

**THE ISSUE OF GUILT
AND RESPONSIBILITY**

THE FUTURE IN A TRIANGLE: ON GUILT, TRUTH AND CHANGE

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*Evil is not something inhuman, of course...
Evil is one of the possible choices in the freedom
given to humanity...
The freedom in which humanity and inhumanity
of a human being are rooted at the same
time...*

Horhe Semprun, *Pisanje i život*

On a visit to Kosovo in late February this year, the German Minister of Foreign Affairs Joschka Fischer, informed the Serbs, according to the report of the Yugoslav news agency Beta, that a condition for dialogue, in addition to a political denouement in Belgrade, is also “an apology of the Serbian side for what happened to the Albanians in Kosovo.” He cited “the experience of Germany, who apologized to the Jews” and “accepted the guilt for a crime against humanity committed under the Nazi regime” as an example. Dialogue, the Minister added, must be based on truth.

In the last couple of years, a call for apology has been sent to the Serbian side on a number of occasions, especially from the German side. It was repeated, as often as much it was in vain, during the whole course of the Bosnian war, and it was continued with particular intensity last summer, after the end of the NATO intervention on the territory of the current Yugoslavia. At the many press conferences which were held in Germany during the summer with the representatives of the Serbian alternative, not a single occasion was missed to send a message to the Serbs to apologize. The Serbian participants were asked: “Do you think Serbs will apologize? Do you believe there can be a Serbian Brandt?” Analytical answers and complex argumentation, that managed to refrain from the promise that both the apology and a Serbian Brandt will come in the near future, and that focused on the complexity of the situation in Serbia, were not really met with understanding and a receptive ear. It seemed as if only one thing was required: a simple claim that Serbs in-

deed *must* apologize. In keeping with that, only those Serbs who themselves were emphatically repeating: yes, the Serbs must apologize! were cordially received. (Strangely, no one was bothered and no one was surprised that these Serbian propagators of the Serbian apology never said "...we must...", but always, in the comfortable third person, "...they must...") Their German, and not only German, interlocutors were especially impressed by the emphasis on the German example and the mentioning of denazification and Willie Brandt.

Apology, denazification and the example of Willie Brandt, who in 1970. knelt in the Warsaw ghetto and expressed, without words, deep remorse for the German guilt of the extermination of Jews in the Second World War, represent, we could see that this summer as well, some kind of favorite *topoi* in the debate about Serbian guilt for what went on in the territory of former Yugoslavia in the last ten years. Numerous international and somewhat less numerous domestic observers of the situation cannot stop, it seems, repeating that request, which in their interpretation appears to be simple and easily granted. As if the only thing needed for it to be granted was *wanting*. And as if *not wanting* was proof enough of a hopeless moral disorientation.

The basic meaning which those who employ these three *topoi* have in mind is obviously of moral nature: it refers to guilt and the

atonement of guilt. Formulated as a request for an apology, it implies, aside from a specific accusation that goes without saying, some kind of a moral resolution, that is, it opens the way out from the vicious circle of collective guilt. The request for an apology is always directed to the whole nation, to all Serbs. The message it carries is basically less of a conviction, and more of an offer of relief: apologize, shed that guilt away, show that you *are* moral. The one who is being asked to apologize thus has all the reasons to see it as an indulgence. He could easily think: I will apologize – and I'll be left in peace again! I won't be guilty anymore! Whether he is guilty or not, whether he feels guilty or not, does not matter much for this request, just like it does not matter what really causes one feeling or the other. Some guilt is certainly implied in the request as such, but the request also offers a way to put this guilt *ad acta*. Those who with much eagerness employ the *topoi* cited, consciously or unconsciously, deliberately or not, create exactly such an image: of a clever, fast and easy end of the story.

