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Genocide Genres: Reading Atrocity Testimonies

Katherine Wilson

University of Wisconsin-Milwaukee

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GENOCIDE GENRES: READING ATROCITY TESTIMONIES

by

Katherine Wilson

A Dissertation Submitted in
Partial Fulfillment of the
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ABSTRACT

GENOCIDE GENRES: READING ATROCITY TESTIMONIES

by

Katherine Wilson

The University of Wisconsin-Milwaukee, 2013
Under the Supervision of Professor Jane Gallop

“Genocide Genres” investigates the transnational circulation of atrocity testimony, writing which describes the most spectacularly failed of human encounters. In particular, my project compares the production and reception of atrocity narratives across three distinct, post-WWII discourses: 1) Holocaust studies, 2) the modern human rights movement, and 3) international criminal law. Each discourse, I argue, sets formal limits on individual testimonies in order to regulate their function institutionally, directing not only which testimonies are read but how those accounts should be read. As a result, testimonies become generic. We see this demonstrated by the emergence of identifiable genres such as Holocaust literature and human rights literature, and the successful “passing” of faked accounts in each discourse.

By contrast, I locate resistance to these representational apparatuses in the increasing transnational circulation of testimony. A complex interplay ensues when these stories come in contact with each other—the translation of Anne Frank’s *Diary*, for

instance, now authorizes more contemporary accounts of genocide, giving rise to multiple foreign “Anne Franks” from such disparate places as Cambodia, Bosnia, North Korea, and Palestine. In exploring the cross-influence of these texts, my project ultimately theorizes an emerging “world literature of atrocity.”

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Dedicated to my grandfathers,
James Wilson and Robert Clark,
two incredible men who passed away during the writing of this dissertation.

And to my parents,
Neil and Sherrie Wilson,
who were the first to inspire my vocation.

~tikkun olam~

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GENOCIDE GENRES: READING ATROCITY TESTIMONIES

An Introduction

“Who says what is...always tells a story.”
—Hannah Arendt

“Why would you *choose* to study mass atrocity?” It is a question that I have been asked many times over the course of my years in graduate school. Whether it is asked furtively or with an air of incredulity (or even disgust), I have come to anticipate this question whenever the conversation has turned to my dissertation. Why atrocity? Isn’t it depressing? How morbid! These queries have at times felt combative—they seem to contain an implicit demand that I defend my chosen area of research. Unfortunately, I can profess none of the socially acceptable reasons which are commonly supplied by those who undertake Holocaust-related work: I have never been a victim of atrocity, nor am I the relative of survivors. I am not Jewish. So the question lingers. As a result, it has caused me to reflect over the years not only on my research, but on the underlying impulses driving my research. Beneath the veil of objectivity, dissertation topics are, after all, inspired by deeply personal motivations. I begin this project, then, with an account of my scholarly interest in mass atrocity in general and, more specifically, in the testimonies that bear witness to those atrocities.

I arrived at my topic of study by accident. In 2005, I entered a Masters program at UW-Milwaukee in Comparative Literature, interested in studying nationalism and immigrant identity. I had lived in China and had travelled throughout the Caribbean, so I chose to compare literature which circulated out from these areas. Looking back, I see

now that my early interest in the migration of people and texts provided the impetus for what would later become this dissertation's final chapter on world literature. It was during these years that I was assigned an assistantship teaching Holocaust literature and history, a body of writing which, spanning diverse cultures, languages, and time periods, is inherently comparative.

As I traced the history of the term "holocaust," attentive to its various contemporary appropriations, my investigation revealed a disciplinary divide in the scholarship on mass atrocity: a field called "Genocide studies" was emerging that was distinct from Holocaust studies. Observing the nature of the divide, I noticed that the traditional field of Holocaust studies had a robust tradition of literary studies and history but remained Eurocentric in focus, while the growing field of Genocide studies had a broader geographic scope but privileged socio-political, anthropological and legal research over literary inquiries.

Reflective of my research interests up to this point, I chose the following three areas for my preliminary examination: Holocaust literature, Genocide studies, and World literature in migration. For my doctoral coursework, I chose classes which would provide me with a broad foundation on which to build my research. These included courses in modernism, globalization, multiculturalism, postcolonial literature, and close reading methods. In order to narrow my search for a dissertation topic, I traveled to a number of locations of past atrocities including Poland, Indonesia, Vietnam, East Timor, and Cambodia.¹ Exposed to the work of legal interns, journalists, historians, social

¹ I had the opportunity to attend the UN Khmer Rouge genocide tribunal in Cambodia where I spoke with legal interns and translators working on the case. In northern India and Austria, I had the occasion to interview Tibetan refugees. While traveling in Nepal in 2008, I was caught in the violence that followed

scientists, government officials, survivors, and human rights advocates, I encountered these sites as a close reader and comparatist, someone trained in narrative and discourse analysis.

The writing produced at these sites of genocidal violence was often given the label of “testimony.” Reading these accounts, I became fascinated by the ways in which individuals attempted to bear witness, by oral or written testimony, to their experiences of atrocity. More broadly, I became interested in examining how various testimonies competed to shape the collective memory of a people. I wondered, how are testimonies written, and what happens to them after they are published? How should the modern reader confront survivor testimony? What do our reading practices teach us about the ways in which testimonies are produced and received, and, more broadly, about the discourses that sustain and shape our understanding of atrocity?

Insofar as it responds to the above questions, my dissertation presents a comparative study of testimonial reading and reception since World War II. Much of the scholarship on atrocity testimony remains largely focused on accounts of the Holocaust. While insights on testimony provided by authors such as Annette Wieviorka and Raul Hilberg have proven hugely influential, to the extent that such studies exclude genocide testimonies outside the Holocaust, they remain inherently limited in historical and geographical scope.²

the dissolution of the monarchy and the ascendancy of the Maoist party. To say the least, these international experiences were deeply transformative, both personally and professionally.

² See Annette Wieviorka, *The Era of the Witness*, discussed further in Chapter 1, and Raul Hilberg, *Sources of Holocaust Research*, a work which divides Holocaust testimony into four categories: “Legal testimony, interviews of specific persons, oral history and memoir literature” (44).

In light of the emergence of numerous post-WWII testimonies, my project includes an examination of a broad swath of testimonies. My discussion of these texts, however, is not organized by comparing witness accounts of a particular historical genocide with another. Rather, using an interdisciplinary and comparative approach, my first three chapters examine how the production and reception of testimonies have come to be governed by three distinct discourses in the last half of the 20th century: 1) the institutionalization of Holocaust studies, 2) the emergence of the modern human rights movement, and 3) the development of international criminal law. These discourses, while sharing a common point of germination in the shattered landscape of WWII, have developed distinct trajectories. As a result, the vocabularies used to speak about testimonies, and the views about the function of testimony itself, have become increasingly isolated from one another.

Today, the use of separate vocabularies in each of these discourses has had a profound effect on the manner in which individual stories of atrocity are produced and interpreted. The lack of collaboration between the human rights, legal, and scholarly communities has led to the compartmentalization of atrocity narratives into distinct categories. This has meant that quite similar narratives of atrocity are rarely connected or read together.

