

Antoon De Baets. *Responsible History*. Foreword by Jürgen Kocka. New York, Oxford: Berghahn Books, 2009. 274 pags.

Not long ago, discussion about the public uses of the past were an integral part, or blended into the subject of memory. It is not strange this happened because of the recent importance of this field and its tendency to include a variety of issues fairly ambiguously. As we know, concern with social and political uses of history, which fuelled discussion in the nineteen eighties, was closely associated with interest in the recovery of memory. This can be seen in the well-known *Historikerstreit* (1986-87). In this controversy the German philosopher, Jürgen Habermas, pointed out the extant contrast between the recovery of the memory of the Holocaust – or as he said, “the public use of history” – to be witnessed in the German Federal Republic at that time, and the revisionist and narrow point of view of certain historians of his country in relation to Nazism. In the meantime, the study of national memory became topical in France with *Les lieux de mémoire* by Pierre Nora (1984-92), a collective work launched by this historian as a result of reflecting on the socio-economic and cultural changes in his country, as well as the loss of the French colonial empire, which had taken place in recent decades. Of course, in those years a pioneering author such as Marc Ferro, with his concern for “*les foyers de l’histoire*”, already highlighted the abuses of history and memory in the handbooks of history, in a range of countries, from former colonies of European empires to the Soviet Union, including China, Japan or the United States (see *Comment on raconte l’histoire aux enfants à travers le monde entier*, 1981; and *L’Histoire sous surveillance. Science et conscience de l’histoire*, 1985). Furthermore, interest in memory, right from the outset, led the way to the study of abuses committed on its behalf, as well as to the question of how historians could fight those abuses. The first author who suggested transforming “*l’uso pubblico della storia*” into a field of research, the Italian Nicola Gallerano, for example, already considered that the study of this topic, at least in his country, could help to fight against the revisionism of contemporary history (see *L’uso pubblico della storia*, 1995).

In the nineties, the downfall of communism, and the ensuing international changes, global access to Internet and the fight for democracy and human rights, brought about an unusual capacity to denounce abuses of history and memory, in very different parts of the world. The International Congresses of Historical Sciences witnessed the same, as did the emergence of forums such as *Historia a Debate* (Spain), which set up its website in 1999 (and has, for example, a section called “*academia solidaria*”). However, among all these forums, the Network of Concerned Historians, launched in 1995 by the Belgian historian, Antoon De Baets, has been the most active platform devoted to compiling and denouncing cases of abuse and persecution of historians, defending human rights, and sensitizing the scientific community to those matters. In the present book, *Responsible History*, which provides a compelling summary of such initiatives, De Baets, professor at the University of Groningen (the Netherlands) and expert on the history of censorship, draws very interesting and revealing conclusions for this fight against abusive history and in defence of human rights.

The work, consisting of six dense systematic studies (it also includes ten charts and seven appendices), expounds a new way of examining the public uses of history and the work of the historian. It is about an analysis where problems concerning memory are

only a specific part of a wider topic relating to the abuses when writing contemporary history, and to the ways in which these abuses can be prevented, particularly in terms of the tasks carried out by professional historians. Aware of the importance of these topics, as well as the “severe epistemological crisis engendered by postmodernism, [which] has cast doubts on the possibility to attain any historical truth” (p. 175), Professor De Baets finds inspiration in a realistic epistemology (which also mirrors his familiarity and concern with the judicial field). Therefore, to confront the challenges of professional historians related to contemporary history and memory, the author suggests a need to distinguish between “facts” and “opinions” (this category would cover: thoughts, ideas, beliefs, comments, views, and value judgements), and highlights the former (pp. 73, 91, 156-57). The proposal is worthy of approval: the existence of very grave facts, such as mass murder and repression of any kind unleashed by modern dictatorships, serves to show the limits of the so-called “postmodern history”: asserting that reality can only be known through language, as some postmodern authors defend, does not mean that reality feeds on its own “discourse”; nor does it prevent the possibility of achieving a concept of truth (a concept, according to the author, that is “provisional, plural and of perspectival character”, but, in any case, placed beyond epistemological and moral relativism, p. 42).