But this is exactly where the difficulty is – this would be the end of the story. A dreadfully complicated, dreadfully tragic story, which convicted an incredibly great number of people to death or to a terrible, lifelong suffering. The story would not have been told, but it would have been ended. It would have been ended, and this end would ob-

scure everything else that is important in this story, everything that makes it a story. Finally, this way, there would be no story anymore, nothing but the end would remain. A massive, obscure end. Simply, an end.

I think, therefore, that the debate which employs the cited *topoi* of recent German history – apologizing, denazification, the example of Willie Brandt – is not only vulgarly moralistic instead of moral, as much as it would like to be the latter; nor is it only confusingly and surprisingly superficial and unthinking. In my opinion, it is also in a very direct way detrimental to what it would like to achieve or encourage. In his address to the Serbs, Minister Fischer appropriately, though by-the-way, mentioned that dialogue has to be based on truth. Insisting on apologizing, denazification and the repeating of Brandt's example stand in the way of truth in the highest degree imaginable.

“...THAT ALL OF US GERMANS, THAT EVERY GERMAN IS GUILTY IN SOME WAY...
...THAT CANNOT BE DOUBTED...”

There are all reasons to think that owing to the three *topoi* mentioned, the term of collective guilt is almost unnoticeably introduced, and at the same time removed, from this debate. This is not good, because this term is anything but insignificant, or encompassing an insignificant set of problems. The complexity of the term can be deduced

from the fact that, while it does not belong anymore to the group of politically correct terms (very few people will insist that such a thing as collective guilt really exists), it still maintains some validity and authority. The request for an apology clearly shows that, since, had this not been the case, no one would put it forth to the Serbs as a nation. As it is still present both in the minds of those who reject it and of those who implicitly, rather than explicitly, rely on it, it by all means deserves a certain examination.

In the first place, for the sake of clarity, we should say that collective guilt is actually not a real term, because you cannot theoretically build anything on it (that is why I will continue using *term* with a certain theoretical carelessness). The collectivity of guilt sounds especially absurd in a formal legal context. It is self-evident, and even banal, to say that there is no public attorney who could indict a certain collective, just as there is no judge who could pass a sentence on a collective. But, this too is just one of the possible aspects of the question of the collectivity of guilt.

The other, however, is the following: if I cannot speak with utter conviction about the guilt of a collective, can I then – with utter conviction, again – speak about its innocence? I live in a country whose pre-war and war policies were a direct cause for mass suffering of other nations. I belong to the same nationality as those who planned, gave or-

ders and committed these deeds. I am connected to them by time, space and political context. Their deeds, or rather, misdeeds, were concocted and carried out in my living presence. Can it be that these deeds have nothing whatsoever to do with me? Perhaps it is not my fault that they did what they did, but can I say with a clear conscience that that I am innocent? And if I am not innocent, then I – after all – must be guilty?

Some two months ago I saw a film about the massacre of Srebrenica, accidentally, in Sarajevo. In one scene, a father, surrounded by the army of General Mladić, call out to his son who hid in the woods: “Nermin! Come, Nermin...” In another, an armed soldier asks a frightened civilian: “Are you afraid?”, and he answers: “Of course, how could I not be...” The soldier laughs. “There is nothing to be afraid of,” he says. Seven thousand people were murdered in Srebrenica, after they were guaranteed life and freedom if they surrender.

During the summer, a friend of mine wrote to me from Zagreb: “So: not all war crimes can be discovered and punished and we must be at peace with this fact (that the criminals shall live among us). What we are allowing for is collective guilt – it is a state of consciousness that the collective comes to, where crimes and acts of intolerance are tolerated and condoned. How can someone who is not a public figure be held responsible for that, and how do we prove his guilt? And still,

without this conciliatory conscience the instigators and the commanders would have been helpless. How do we dig through this, and what should the final result be?”

