we also will speak out in defense of human rights at home and everywhere in the world.

And I might add that as Americans we must share the responsibility for 40 years ago not being willing to acknowledge that this horrible event was in prospect.

And I think that the action of this Holocaust Commission is long overdue, because
we have not had a constant center which could be visited by Americans of all faiths and all races to be reminded of our omission in the past, to have the memory of this horrible event kept vivid in our minds, to prevent a recurrence of such an action anywhere on earth in the future.

In view of the 6 million Jewish victims of the Holocaust, it is particularly appropriate that we receive this report during the High Holy Days, just prior to Yom Kippur, the Day of Atonement. Yom Kippur is a day and time for looking back. It is a time for reflection. It is a time for remembrance. But it is also a time for the reaffirmation of life, a time for looking ahead.

So I will consider this report most carefully and will respond personally to this Commission and to the people of our Nation, with my personal prayer that the memory of the Holocaust shall be transformed into a reaffirmation of life. And as President, I can pledge to you that I will do everything in my power to carry out the recommendations of this report.

The Members of the Congress will be intensely interested in arousing support in the Legislature. And I am sure the people of this country will be looking with anticipation to this reminder of the victims and also a warning that this horrible event will never again occur on earth.

Thank you very much, Mr. Chairman, and all the members of the Commission.

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APPENDIX H
COMMISSIONERS, ADVISORY BOARD
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The Commission wishes to acknowledge with gratitude the services of many people who have given tirelessly of themselves for the work of the Commission. In particular, appreciation is expressed to Mr. James C. Gross of the National Capital Region, National Park Service, who served as the Commission's liaison with the Department of the Interior, and Ms. Charlita Lindsay who served as the Commission's secretary. Ms. Ginger Harris, Ms. Joy Hessler, Mr. Steven Ellman, Ms. Anne Kirk Smith, Mr. David Solomon, Ms. Jane Marks and Mr. Sam Totten gave substantive help to the Commission in a variety of activities necessary to fulfill our mandate.

To the Secretary of the Interior, the Honorable Cecil Andrus, to Mr. William Whalen, Director of National Park Service, and to Mr. Manus J. Fish, Director of the National Capital Region, National Park Service, as well as their entire staffs go the Commission's deepest thanks for the many ways in which they have been of
assistance and for the graciousness with which they offered their help and expertise.

The Commission is indebted to Ms. Mildred Lehman who served as Public Information Officer and to Dr. Linda Berenbaum who helped in the preparation of this report not only for their assistance but for the manner in which it was offered.

Above all, the Commission wishes to express its appreciation to the members of the White House staff, especially Mr. Edward Sanders, Senior Advisor to the President, Ms. Sara Seanor, his Staff Assistant, and Mr. Seymour Bolten of the Domestic Policy Staff for their unceasing efforts on behalf of the Commission.


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