Becoming attentive to the separate trajectories of these discourses helps us to see that, on a basic level, individual accounts of atrocity are strikingly similar. Though diverse in source and form,³ what these accounts share is an identifiable function—to

³ Atrocity narratives come from a variety of sources (first person testimonies, official reports from governments and second hand accounts from journalists, scholars and family members of survivors) and appear in a range of forms. In this sense, I use “forms” to describe what might classically be considered separate genres: poetry, fiction, autobiography, graphic novels, and memoir etc.

testify or “bear witness” to human suffering on a large scale. Faced with what many consider to be a task that either cannot be accomplished, or should not be attempted at all, each of these narratives attempts to encapsulate the most extreme horror, to convey to an audience a representation of “what really happened.”

Putting testimonial texts at the center of our analysis offers us insights into the discourses themselves. For testimonies, as Annette Wieviorka rightly describes, “express the discourse or discourses valued by society at the moment the witnesses tell their stories as much as they render an individual experience” (xii). What the comparison of these discourses demonstrates is that the purpose of a text’s bearing witness, and the reception and interpretation of that text by diverse communities, continues to be governed largely by the rules of its genre.

Testimonial Function

While the atrocity testimony remains the primary text in Holocaust studies, human rights discourse and international criminal law, what a testimony is cannot be easily defined. Part of the difficulty relates to the fact that what counts as an authentic testimony is defined differently in each discourse. Likewise, the act of “testifying” or “bearing witness” has come to connote distinctly separate processes: “bearing witness” to the Holocaust is not the same thing as “bearing witness” within the confines of international criminal law. The comparative arc of my dissertation is maintained by paralleling these distinct definitions and functions of testimony and bearing witness in each discourse.

Within Holocaust studies, for instance, testimony has come to be closely linked to commemoration and representation (or inversely on the unrepresentability of the

Holocaust). The act of bearing witness in this framework is often thought to be an experience solely of survivors. This is the meaning exemplified in Elie Wiesel's argument that "those who did not live through the Holocaust will never be able to grasp its horror . . . non-witnesses cannot represent or even imagine what Auschwitz was like" (Weissman 22).

In human rights discourse, by contrast, testimonies are often appropriated for genocide prevention and in campaigns to raise awareness. Here, the figure of the witness is often applied to the very people Wiesel dismisses as "non-witnesses." For instance, James Dawes, in his book *That the World May Know: Bearing Witness to Atrocity*, states in his introduction that "this book is not about the survivors of atrocity; it is beyond my capacity to tell such stories with any adequacy. It is instead about the view of the witnesses" (2). In this context, those who bear witness are often journalists and human rights workers who hear, record, and often substantially revise the initial story.

When we come to international criminal law, we are introduced to another function of testimony: the rendering of justice. In a juridical framework, victim testimonies are used as evidence in order to establish a particular set of facts. The focus of trials remains on the perpetrator and not on the victims, who are represented by the prosecution.

Reading Generically and Comparative Ethics

In *Genres in Discourse*, Tzvetan Todorov explains the important function of genre in relation to both writing and reading:

It is because genres exist as an institution that they function as 'horizons of expectation' for readers and as 'models of writing' for authors....on the

one hand, authors write in function of (which does not mean in agreement with) the existing generic system, and they may bear witness to this just as well within the text as outside it...on the other hand, readers read in function of the generic system, with which they are familiar thanks to criticism, schools, the book distribution system, or simply by hearsay; however, they do not need to be conscious of this system. (19)

The act of reading highlighted in this dissertation's subtitle, "Reading Atrocity Testimonies," is meant to underscore the idea that genre, while normally connected with conventions of writing, should also be considered as a descriptor of textual reception and reading practices. If genres help us classify writing, they also act as the signposts that tell us how to read.⁴ This shift of perspective, I argue, offers us an important insight: we change the way we read based on the genre we are reading. Why might we, for instance, read a Holocaust testimony differently than we read an account of the Rwandan genocide? Because each of these accounts has been coded in a separate literary category: Holocaust literature and human rights literature, in this case. The effect of genre is so powerful that the same text categorized in two separate genres would likely result in two vastly different interpretations.

Although extensive scholarship has been written on the Holocaust, human rights and international law, my project presents the first study to trace the parallel development of their distinct genre conventions—distinct "models of writing" for authors and "horizons of expectations" for readers. I show how, over the course of their evolution,

⁴ In general, the history of genre theory can be divided along two main tendencies, the first which associates genre with structuralism and narratology and appeals to scientific, mathematical, or logical schematics, and the second which is associated with speech-act theory and appeals to cultural, functional, or historical mechanisms. Todorov is representative of more contemporary genre theorists who understand genre as the cultural conditions that enable textual production.

these unique genre systems set formal limits on individual testimonies in order to regulate their function institutionally. In all three discourses, genre represents the law for what can be said and, in turn, sets the standard for what is the “correct” response to the text. Each genre, then, embodies a particular “ethics of reading.” By identifying a distinct ethics of reading in my first three chapters, my purpose is to evaluate what the limits as well as possibilities of each ethical system might be. These ethical frameworks direct not only which narratives are read but also how those narratives should be read. To the extent that genres confer legitimacy and authenticity, they also constrict possibility. As a result, testimonies become generic.

There is an obvious etymological relationship between the terms *genre* and *generic*. While *genre* denotes a “kind or sort,” the term *generic* is defined as “characteristic of or relating to a class or type of objects, phenomena” and “not specific, general” (*Oxford English Dictionary*). We could say that something that is generic, then, simply refers to something that belongs to a specific genre. What the *OED*’s definition for the term *generic* does not account for (or even mention) is the term’s perjorative connotations in common usage. The adoption of “genericity” in genre theory may have been an attempt to elide the negative connotations associated with the label “generic.” Coined by Jean-Marie Shaeffer and taken up by Jacques Derrida in “The Law of Genre” (1980),⁵ “genericity” attempts to accommodate both *genre* and *generic*, as is defined elsewhere as “the condition of belonging to a genre” (Duff) and “the property of being generic” (*OED*). My usage of “generic” in relation to testimony, however, intentionally maintains the term’s negative connotations.

⁵ For a superb examination of this article and Derrida’s concept of genre in general, see Jonathan Crimmins, “Gender, Genre, and the Near Future in Derrida’s ‘The Law of Genre’” (2009).