In his famous work *The Question of German Guilt*, in which he discusses German guilt in the Second World War, Karl Jaspers explicitly advocates the thesis of German collective guilt. He grounds this belief in the collectivity of guilt in the fact that such a regime became possible in the spiritual conditions of German life. The text was written only a few months after the war was over. At that time, Germany was profoundly defeated: an ideological, moral, economic ruin. Jaspers did not wait for Germans to get on their feet in order to face them with their guilt, but neither did he take on the role of their judge. He wanted to see a “conversation,” in which everyone will be both the judge and the accused, and try to look at things from the other’s and not only from their own perspective. The objective of this conversation, he wrote, was common welfare.

The basic quality of *The Question of German Guilt* is that the individual morality of the members of a society is set in the political context of a community. Having said that people as a whole cannot be guilty or innocent in neither the legal, political nor moral sense of the word, Jaspers places collective guilt within the framework of political responsibility. Only *citizens* of a certain state, in his opinion, can be responsible for a certain situation, if

that state is understood as a political community. Jaspers finds the collective moral guilt (he even says: “something like collective moral guilt”) in “the way of life of a certain population...that gives birth to political reality.” The main distinction he makes in his text is that between the society of political dictatorship and the society of political freedom. In the former, the majority does not feel responsible for the community’s political life, while in the latter, “a life of political freedom...is made possible by the task and a possibility of shared responsibility of all people.” Political freedom requires “political ethos...as a principle of the state’s existence, in which everyone participates with their consciousness, knowledge, attitudes and will.”

The Question of German Guilt would not be half as important if it was only about establishing German guilt in the Second World War, that is, if the whole analysis was not about an even more important goal – the reclaiming of political freedom, the emancipation from the mental matrices of political dictatorship, which made the German guilt possible. When he puts forward “the question of guilt,” Jaspers cares about “reversal, revival, rejection of the perilous,” not simply about the condemnation of the German people. A reversal becomes possible, he believes, once consciousness of responsibility is acquired and adopted: “Knowing that you are re-

sponsible constitutes a beginning of internal processes that seek political freedom.”

What is interesting about Jaspers’ use of the term of collective guilt is not the condemnation of the German community, but the political-ethical appeal made by that term. What Jaspers primarily wants to do is encourage the raising of moral awareness, with direct political consequences. Without a clear notion about one form of collective guilt, therefore about a very serious and grave mistake, even if it is not directly a mistake of all individual members of a political community, such a process is hardly possible. The notion of guilt is emotionally charged. If one is to avoid a moralistic approach, which incorporates only the conviction and the punishment, the emotional charge of the notion can be a welcome, enlightening stimulus. And this is where the practical productivity of this quite untheoretical term lies. In the form Jaspers gives it, this term is able to engage the subdued, marginalized potentials for the regeneration of society. Speaking about collective guilt of Germans, Jaspers never defines it as a lasting trait that situates the Germans on the opposite side of everyone else, politically more enlightened and sensible. To the question: “Are peoples to feel guilty because of the leaders they tolerate...?... And did not Lentz say – and was he not right when he said: ‘A state was born that corresponded to the French spirit’?” Jaspers eagerly replies:

“Yes, to one part, one situation – but not simply to the spirit of a people! Who can in such a way define the spirit of a people? From the same spirit entirely different realities were born.” A conviction that change within a community is possible is an important part of Jaspers’ use of the term of collective guilt.

At a presentation of Jaspers’ book *The Question of German Guilt* in a small bookstore in Belgrade, one young woman asked, contesting the idea of the collectivity of guilt: “But what about the people who are crazy? How can a crazy person be responsible?” The answer she received – that crazy people are free of all responsibility – entirely missed her point. She had to explain: “I was speaking about my father. He is not crazy...but then he is! He keeps voting for SPS!” The young woman was barely 13 when the war started. Even then, while she was practically a child, the level of her political consciousness was far above that of her parents. Her father, who, like many others, surely still possesses some personal morals, will probably remain for a very long time a victim of his own misconceptions, whose consequences for his and for other communities in his surroundings are visible – to those who, like his daughter, see them – with the naked eye. It would be useless to ask him to ‘apologize’ to anyone, because, he, at this moment, from a variety of reasons, is not able to see any reason for that. To persistently face him with