Through its 239 pages (bibliography apart), the reader will observe how Professor De Baets expounds the following thesis: the democratization of the use of history in recent decades is accompanied with increasingly notorious abuses in the interpretation of the facts of the past, as well as all references to the memory of these facts, abuses that, more often than supposed, lead to a “judicialization” of history that goes beyond what might be deemed advisable. Fighting this tendency is the historian’s responsibility; and to achieve that purpose historians must: 1) be aware that they are carrying out a professional activity sanctioned by society; that is, a profession sustained by society and the importance of human rights, factors which mean the basis for this profession is organized in an autonomous way and its objectives fulfilled to shed light on the historical truth. Yet, historians must also observe 2) the fact that abuses of history, whatever they are, can affect each and every component of a historical work. They can range from inquiry to historical spread, including archives and remembrance, with the ensuing discredit of historiography before society, which, at the end of the day, is what lends historians the means to freely organize themselves. Through the six chapters of *Responsible History* the reader would find interesting and controversial topics such as, for example, the way in which historiography and democracy can strengthen each other; the problem of to what extent the “judicialization” of history is convenient; to what extent the privacy and reputation of the living and the dead must be defended without, at the same time, blocking access to sensitive archives or preventing critical research; the limits of the right to remembrance and the duty to remember; or whether an ethical code to act as guidance for professional historians is feasible or not.

The first chapter – possibly the most important in the book, together with the last one – examines the range of abuses of history, as well as their consequences. As the author himself points out in the introduction, his studies on censorship and moral philosophy, in addition to his campaigns in favour of human rights, have led him to observe that what has normally been seen as abuses (or serious abuses) is in fact the most visible of a more complex phenomenon that could be described as “the irresponsible use of history”. Thus, the chapter expounds a theory of abuse of history interpreted in its broadest sense – that is, not only including deception, but also having

the intent to do it, plus the negligent use of history (pp. 3, 15, 23-34). As can be observed in the chart on pages 19-22, and in the comments which accompany this chart (pp. 17-23), the catalogue or situations of abusive or irresponsible history can range over all levels of the historian's work: from the field of archives to the process of spreading the work, that is, the tasks of editors, publishers, reception in the academic community, etc. Moreover, this irresponsible use not only affects the internal components of historical research (what the author calls the principles of "traceability" and "refutability", pp. 29 ss.), it also has negative effects on the social importance of history as a profession too, since such abuses undermine the trust society places in scholarship and teaching (p. 17) (the abuse of professional historians is worse than that of other practitioners of history, the author asserts.) The chapter ends with the proposal of a "history of the abuse of history" (pp. 39-48). This is highly significant in light of the fact that the author suggests that recent times have brought the best conditions to teach and inquire into history, but that the possibility of abusive history has increased too (pp. 46-48). To write that "history of the abuse", Professor De Baets suggests the need to distinguish between a period prior to 1800 and another one after it, because it is in this period that science is professionalized and institutionalized.

The second chapter deals with such a special type of repository as the secret archives of the dictatorship, these being repositories whose preservation De Baets defends with interesting arguments. These archives of repression, more widespread than expected, not only gather together unusual sources that cannot be treated with the normal criteria of truthfulness followed by historians; instead they hold information, witnesses and confessions extracted from victims under pressure and torture, or whose content is simply doubtful or even false. From the historian's standpoint, what would thus be the reasons for preserving these archives? Basically the author, partly inspired by the doctrine of the United Nations issued in 2005 (p. 66), offers two kinds of answers. First, the social and legal reasons related to the "democratic calibre of society": victims have the right to know information about, for example, what sort of repression they were subjected to, the whereabouts of their relatives; or whether it is just a matter of legal reasons – such as the need to offer proof of identity in certain cases – which recommend preserving these archives (pp. 64-65). Second, reasons of a historical and cultural nature: answers stemming from a traumatic past can change with the passing of generations, which advises keeping this kind of source so as to be able to inquire, at the proper time, into the history of the dictatorships and opposition to them (pp. 65-66); in fact, these documents can mirror the functioning of the political regime that promotes them, its bureaucratic nature, and even the fears and obsessions of its leaders (p. 55). In any case, though legal and historical reasons recommend preserving this type of document, the author contends that their access cannot be unrestricted: it has to be subject to certain constraints, restrictions intended to protect the privacy and security of the victims and to safeguard the social climate, because, in addition to storing private information, this kind of repository could end up poisoning the atmosphere in the post-dictatorship period, not to mention the fact that they can be recycled by other dictatorships to continue repression. The chapter includes an interesting afterword about relations between historiography and democracy, where the author clarifies the fact that democracy is a condition for historians to be able to develop their autonomy. However, inquiring into dictatorships is another way of promoting democracy, because of the possibility of comparing them with democracies.