There are several reasons why understanding the rise of the generic testimony is especially important when it comes to reading about atrocity. First, our contact with accounts of atrocity has become virtually unavoidable. In fact, since WWII, literary canons across the world have been saturated by such accounts, making the atrocity testimony one of the most common documents of modernity. Such an infusion of texts in worldwide circulation means that mass suffering no longer stays localized. Unlike the reading of any other literature, our encounter with narratives of atrocity, especially an account depicting on-going suffering, tends to directly implicate us as readers: whether it is to engage in some kind of genocide prevention or activism, to “never forget,” or merely to feel some level of outrage, these texts encourage (and at times demand) that readers formulate some kind of response.⁶

Second, understanding the function of genre is important because of the way it affects our response to atrocity. The development of the atrocity genres has conditioned readers to be resistant to narratives that differ from their expectations. In what follows, I argue that a testimony’s strict adherence to convention is often what makes an account of atrocity believable and successful. To illustrate this last point, each of the first three chapters includes an analysis of the successful passing of faked and fraudulent accounts, texts which masterfully attend to the conventions in each discourse. In examining faked accounts in these discourses, I follow the argument presented in Robin Hemley’s article,

⁶ Even within the community of those whose work relates to the Holocaust and other genocides, opinions remain sharply divided about the extent to which scholars should engage in activism. The debate has grown so contentious, in fact, that it has resulted in the creation of two separate academic organizations representing opposing sides: the International Association of Genocide Scholars (IAGS) which promotes the work of scholar-activists, and the International Network of Genocide Scholars (INOGS) which opposes the conflation of scholarship with activism. Reflecting my own ambivalence about the productiveness of taking sides and my reluctance to engage in such debates, I, like many genocide scholars, am a member of both organizations.

“In Praise of the Fake Memoir,” that suggests “the study of Fakeness is the study not so much of content as of form: what is it in a work that convinces us of its authenticity, how does the author play with our fundamental desire for authenticity and thwart it” (124).

A Crime Without a Name

Before the coining of the term “genocide” by Raphael Lemkin in 1943, such extreme violence remained, in the words of former British Prime Minister Winston Churchill, “a crime without a name” (qtd. in Power 17). Seeking a legal term to describe the systematic barbarism that the Nazis inflicted on European Jews and other minorities during WWII, Lemkin pursued a life-long campaign to have genocide officially recognized as a crime.⁷ Today, the legal definition of genocide has been accepted by the United Nations and codified in the UN Convention.⁸ While the international recognition of genocide, in many ways, represents a triumph of international law, the term genocide now retains a legal specificity meant to distinguish it from the three other crimes currently under the jurisdiction of the International Criminal Court: crimes against humanity, war crimes, and crimes of aggression.

In the framework of the law, this specificity creates at least the potential for those who commit genocidal violence to be held accountable for their crimes. When examining witness accounts in an interdisciplinary frame, however, the use of genocide

⁷ For an extensive overview of Lemkin’s struggle, see Samantha Power’s *A Problem from Hell* (2002), and Michael Ignatieff’s “Lemkin’s Word” (2001).

⁸ Article 6 of the Rome Statute of the International Criminal Court defines “genocide” as “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 to another group.” Since the adoption of the crime of genocide and its application in international tribunals, studies of comparative genocide continue to debate the term’s definition and application in international criminal law. (See Chapter three)

as a primary descriptor may actually work to exclude the experiences of certain groups of witnesses. Beyond my use of genocide in this study's title, I preference the terms "atrocities" and "mass atrocities" throughout my dissertation. To be sure, where genocide might be overly specific, the term atrocity is problematic in its imprecision. This choice is intentionally inclusive—I ask my reader to tolerate the vagueness of atrocity in the hope that its use might avoid unproductive and exclusionary debates which censor or overlook testimonies that do not attend to a rigid set of experiential parameters. The institutionalization of testimonial parameters is itself the focus of my first three chapters.

I pair the terms "genocide" and "genres" in my title in order to highlight their shared root in the broadly denoted Greek noun *genos*. The most common meaning of *genos* is "sort or kind," from which we derive modern English words such as *genre*, *generic*, *general*, *generally*, and *gender*. *Genos* also denotes a "family"; hence, modern equivalents in English such as *genealogy*, *genealogical*, and even more scientifically, *genes*, *genomes*, *genetic*, and *genetics*. A third meaning denoted by *genos* describes a "race, tribe, or other group of people." *Genocide*, utilizing suffix *-cide*, meaning "killing," paints a picture of the destruction of the *genos*, the people. If these terms provide us with an etymological constellation, we might begin to trace the less obvious alliances that exist between these words and, more broadly, how "language itself is part of the matrix—if not *the* matrix—from which ideas about genre, race, literature, and nationality emerge" (Brazier 4).

Still, beyond their shared etymology, the creation of genres and the perpetration of genocides seem to be two incomparable acts. I parallel these terms in my title to draw attention to the fact that both genres and genocides are driven by a single (and seemingly

innocuous) human impulse: the act of classification. To classify is to “arrange (a group of people or things) in categories according to shared qualities or characteristics” (*OED*). The classification of writing is usually accomplished through the use of genre categories. For many of us, the rules of genre were an implicit part of our upbringing; as adults, we inherently know that a news report should be read differently than a science fiction novel.

Our impulse to classify takes on darker ramifications, however, when it is applied in our social relationships. Classification, as defined by Gregory Stanton, the president of Genocide Watch, remains the first of eight stages of genocide.⁹ It is in this stage that group members identify which individuals are insiders and which are outsiders to be ignored, antagonized, colonized, or exterminated. Through the classification of people, we come to identify ourselves against those we believe to be our other. The “classification stage” is followed closely by the “symbolization stage,” where classifications are paired with external identifiers such as clothing style, shared language, and phenotype.¹⁰ Classification as a human impulse is, at once, both completely natural and potentially destructive. To lay bare this impulse, particularly in our reading habits, is to expose its deeper implications, and thus to open a space to rethink the manner in which we approach otherness.

Comparative Genocide, Trauma and Memory

⁹ For more information on the eight stages of genocide, see www.genocidewatch.org.

¹⁰ Phenotype refers to the structural characteristics of the face and body. During the Rwandan genocide (1994), for example, “Tutsis” and “Hutus” were often distinguished from each other by physical features such as height, skin coloring, and the shape of the nose. As a result, this classification by phenotype often divided members of a single family, with some perpetrating violence while others became the target. In Cambodia’s Khmer Rouge genocide (1975-1979), lighter skin tone, the wearing of glasses, and braided hair were often enough to mark individuals as dangerous “intellectuals” who should be purged from society. It is important to note that violence against groups with differing physical characteristics is always driven by deeper prejudices and struggles for power.

In describing the scope of this project, I would also like to be clear about what this project does not attempt to do. Specifically, the focus of my investigation is limited to engaging three closely related bodies of scholarship invested in the study of atrocity: comparative genocide studies, memory studies and trauma studies. I have been asked, for instance, why my project does not “identify the major differences between the Holocaust and other genocides, and between genocide and the devastation of war.” Such a question is taken up by comparative genocide studies and is driven, I believe, by a sensitivity to Holocaust uniqueness. While my first chapter briefly touches on this debate, issues of commensurability between mass atrocities remain beyond the scope of my dissertation. My comparison of the way post-WWII discourses read and appropriate testimony, then, should not be confused with an attempt to compare historical genocides themselves.¹¹

The two other related bodies of research that fall outside the scope of this project are trauma studies and memory studies. In the reading of testimony, scholars at work in these fields have tended to focus on the psychology of individual experiences (e.g., accidents, depictions of rape, or post-traumatic stress disorder in war veterans), and on the transfer of psychological pain and distress between generations (e.g., “transgenerational trauma,” “post memory”).¹² Such work commonly employs a psychoanalytic methodology to examine issues such as the nature of remembered experience, how mental trauma is represented in written and oral testimony, and the

¹¹ For an overview of comparative genocide scholarship, see Ben Kiernan’s *Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur* (2007), Samantha Power’s *“A Problem from Hell”: America and the Age of Genocide* (2002), Levon Chorbajian’s *Studies in Comparative Genocide* (1999), and Alan Rosenbaum’s *Is the Holocaust Unique?: Perspectives on Comparative Genocide* (1996).