the facts of all our wars – a process that opens up space for a feeling of cognitively oriented collective guilt – could be a way of bringing him closer to this. A request for an apology, inherently aggressive, even when it has no intention of being such, surely will not. Because this request is not a magic wand that will in one stroke make a long and arduous way shorter, and less arduous. Whoever speaks about collective guilt in Jaspers’ terms, knows well that there is no easy way. And the German example shows this as well.

“...WITHOUT THE IMPETUS
OF INDICTMENT...”

The Federal Republic of Germany perceived itself, from its very foundation, as a response to the challenges of National-socialism, writes the historian Norbert Frei (born 10 years after the birth of that state) in his brilliant work *The Politics of the Past*, but its beginnings were still marked by a “triumph of ‘suppression,’ whose extent, profundity and importance are not even beginning to be historiographically researched.” *The Politics of the Past* deals with the first few years of the Federal Republic, and, as its author wittily remarks, “represents a history of a prevailing over the early prevailing of National-socialism” (“Geschichte der Bewaeltigung der fruhen NS-Bewaeltigung”). The results of his research – 460 pages of an impressive analysis of political-legislative documentation – reveal an astounding complexity of

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the process of settling accounts with National Socialism, a process that, by the way, in the not-uncommon naive interpretations, especially on the Serbian alternative scene, was turned into a legend of German instant-catharsis. Frei's book shows more than clearly that no such thing existed. Not only was denazification – understood by the majority on our alternative scene, in a gesture of wishful thinking, as a moral term, and not, as facts necessitate, as a purely technical procedure – deeply resented by the population and ended soon after it was handed over by the Allies to the German government.¹ But legislation and politics also tried, as much as it was in their power, to blunt the radicalness of the approach taken in the settling of accounts with the past.

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elimination of all individual accusations, which followed in great numbers, after 1945....In other words, even before there was Adenauer, there was the idea of amnesty."

Frei writes that the amnesty of National-socialists, the reintegration of the "victims of the purges," the liberation of war prisoners, and even the depolitization of the bureaucratic stratum by way of "material corruption," all had as their goal the satisfaction of a collective need of the society which had just passed through an unprecedented political and moral catastrophe and that, unrecognized by its neighbors and the world powers and deprived of state sovereignty, dreamt of at least "apologizing" to itself. In order for Germany to be integrated in the Western world, Adenauer needed a peaceful country, as stable as possible. Nothing was too high a price to be paid for that goal. Only the sixties brought "cautious change" in the "the politics of the past," largely owing to the pressure of the circumstances of international politics: in Israel, Eichmann was being tried; Eastern European countries started speaking with increasingly less restraint about "German madness;" East Germany

¹ Created by the Allies' decision during the conferences in Yalta and Potsdam, denazification meant a "complex of measures for a removal of National Socialist influence in Germany after 1945," and referred to the "removal of former National Socialists from influential positions in the society." The first phase, in which the whole population was targeted with a wide-ranging set of questions (in the form of a questionnaire), was temporarily disconnected, because there were no conditions for such an immense research project. Numerous irrelevant cases blocked the proceedings on other, serious cases, which were often not completed. After 1954, denazification was entirely disconnected.

was trying to destabilize West Germany with bringing out the evidence of “a past that had not yet been come to terms with.”

The real opening up was ushered by the student movement of 1968. The movement was the first to radically put forward the question of moral responsibility of the generation of their parents, in a rethinking of all the basic organizing principles of German state and society. On the academic level, the historiographical paradigm in the discussion of Nationalism changed only after 1989. The consequences of Nationalism had disappeared, the Cold War was a thing of the past, the world was no longer divided into two blocs. Younger historians could put Nationalism back into history, and start writing about it – in the words of Hannes Heer – “as you would write about the Middle Ages...without the impetus of indictment.”