The third chapter is about one specific aspect, albeit very widespread, of the abuse of history such as the cases where historians are accused of defamation before the court. In this part, there are various aspects: 1) the right to privacy and the right to free expression – two rights that can clash; 2) the responsible and irresponsible use of history by historians; and 3) the attitude of judges vis-à-vis historians in trials of defamation. The right to protect reputation (defamation would be the act of damaging it) belongs to the group of so-called “personality rights” (that is, relating to persons and entities with the capacity to sue, ref. p. 76), rights that can interfere with the right to freedom of expression (p. 72). Cases of defamation against abstract entities such as states and nations, or against deceased persons (to whom the concept of reputation cannot or should not be applied), would therefore be “improper uses of the laws of defamation”, at least according to the doctrine established by several international organizations, since 2000, with the support of UNESCO. Yet, whether it is an improper use or because of the defence of the right to privacy, an increase in the number of defamation cases against historians has been confirmed in recent times. Through the study of 160 cases, Professor De Baets offers interesting conclusions: 1) there is a profile of the complainant who feels defamed (certain politicians, war veterans, and Holocaust deniers); 2) in these cases, judges do not usually undertake any investigations; instead they form an opinion by listening to the parties or to some experts; and 3) the attitude of judges responds to an ideal picture of what a responsible historian should be (meticulous, scrupulous, moderate in opinion and tone, apparently neutral, etc., p. 87), which allows historians great leeway. This chapter also includes an interesting afterword, in this case about the problem of to what extent the past should be judged. On this point, De Baets weighs his response very well: the historian has the “right to silence” in treating certain facts, a right which becomes an absolute right when it is about omitting opinions; yet, the right to express opinions can never be absolute, because it is subject to limits imposed by the right of respect for the reputation of others. It is in this case (opinions violating privacy) when history might be judged not to commit abuse.

Once various aspects of abuse of history have been tackled, chapters 4 to 6 attempt to provide historians with a “solid infrastructure for formulating their duties” (p. 111), to quote the author. The fourth and fifth chapters deal specifically with two aspects, perhaps a touch too technical, related to memory and its scope (with memory being understood as “declarative memory”, namely remembrance mirrored in thoughts, opinions, public demonstrations, etc., p. 145). These aspects can be formulated as follows: 1) what are “the duties of the living to the dead”, and therefore, whether there is justification or not in bringing a suit of defamation in defence of deceased persons (chapter 4); and 2) how far this covers the right to memory and the duty to remembrance for the living (chapter 5).

The first of these topics – legal action in defence of the reputation of deceased persons – offers little doubt to Professor De Baets. The author defends the need to outline a Declaration of Duties of the Living to the Dead (p. 123, commentary on pp. 126-132), to define the possibilities of exerting memory – on a social level, setting up, for example, truth commissions, organizing commemorations, making the archives of repression accessible, etc. Nevertheless, these duties would not lie in the defence of presumed rights, but rather a “characteristic” or “evidence”, supported by sciences such as Anthropology and Archaeology, and in international conventions, such as the so-called “posthumous dignity”, that is, the existence of “symbolic traces of humanity and

personality of deceased persons, and the respect they deserve” (p. 121). To avoid the defence of privacy and the reputation of deceased persons amounting to the prevention of critical investigation, the author advocates eschewing that these matters be treated in court, and proposes leaving them in the hands of responsible historians.

On the matter of the right and duty to remember (chapter 5), the author is just as keen as he was in previous chapters, and once more he states that there is no symmetry between both aspects: the right to memory is universal, that is, every human being has the right to be remembered, but remembrance cannot be obligatory on principle. In this case, the problem raised is that there is neither a criterion nor any authority responsible for selecting those who deserve to be remembered, since any selection might risk erecting false memories, taboos, and even dubious official history. Furthermore, there is also the right to silence or not to express any opinion. In any case, admitting that the duty to remembrance cannot be universal does not mean that this duty cannot be crucial in certain cases. What are these cases? Professor De Baets comments on three “exceptions”: first, when a person decides to self-impose the duty to remember; second, when the aforementioned duty refers to the community of historians; here, in a way, a “moderate” form of the duty to remember has to be accepted given that professional historians, as a matter of principle, have the responsibility to investigate history in its entirety. Finally, there is the obligation of governments following dictatorship. These, by virtue of the “right to the truth” – a right that has been internationally recognized for more than thirty years – cannot remain impassive to the people’s memory; they must lay the foundations for the exercise of memory and historical research.

The sixth chapter closes the inquiries proposed in *Responsible History*. In this chapter the author suggests a code of ethics for historians, which is useful to solve the problems arising from research into contemporary history and the use of memory. The topic of the ethics of historians blossomed during the nineteen nineties, in part due to factors such as the development of Internet, the crisis of the history profession, the cult of memory, and the disappearance of certain dictatorships. For this reason, Professor De Baets does not have any second thoughts regarding the desirability of a catalogue of “rules” summarizing what the responsible behaviour of historians should be (for the proposal of a code, see pp. 188-96). This code would be something provisional, to be regularly revised, which would mark a trend, supported by historians in the exercise of their autonomy – a guide to achieving a more responsible history. It would enable historians to prevent the abuses of history and memory, particularly the abuses in the “judicialization” of the past, and guarantee the autonomy of their profession. Will it be sufficient to overcome the crisis in which the discipline of history is immersed? At least it can help to better recognize the specific duties of the history profession in this world of rampant globalization.

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