¹² For an introduction to trauma studies, see Cathy Caruth’s *Trauma: Explorations in Memory* (1995), *Unclaimed Experience: Trauma, Narrative and History* (1996), and Dominick LaCapra’s *Writing History, Writing Trauma* (2000). For memory studies, see Marianne Hirsch’s *The Generation of Postmemory: Writing and Visual Culture After the Holocaust* (2012) and *Family Frames: Photography, Narrative, and Postmemory* (1997), along with recent work by Jack Halberstam and Irene Kacandes.

transference of trauma to the listener of a testimony. While it may be argued that individual traumatic experiences are “atrocities,” such broadening often becomes mired in debates about the limits of personal trauma. In contrast, my project relies on close reading and models developed in cultural studies and genre studies to trace the way testimony is shaped in response to reader expectations and known writing conventions. I am mainly interested in how testimony is appropriated in wider discourses, and how those discourses affect and regulate the production and interpretation of testimony.

Organization

Chapter one begins with an overview of recent scholarly attempts to write a comprehensive Holocaust testimony historiography from WWII to the present. Situating my examination in what has come to be known as the contemporary period of Holocaust testimony, I trace the ambivalent usage of the phrase “Holocaust literature,” moving from early injunctions against “the generic” by Holocaust scholars such as Elie Wiesel and Theodor Adorno to later promotion of a distinct written form. I argue that calls for the Holocaust’s uniqueness as an event have gradually been conflated with the supposed uniqueness of narratives written about the Holocaust. It is this rhetoric of uniqueness that has been used to underwrite an ethics of unrepresentability in Holocaust literary scholarship, prohibiting a reader’s identification with survivors. Referencing the overwhelming success of faked Holocaust memoirs such as Wilkomirski’s *Fragments*, the chapter demonstrates the power of genre to guide readers’ expectations and responses to the text. Turning to an examination of the reception of the comedic cabaret *Laugh with Us*, written by prisoners in the Terezín concentration camp, I demonstrate how certain works have been marked as taboo within the framework of Holocaust literature. I

conclude the chapter by discussing how the institutionalization of such ethics has influenced the writing of later testimonies by Holocaust survivors.

The second chapter traces the divide between Holocaust studies and the modern human rights movement back to their common point of germination in WWII. Pointing to the development of their distinct trajectories, I describe the ways in which the discourse of human rights confronts mass atrocity with an often diametrically opposite mission and methodology to that of Holocaust studies. For example, readers of Holocaust literature are taught that their role is to remember. This stems from the historical trajectory of Holocaust studies that closely links testimony to representation and memory. Human rights literature, by contrast, involves readers in the work of re-creation. Reading across three ethnographic studies of rights bearers—namely, refugees, immigrants, and the indigenous—the chapter argues that individual testimonies become generic when confronted by external expectations. Securing personal safety requires a certain amount of political maneuvering whereby individuals manipulated their testimony to fit the demands of their audience. One example is the emergence of professional storytellers who coach refugee women to present generic accounts of rape in order to strengthen their pleas for asylum.

The third chapter explores the reading and codification of individual testimonies of atrocity in the context of international criminal law. I begin by tracing the historical development of international law since WWII, describing the establishment of the tribunal system beginning with the Nuremburg trials and the emergence of truth and reconciliation commissions since the 1970s. Based on personal interviews with legal interns working at the Special Victims Unit of the Khmer Rouge tribunal in Cambodia,

the chapter examines the unique methods used by UN tribunals and truth commissions to read survivor narratives. I also examine the limits of international criminal law by juxtaposing two individual testimonies: one by a Holocaust survivor and the other by a Cambodian perpetrator. I end by examining the progressive reception of truth and reconciliation reports, beginning with the publication of *Nunca Más* (1984), which later became a national bestseller in Argentina.

Taken together, my first three chapters expose the function and often conflicting ethics enacted by the institutionalization of atrocity genres, including the major discourses that sustain them, in order to open up a space for alternative accounts. To this end, and as a summation to these chapters, I include an interlude after my third chapter which charts a reading practice for the general public, applicable in their reception of the growing corpus of atrocity testimonies. In order to mitigate our impulse to read testimonies generically, I argue for what I am calling an “ethics of impurity,” a framework which merges close reading methodology with an ethical consideration of the suffering other. Indebted to the work of scholars including Jane Gallop, Santiago Colás, and Emmanuel Levinas, such an ethics calls for a rejection of the homogenous categorization of the other, facilitated by an attentive close reading of testimonial particularity.

The World Literature of Atrocity

One of the most productive yet unmapped areas for exploring resistance to representational apparatuses can be found in the increasing movement of atrocity narratives in worldwide circulation. In the final chapter, I argue that the global circulation of testimony now signals the emergence of a particular subset—or unsightly

underbelly—of world literature. As my primary object, I explore the transnational circulation of what could arguably be considered the most famous example of atrocity literature: Annelies Marie Frank's *Het Achterhuis*, known to the English-speaking world by its translation, *Anne Frank: The Diary of a Young Girl*. Because of its widely successful travel outside its original cultural context, it is a narrative which, to my mind, most clearly exemplifies the dynamic functioning of the world literature of atrocity.

Amidst the extensive scholarship on world literature, I follow David Damrosch's description of world literature as a "mode of circulation and of reading." Categorizing a text as world literature, according to Damrosch, doesn't necessarily indicate some inherent quality in the work itself, but rather highlights the characteristics of its movement, specifically as it travels beyond its culture of origin. If world literature represents a mode of circulation, what we find when we look at the global movement of atrocity literature is that such works actually circulate through multiple modes. Expanding on this initial modal understanding of world literature, I examine the textual circulation of a single atrocity testimony that is inherently *multimodal* in its global circulation. In other words, if we look at the *Diary's* circulation, what we actually see are (at least) three separate modes of transnational reception: first as a foreign-language translation, second, as a text read by the protagonists of novels, and third, as an authorizing force resulting in the rise of multiple foreign "Anne Franks" from such disparate places as Iraq, Cambodia, Bosnia, North Korea, and Palestine. Compared with direct translations, the two latter modes represent a progressively more abstract relationship to the original text.

By expanding the notion of world literary circulation, the chapter concentrates not only on the formation of genres but on their blurring and dismantling. As David Buckingham notes, “[G]enre is not... simply ‘given’ by the culture: rather, it is in a constant process of negotiation and change.” I show how the ethics of reading developed in each of the post-WWII discourses described in my previous three chapters do not circulate with the testimonial texts themselves. Instead, communities of reception often read and appropriate testimonies in unexpected and surprising ways. As institutions struggle to export culturally specific interpretations on an international scale, a complex interplay ensues when stories of atrocity come in contact with each other. This chapter provides a model for taking the study of world literature beyond its Eurocentrism. Using the *Diary* as a paradigmatic case, this chapter ultimately theorizes these transnational testimonies as an emerging “world literature of atrocity.”