In a text about guilt and truth, Timothy Garton Ash, an English historian, openly states that Western European democracy also, and not only German democracy, is to a large extent built on a foundation of oblivion, reminding us of the examples of Austria and Italy. But in German post-war society other processes went on, parallel with politics of oblivion. From the moment of its birth, Germany had laid a democratic foundation for itself. The dictatorship was erased from the face of the earth, the account was settled, the essential political change happened, even if it was partly forced by the

Allies. Although it was suppressed in some segments of society, German guilt was not a taboo on the public scene in such a society. Frei writes: “In its important characteristics, this politics of the past could have been considered over with by the middle of the fifties....But, at the same time, conditions were created for a less political, and *more intellectual discussion of the Nationalist past* (italics by D.G.), which emerged slowly, step by step, until it found its expression in the formulation about the ‘past that had not been come to terms with.’”

It could be said that the internal German situation in respect to the question of German guilt developed in an odd triangle: on the one end, there was the official politics, which unambiguously condemned the politics and the crimes of Nationalism, but did not support radical measures against its recent supporters and accomplices; on the second – the people, who, after a decade of chaos, yearned for “normality”; and on the third – the intellectual public, which kept alive and stimulated the community’s awareness of the existence of collective guilt.

Just recently, I got a letter from Germany, regarding Serbian guilt: “...It is good that you want to keep the German example in mind...” It seems to me that the “German example” is extremely important for Serbia today, not first and foremost because of the “apology” and the impressive gesture of Willie Brandt – that took place in a changed,

already steadily democratic Germany – but precisely because of the afore-mentioned triangle. Political change, combined with moderate moral requests and a fervent intellectual problematization² of a ‘bad’ past, seem to me an almost ideal model for a serious transformation of a society. Serbia today, and I, in Serbia, can only wish for such a model to be applied in these areas.

TRUTH BEFORE CHANGE OR CHANGE BEFORE TRUTH?

Serbia today is different from post-war Germany in one important aspect: it has not yet seen political change. Political structures that – of course, with our enthusiastic help – organized our ‘bad past,’ for which we are being asked to apologize today, are still running the state, or whatever is routinely called that name, although it practically hardly resembles a state. They are still producing political chaos. In that chaos, many simpler things are impossible, let alone such a sensitive, demanding, arduous process of the establishment of public truth about our bad past. And what if someone from other structures of the society (political opposition, non-governmental organizations, intellectual alternative, etc.) wanted to apologize for that past – apologize to the Albanians, Bosnians, Croats, and so on – whom would he be representing, and how? That kind of

an apology makes sense only if it is uttered as a binding political gesture, not as an informal procedural-ceremonial one. In the circumstances that we have today, only the latter kind would be possible, because the politically binding one would not have any realistic grounding. He who would take upon himself to offer such an apology, would only, in a completely illegitimate way, without any credit of his own, and utterly unauthorized, take over a unique moral recognition that is entirely due to someone else. Willie Brandt did not kneel in the Warsaw ghetto in the name of his own awareness of his own guilt, but he knelt in the name of a whole political community, which had by then largely perceived its guilt *from within* and understood it as its own. A mere imitation of that grand act in a completely different political, and even moral, atmosphere, would not only be deceptively trivial, and primitively ambitious, but also directly immoral. Serbia must find its *own* modus of apologizing, and that only when it truly realizes the extent of the destruction it had caused. At this moment, the basic conditions for that are lacking. One of those conditions is also a well-defined, public, so, primarily politically sanctioned awareness of the subject of the apology.

² Problematization whose results are gradually adopted by the public.

Such an awareness, when we speak about Kosovo, and also about the previous wars, especially in Bosnia, does not exist in Serbia today. The official state version aggressively denies any instances of Serbian violence and terror, and, just like during all those past ten years, claims that the Serbian forces were simply defending the Serbian people. To what extent people believe in this, is not the most important question at this point. It is likely that one part of the population believes it, the other does not, the third both believes and does not believe, and the fourth does not want to think about it. And, in that respect, utter confusion rules in Serbia today. Whichever of these is true for a certain individual – awareness, half-awareness, suspicion, closing one's eyes on purpose, accidental ignorance – there are always enough reasons, and one could even say, justifications. The official version of the "truth" hides and distorts the facts, and the official politics works as hard as possible to obstruct the alternative sources in receiving and distributing relevant information. The political opposition does not care about this problem, in a very obvious way. What the people know with most certainty, they know from personal contact with those who themselves, in the field, have lived through something, or taken part in it. This way, knowing about the events that constitute the most difficult part of our "bad past" – of the crimes committed on people of other nationalities

– depends only on a private decision. Everything – the choice of sources, believing or not believing certain facts, or anti-facts, the level of interest they arouse, and the interpretative consideration of those facts are all, basically, left to a private 'take it or leave it,' without any obligations, and without consequences, especially without the consequences that ought to concern the political community as a whole.

The problem of satisfying the requirements for apologizing, lies, therefore, in the fact that there is no public awareness of the events for which we should apologize. Public awareness is in a certain way an institutionalized and an institutionally verified awareness, which applies to the whole community and is binding for the whole community, regardless of the fact that not all its individual members have to agree with it. In order to reach this awareness, the problem that concerns it must exist as a public problem, in other words, it must become publicly thematized – become the subject matter of a public debate. This does not mean that it is enough to publicly speak about it. In the past ten years, there have been people – and not an insignificant number of them – who spoke about the problem in a very substantiated, analytical way, we could say – spoke mercilessly about it. But no matter how many books, articles, statements were published, their influence was virtually non-existent. It was not only the regime and the of-

ficial politics who were against the public thematization of this problem, but also the oppositional political institutions and the so-called social elites, cultural, scientific, economic. Naturally – so were the so-called common people. To be surprised at this would be feigning naivety. Even when the resistance is not about some obvious interests, that often push social elites to resist similar processes, such things are not easily or gladly embraced. In a discussion of public thematization of such a truth and the establishment of a public awareness of it, Garton Ash writes that one of the basic questions related to this issue is the question of timing. What Ash has in mind is the social situation after political change has happened – like in Germany after the Second World War, South African Union after the end of apartheid, Eastern European countries after the fall of the Wall, and he is still asking the question: when does the appropriate moment come for truth to be revealed? Does that mean that trying to establish the truth prior to political change is a useless effort? Of course not. Establishing the truth is necessary, even when the conditions for it to work effectively are even more limited than those prevailing in Serbia today. When we are discussing Serbia, what has been done, and what will be done, in the times that are coming, by individuals and groups, theoret-

ically and empirically, intellectually and practically, on the issue of revealing the truth is not only preparing the ground for change. It will also, when change comes, if it comes, impose a clearly articulated obligation on the newly-established political structures. Truth, and also guilt, is the question of all questions for Serbia today. Truth and guilt constitute the only ground that Serbia can possibly be founded on in order to emerge as a truly transformed country. This does not mean, on the other hand, that there is no room for any other resolution before the question of truth is (re)solved. Problematization of guilt is not the only process this society is in need of – it is one of them. It requires a special kind, and a special level of social and personal energy, and it would have to go on parallel with a series of other, more obviously strengthening processes, so that the already exhausted society is not additionally exhausted, but strengthened instead. In order for this problematization of guilt to be complete, it will have to require awareness of other, consequential and parallel guilts, present in the wars of former Yugoslavia. But Serbia must still first of all have in mind what Jaspers told the Germans in 1945: “In a catastrophe, the most important thing to each and every one of us is a clear knowledge of himself.”