Chapter 1

Genre Birth and Death: Reading Contemporary Holocaust Testimonies

“A memory that is evoked too often, and expressed in the form of a story, tends to become fixed in a stereotype, in a form tested by experience, crystallized, perfected, adorned.”

—Primo Levi, *The Drowned and the Saved*

Introduction: Hologrammed Survivors and the End of Testimony

In January 2013, the University of Southern California’s Institute for Creative Technologies unveiled the “Virtual Survivor Visualization” project. The purpose of the initiative is to design 3D interactive holograms of Holocaust survivors that will, as early as 2014, be able to talk face-to-face with visitors at sites such as the U.S. Holocaust Memorial Museum in Washington, D.C. Pinchas Gutter, one survivor participating in the project, sat for hours in front of a green screen answering over 500 questions about himself and his painful story of survival in the Majdanek concentration camp. In the process, a computer mapped his body movements and voice, amassing data which is still being edited by USC’s research scientists working in collaboration with the Shoah Foundation. Their goal is to create “digital doppelgangers” of a number of aging Holocaust survivors. When the digitization is complete, Gutter’s hologram will not only be able to tell his story but recognize questions and answer them succinctly. Enabling such capability required asking as many as 50 follow-up questions to the initial set of questions researchers posed to Gutter. Clarifying the process to reporters, researchers on the project explained that they “found there is generally a range of about 100 questions

people ask survivors of the Holocaust,” and “if someone in the future comes up with one Gutter’s hologram can’t answer, it will simply say so and refer them to someone who might know” (Rogers). The project as a whole asks us to consider what it might mean for Holocaust survivors to, as one reporter put it, “live on in perpetuity, telling [about] the horror they witnessed and offering their thoughts on how to avoid having one of history’s darkest moments repeated” (Rogers). If the questions we ask Holocaust survivors can be so easily predicted and quantified by researchers, what are the broader implications for our responses to such testimonies? Fifty years from now, what might these holograms tell the generations that come after us, not only about what Holocaust survivors experienced, but also about our desire to preserve such testimonies through digital simulation?

If we define *testimony* broadly to mean an eyewitness account of events, we must face the fact that, in a few years, the recording of Holocaust testimony given by survivors will reach its end. Soon, there will be no living witnesses of the Holocaust—the Holocaust itself will stand outside living memory. As the events of WWII recede into history, considerations of Holocaust testimony have taken on a sense of poignancy and urgency, one which is certainly reflected in the push to create survivor holograms. Resisting the end of testimony, we also see a recent broadening of the concept of “witnessing,” for example, to include a wider population beyond the survivor. Today’s readers of testimony are often described as “bearing witness to the Holocaust.” The same broadening, however, is less transferable to the act of testifying. The ability to give a testimony remains tethered to the few living eyewitnesses who survived the events of the Holocaust.

If testimony is tied to a diminishing group of authors, the completion of a Holocaust testimonial corpus now seems eminent. Although many scholars and commentators on the Holocaust have begun to acknowledge this fact, relatively few have made “sustained efforts to draw out its full implications” (Lothe 1). Scholarship that responds directly to the “end of testimony” includes the recent essay collection *“After” Testimony* (2012), edited by Jakob Lothe, Susan Suleiman and James Phelan. We are now entering, suggests these editors, an era “after testimony” which demands that we also come to terms with a “new period of Holocaust narrative and Holocaust criticism” (1). Such volumes reflect a movement, particularly among historians, to rethink the dominant assumptions about testimony by taking a more comprehensive examination of written accounts (Cesarani 2012, Shik 2008, Waxman 2006, Wieviorka 2006). Such historians trace the legacy of oral and written accounts back to the Holocaust itself, beginning with the earliest recorded testimonies given by individuals living in European ghettos. The work of these scholars attests to a fundamental reality: Holocaust testimony not only records history, it has a history.

Yet, according to Holocaust historian Zoe Vania Waxman, the history of Holocaust testimony has been largely ignored. This is, she asserts, primarily due to the fact that “testimony is usually treated as a separate, homogenized, self-contained canon” (1). When treated this way, testimony becomes a canon without history—always existing, never changing. Responding to this historic myopia, historians such as David Cesarani and Na’ama Shik examine lesser known testimonies given immediately after the war. Such scholarship focuses on the immediate postwar period, before testimonies were, as Shik describes, “exposed to a variety of conceptions about Holocaust survivors;

before memory was ‘shaped’” (127). Their histories offer starkly contrasting visions that directly critique the idea of a homogenized Holocaust canon.

In a similar effort, the recent work of Waxman and other historians is dedicated to documenting changes in testimonial writing over time. For instance, in *Writing the Holocaust: Identity, Testimony, Representation*, Waxman proposes four major categories of testimonial writing: 1) testimonies of resistance from the ghettos, 2) testimonies written in the extremity of concentration camps, 3) post-war testimonies from survivors, and 4) contemporary testimonies written in the context of “collective memory.” Similarly, Annette Wieviorka’s *Era of the Witness* discerns three separate periods of testimony: 1) testimonies left by those who perished in the Holocaust, 2) testimony as a public act beginning with those presented in the Eichmann trial, and 3) “the era of the witness,” where survivor testimonies are incorporated into the larger narrative of the Holocaust.

By tracing major shifts in testimonial writing since WWII, these new histories contribute to our understanding of Holocaust testimony in several important ways. First, by highlighting testimonies which have been overlooked and ignored, such histories have proven vital in recuperating the heterogeneity of Holocaust experiences. For the Holocaust, as Waxman rightly states, “was not just one event, but many different events, witnessed by many different people, over a time span of several years and covering an expansive geographical area” (2). Secondly, the work of these historians directly challenges what they call the “myth of silence,” the orthodox belief among Holocaust historians that survivors were generally silent or extremely reluctant to tell about their experiences until the 1970s and 80s. In *After the Holocaust: Challenging the Myth of*

Silence, David Cesarani and other historians make a strong and unified argument that Holocaust historians themselves have substantially misrepresented the dominant understanding of testimonial production. Disproving the “myth of silence,” these scholars give substantial evidence that survivors began writing immediately after WWII, and have never ceased.

These new histories of Holocaust testimony, while somewhat varied in their details, also present remarkably similar descriptions of the most recent stage in testimonial production and reception. What they observe and specifically resist, in the contemporary period, is the universalization and commodification of Holocaust testimony. Testimony in this stage has come to be inextricably mediated by collective memory and reified notions of “the Holocaust.” It is the contemporary period of Holocaust testimony, outlined by the above historians, which provides the scope of this chapter.

In what follows, my intention is neither merely to rehearse the important work of these historians, nor to present a competing history. Instead, by focusing on the latest evolution in Holocaust testimony, I will argue that it is in this most recent stage that Holocaust testimony first becomes *generic*. What this chapter charts, in other words, is the development of a genre, the progression toward individual Holocaust testimonies becoming a “separate, homogenized, self-contained canon.”¹³ The following questions guide my analysis: Within the framework of the Holocaust, how does genre function as a “horizon of expectation” for readers and “model of writing” for authors? How and why

¹³ This is, of course, very different than making the claim that all testimonies are alike. To explore the ways Holocaust testimony functions as a genre is not to ignore the vast diversity of texts written about the Holocaust, but to examine precisely what drives the impulse to collapse and categorize this body of texts.

do Holocaust testimonies become generic, and what are the implications of this generic turn for those few surviving writers of Holocaust testimonies? Lastly, how should readers approach such works?

The Holocaust Genre

“It is undeniable,” declares Anna Richardson in “The Ethical Limitations of Holocaust Literary Representation,” “that Holocaust writing has become a genre in its own right” (6). Robert Hanks similarly notes that as “a peculiar set of conventions has come to cluster around depictions of the Holocaust...the effect has been to turn the literature of genocide into a genre, with rules almost as constricting as those binding the Agatha Christie-style detective story.” Hanks’ statement appeared in a 1996 review of Benjamin Wilkomirski’s Holocaust memoir *Fragments: Memories of a Wartime Childhood* (1995). The fact that Wilkomirski’s memoir was later judged a fraud serves to reinforce Hanks’ depiction of a genocide genre—the ability to produce such a successful copy of an authentic Holocaust testimony stands as proof that such conventions exist. As Amy Hungerford suggests in her reading of *Fragments*, “Producing a fake is possible—and attractive to the would-be con artist—not only because the Holocaust memoir has become a form that has a certain cultural presence and worth (a worth evident in the various prizes and speaking tours that accompanied the general celebration of Wilkomirski’s book) but also simply because the holocaust memoir *is* a form” (68). While I discuss in further detail the nature of fraudulent Holocaust testimonies later in this chapter, these commentators draw our attention to the undeniable emergence of a recognizable kind of writing.

What does it mean that genocide has now been turned into a genre? To name a genre has become a way not only to describe what is going on in a given number of texts but to prescribe what we expect to recognize in texts. To say that Holocaust testimony has become generic, then, is to claim that distinct and recognizable practices of writing and reading have developed around Holocaust literature. Genre, in this sense, refers to characteristics of a text that readers would identify and come to expect—characteristics that fraudulent texts such as Wilkomirski’s successfully copied.

If Holocaust scholarship now commonly signals the evolution of a new kind of writing, such recognition has not always been positive. Imre Kertész, a survivor of Auschwitz and Buchenwald, strongly critiques the growing genre of Holocaust testimony, arguing that “a Holocaust conformism has arisen, along with a Holocaust sentimentalism, a Holocaust canon, and a system of Holocaust taboos together with the ceremonial discourse that goes with it” (269). Kertész’s reference to a canon and a system of taboos draws our attention to the developing systemization of the study of the Holocaust.

Interestingly, a growing body of literary scholarship on the Holocaust attributes the creation of the genre of Holocaust literature to its theorists and critics themselves. For instance, Amy Hungerford, in an essay which explores the relationship between language and experience within trauma theory, suggests “that the holocaust memoir has become a genre—with all the conventionality that term implies—because trauma theorists in the academy have been working to elaborate, explain and theorize about the things such memoirs have in common” (68). The implication is that scholarship which looks for commonality among texts—in this case, trauma theorists “elaborate[ing],

explain[ing], and theoriz[ing]” the shared elements of Holocaust testimonies, inadvertently create generic expectations.

Though some theorists now recognize their participation in developing a framework of literary conventions which have built up around accounts of genocide, few have examined the implications of such rules. As this categorization has become normalized, we may wonder why it is that one set of conventions and not another has become, in Hanks’ words, nearly as constraining as “those binding the Agatha Christie-style detective story.” Hanks provides a somewhat ambiguous answer by suggesting that, although such binding conventions are “peculiar” or strange, the framework has evolved naturally, that such conventions have “cluster[ed] around depictions of the Holocaust” of their own volition. The effect of these passive constructions, however, is that they conceal those individuals who have a stake in creating and reinforcing genre rules.

Within Holocaust scholarship, genre is rarely an explicit topic of discussion. When genre is directly referenced, it often proves unwieldy as a descriptive. Berel Lang, for instance, in his work *Holocaust Representation: Art Within the Limits of History and Ethics* (2000), proposes “to subsume the Holocaust genres that are considered as ‘literature’—conventional ones like the diary, the memoir, the novel, together with less conventional ones like oral histories and even the historical treatise—under a single, more inclusive rubric, concluding that Holocaust writing *as such* has the features of a genre” (20). Revealing the ambiguity of genre terminology,¹⁴ Lang uses the single term

¹⁴ “In modern literary theory,” David Duff argues, “few concepts have proved more problematic and unstable than that of genre” (1). Besides issues of scope and parameters, lack of a common terminology remains an enduring problem of genre theory. For instance, Duff cites the frequent ambiguity in the usage of the words “form” and “genre.” “Is ‘generic form’ a tautology” Duff asks, “or does it imply a useful distinction between the individual form of a single work and the ‘generic form’ of a *type* of work?” (17). Such questions continue to vex genre theorists and have produced numerous responses which have

genre to simultaneously describe subgenres, such as the diary or memoir, and a macrogenre, the overarching category of Holocaust literature. While Lang maintains that the use of genre is helpful for describing what links disparate kinds of Holocaust writing, his assertion that “Holocaust genres” together make up a unified “Holocaust genre” exposes the limitations of the term.

Considering genre’s complex history, what is the benefit in taking up such an unwieldy concept to discuss Holocaust testimony? By exploring these texts through the framework of genre, my goal is not to provide a more stable definition of genre in comparison with previous theories. Rather, I would like to explore the various ways genre, despite its ambiguity as a concept, nonetheless persists as a concept in Holocaust scholarship. This persistence can be noted in many authors’ outright resistance to a certain set of genre conventions advanced by much Holocaust scholarship, even though the rules regarding genre have rarely ever been made explicit. More often, the meaning of Holocaust literature as a genre is often assumed. For all its problematic history, the concept of genre is interesting to explore specifically because it has come to mark a complex system of conventions that has developed to guide the way we read testimonial texts.

In tracing the ways scholars both influence and rely on genre categories, this chapter reframes the idea of genre to focus on issues of textual reception. While genre is often connected to conventions of writing, I would also like to look at genre as a description of conventions of reading. This refocusing allows me to examine the rules, strictures, exclusions and delimitations that have come to govern our reading of

solidified into major movements over the centuries. For an excellent overview of the major threads within genre theory since Aristotle, see Duff (2000).

Holocaust testimony. Thinking about what is at stake in genre formation raises questions that help set the stage for a consideration of Holocaust testimony as an organizing concept. Such questions include: What do we expect to find when we read Holocaust literature? Who has been most influential in setting up and enforcing such literary rules? In what ways have our expectations been shaped by the work of literary critics, and what kind of disparities persist between the theory of Holocaust testimony and the practice of reading these texts?

Furthermore, to look through the lens of genre means to observe the consequences of such categorization on Holocaust texts. Questions common in Holocaust literary discourse include: What should be written about the Holocaust and how? How should we interpret testimonies written about the Holocaust? Such questions are inherently ethical by their nature. They seek to identify right and wrong ways to approach the Holocaust. Not surprisingly, the answers to these questions are most often expressed as rules for writing and reading. Such prescribed rules have emerged alongside the institutionalization of the Holocaust as a formal study in the United States since the 1960s.

It is this culture which Imre Kertész identifies in his essay “Who Owns Auschwitz?”: “More and more often, the Holocaust... is stolen from its guardians and...institutionalized, and around it is built a moral-political ritual, complete with a new and often phony language” (268). I locate Kertész’s reference to a “moral-political ritual” in a set of prescribed standards—a specific ethics of reading and writing—which

has come to inform the production and reception of Holocaust testimony.¹⁵ In the end, my evaluation of the limits and possibilities of a Holocaust ethics in this chapter lays the groundwork for a comparison of separate ethical frameworks developed in two other post-WWII discourses: the modern human rights movement and international criminal law.

Wiesel's Dichotomy: Defining Holocaust Literature

“There is no such thing as Holocaust literature—there cannot be...
A Holocaust literature? The term is a contradiction.”
—Elie Wiesel

“Our generation invented a new literature, that of testimony.”
—Elie Wiesel

In 1977, Elie Wiesel presented his now-famous lecture at Northwestern University entitled “The Holocaust as Literary Inspiration.” In this talk Wiesel first voiced his interdiction that “There is no such thing as Holocaust literature” and “a novel about Treblinka is either not a novel or not about Treblinka” (7). To my mind, what is most striking about this pronouncement is the apparent contradiction that followed it. Wiesel went on to claim that “[if] the Greek invented tragedy, the Romans the epistle, and the Renaissance the sonnet, our generation invented a new literature, that of testimony.” Whereas merging “Holocaust” and “literature” to Wiesel signaled a taboo integration—an incongruous mixing of horror with aesthetic pleasure—what he calls “testimony” seems to elicit an ironic sort of pride. Out of the silencing force of the Holocaust, Wiesel declared the emergence of a unique literary type. A genre is born.

¹⁵ To be clear, as I noted in my introduction, my discussion of the ethics of reading and writing in Holocaust studies is not meant to point to what I consider “ethical” *per se*, but rather is a description of the orthodox methodology for testimonial production and reception within this particular discourse.

Because of this lecture, Wiesel became one of the most quoted opponents of the concept of “Holocaust literature.” Perhaps one of the greatest ironies in Holocaust studies is that this speech also made Wiesel one of the most widely referenced authorities behind the creation of the genre of Holocaust testimony. I would like to begin by tracing the scholarly debates surrounding his first point—that Holocaust literature is an impossibility. I am particularly interested in the crucial, and often implicit, role that genre plays in such discussions.

Today, literary scholarship in Holocaust Studies has ironically become best known for its injunctions, specifically against the very texts it proposes to study. Most notably, Elie Wiesel’s aggressive rejection of a category called “Holocaust literature” along with Theodor Adorno’s declaration that “writing poetry after Auschwitz is barbaric” mark watershed moments in the study of the Holocaust. No writer, it would seem, can engage with Holocaust literary material without first taking these injunctions into account. As such, Adorno and Wiesel represent, in my mind, two of the earliest creators of a Holocaust ethics—a prescribed standard for what is correct behavior for writers and readers who come “after Auschwitz.”¹⁶ Adorno’s invocation of the word “barbarism,” makes use of the most damning term available before the institution of the term “genocide.” His pronouncement represents an attempt to restrain writers through the use of shame. Wiesel’s injunction sets up a similar moral imperative in its triple rejection

¹⁶ Perhaps the most dramatic Holocaust ethic was put forth by George Steiner in *Language and Silence* (1967) who declared that the German language itself had been irrevocably soiled by the horrors of the Nazis and should, therefore, be rejected as a form of communication. “Use a language to conceive, organize, and justify Belsen,” Steiner states, “use it to make out specifications for gas ovens; use it to dehumanize man during twelve years of calculated bestiality. Something will happen to it... Something of the lies and sadism will settle in the marrow of the language. Imperceptibly at first, like the poisons of radiation sifting silently into the bone. But the cancer will begin, and the deep-set destruction... It will no longer perform, quite as well as it used to, its two principal functions: the conveyance of humane order which we call law, and the communication of the quick of the human spirit which we call grace” (101).

of “Holocaust literature”: “there is no such thing,” “it cannot be,” “the term itself is a contradiction.”

In terms of genre, both Adorno and Wiesel’s assertions perform a kind of paradox: in their desire to renounce or impose constraints on certain written forms, they simultaneously reinforce the knowledge that those forms already exist. In response, many scholars have attempted to soften such injunctions, especially since both Adorno and Wiesel made their comments after numerous poems and fictional texts had already been published about the Holocaust. For instance, speculating on Adorno’s usage of the word “after,” Lawrence Langer suggests that “perhaps what Adorno really meant to say was that to write poems after Auschwitz the way we wrote poems before Auschwitz was barbaric” (*Using and Abusing the Holocaust* 124). The real quandary for scholars has been how such commanding insistence on silence has, in practice, done so little to stem the tide of literature written about the Holocaust. As a case in point, although Wiesel’s pronouncement against the categorization of a Holocaust literary genre is well known, his seminal work, translated into English as *Night*, has nonetheless been taken as the model text of what has come to be known as Holocaust literature.

What characterized early rejections of “Holocaust literature” was not the pragmatic difficulties of grouping written forms such as memoirs and novels together under a single labeling. The critique by proponents of Holocaust literature has most often focused primarily on the ethical limits of representation—on whether “literature” as a whole is capable of doing justice to the extreme horror of the Holocaust. Gilas Ramras-Rauch, for example, concludes that the phrase “Holocaust literature” represents an “impossibility” because, echoing Wiesel, “the phrase itself is a contradiction in terms”

(3). He proceeds to offers three reasons for rejecting such characterization based on the limits of literature: “First, there is no way to link a life-affirming enterprise such as literature with a death-bound phenomenon of such magnitude; second, no gift for literary description, no matter how blessed that gift, could possibly encompass the horror of the Holocaust experience itself; third, since any writing involves some degree of distance, such ‘detachment’ would violate the sanctity of the actual suffering and death undergone by the victims” (3). Thus, for Ramras-Rauch, literature stands as ill-suited, incapable, or unethical to be a kind of repository for what he calls “the Holocaust experience.”

Ramras-Rauch’s references to the “Holocaust experience,” as something which can only be obliquely described and not known, is an example of a stance which has come to be attributed to a larger group of writers which include Elie Wiesel, Theodor Adorno, Claude Lanzmann, and Jean-François Lyotard. Characterized by Michael Rothberg as the “antirealist” camp, these writers argue that the Holocaust is not knowable and cannot be adequately represented. Their approach, according to Rothberg, “removes the Holocaust from standard historical, cultural, or autobiographical narratives and situates it as a sublime, unapproachable object beyond discourse and knowledge” (*Traumatic Realism* 4).¹⁷

In order to mitigate their rejection of Holocaust literature in light of the body of literature which has already been written about the Holocaust, the antirealist position has tended to highlight the uniqueness of the Holocaust experience. Regardless of what survivors write about their experiences, the claim is that readers are incapable of

¹⁷ Rothberg distinguishes antirealism from what he calls the realist approach that together make up the two main methodologies used in Holocaust studies today. Taken up by scholars such as Hannah Arendt and Zygmunt Bauman, the realist approach views the Holocaust as both epistemologically knowable and representable by a “familiar mimetic universe” of literature and art (3).

understanding such writing. When it comes to representing the horrors of the Holocaust, such a position claims there is a permanent schism between the survivors' experience and those who were not direct witnesses. This position finds its defense in verses such as the following from Charlotte Delbo's *Auschwitz and After*: "Today people know/ have known for several years/ that this dot on the map/ is Auschwitz/ This much they know/ as for the rest/ they think they know" (138). The lines insinuate that we as readers only *think* we know what Auschwitz represents. While we may locate Auschwitz on the map and even visit the physical location, our knowledge of its horrors will remain unknown to us. In another section, Delbo insists on the divide between Holocaust survivors and her readers: "You cannot understand/ you who never listened/ to the heartbeat/ of one about to die" (127).

Wiesel's writings concur with Delbo's clear division between those who can comprehend the Holocaust and those who never will. For instance, Wiesel writes, "He or she who did live through the event will never reveal it. Not entirely. Not really. Between our memory and its reflection there stands a wall that cannot be pierced... We speak in code, we survivors, and this code cannot be broken, cannot be deciphered" ("Holocaust Inspiration" 3). This perspective has produced a body of scholarship dedicated to describing the unrepresentability of the Holocaust and the fragmentary nature of all testimonies about the Holocaust.

Uniqueness

By its uniqueness, the Holocaust defies literature.
—Elie Wiesel

The antirealist perspective, which positions survivors of the Holocaust in a unique and unprecedented position as authors of testimony, has come to permeate discussions of the Holocaust. It flourishes in “more popular discourse, in some survivor testimony and pronouncements, and in many literary, aesthetic, and philosophical considerations of the ‘uniqueness’ of the Shoah” (Rothberg 4). The privileging of this perspective can be contextualized as a component of a larger debate in Holocaust studies over the status of the Holocaust as a unique genocidal event. Opinions about the uniqueness of the Holocaust as an event, whether the atrocities of the Nazis during WWII can be compared to other genocides, feature frequently in these debates.¹⁸

The tendency within the growing discipline of Genocide studies has been to use the Nazi Holocaust and the extermination of European Jewry as a guide in comprehending other mass atrocities. Many Holocaust scholars, however, reject any comparison of the Holocaust to other genocides on the basis of its supposed uniqueness. Steven Katz, one of the foremost proponents of the “historical incommensurability” of the Holocaust, upholds the view that the Holocaust is the only true genocide in history, basing his argument on what he considers the “unique intentionality” of the Nazis to destroy the entire Jewish people (178).

Yet, Katz is careful to distinguish his views on Holocaust uniqueness, which he relates to the “phenomenological character” of the Holocaust itself, with what he calls the “more dramatic metaphysical claims sometimes associated with the concept of uniqueness” (35). Although Katz is sympathetic to claims that position the Holocaust as

¹⁸ My point is not to engage in a debate of comparative genocide, specifically regarding the uniqueness of the Holocaust. I do wish to note how discussions about the Holocaust’s uniqueness have directly affected the way scholars have dealt with the Holocaust and Holocaust literature.

resulting in “an ontological redirecting of the course and fate of history,” he nonetheless declares that “no one, in my view, has produced *arguments* that demonstrate the transcendental uniqueness of the Sho’ah. Therefore, I shall resist the strong temptation to employ such seductive metahistorical criteria of uniqueness as my own” (emphasis in the original, 35). Katz thus identifies two versions of Holocaust uniqueness: his own based on concrete features of the events and their causes, and what he considers “dramatic metaphysical claims.” What I find interesting is Katz’s admission that there is a “strong temptation” to view the Holocaust as a watershed event with metaphysical and metahistorical characteristics, and that such a characterization of the Holocaust as ontologically unique has a “seductive” quality to it.

One of the results of being seduced by this kind of rhetoric of uniqueness, and what I am most interested in exploring here, is that similar transcendental qualities tend to be transferred to anything closely associated with the Holocaust. Such a conflation can be seen in the early work of Lawrence Langer, the scholar who first identified “the literature of atrocity,” and remains one of the most well known theorists on Holocaust literature. Langer’s groundbreaking work, *The Holocaust and the Literary Imagination* (1975), describes how early Holocaust writers embarked upon a new form of writing. Even though Langer admits that “the uniqueness of the experience of the Holocaust may be arguable,” he upholds his claim to a unique form of literature by stating that what is “beyond dispute is the fact that many writers perceived [the Holocaust] as unique, and began with the premise that they were working with raw materials unprecedented in the literature of history and the history of literature” (xii). This focus on authorial intention, on what was “perceived as unique,” enables Langer to treat the literature as unique. As

the thinking goes, if the Holocaust has come to be imbued with a kind of sacredness, the testimonies about the Holocaust represent its canon. It is this rhetoric regarding the Holocaust as a sacred and unique event that has gradually been conflated with the supposed uniqueness of narratives written about the Holocaust.

To become attentive to this common conflation, in my mind, does not detract from the importance or phenomenological uniqueness of the Holocaust. Regardless of our individual position on the Holocaust as a watershed event in the history of humankind, the nature of its uniqueness or extremity does not in some way obligate the birth of a new literary form. In other words, one cannot say that the occurrence of an historical event necessarily produces a unique literary kind. Focusing on the tendency to conflate a historical event with literary production provides us with important insights into the ways we have come to read about atrocity.

The antirealist approach has done much to influence literary theorists working in Holocaust studies. According to Rothberg, such an approach continues to “shape the dominant popular understanding of the events through their access to the resources of the public sphere” (5). Because of its broad acceptance, relatively little has been written which explores the influence of such an approach on interpretation of Holocaust material. To read the history of such an approach, then, is to examine how this view has informed and constrained the reading of Holocaust literature.

The claim that since the Holocaust constitutes a unique experience, the writing about the Holocaust also represents a unique kind of writing has become foundational to much Holocaust literary scholarship. For instance, scholars who embrace the uniqueness of Holocaust literature have tended to follow Wiesel in coining their own genre titles—

neologisms which attempt to best describe the unique way in which Holocaust literature means. Some of these new genres include “holocaust memoir,” “historical horror,” “the literature of atrocity,” “the literature of destruction,” “trauma literature” and “narratives of extremity” to name a few.¹⁹ Rothberg defines “traumatic realism,” for instance, as a literary category meant to provide “an aesthetic and cognitive solution to the conflicting demands inherent in representing and understanding genocide” (9). All these categorizations are essentially synonyms of “Holocaust literature.” These genre titles do not describe more recently written texts, but merely act as improved ways to label, and therefore reinscribe, a unique body of literature already in existence.

Responsible Representation and Holocaust Hierarchies

“This idea you have where we’re supposed to throw our whole imagination at the Holocaust—Holocaust westerns, Holocaust science fictions, Holocaust Jamaican bobsled team comedies—I mean, where is this going?”
—Yann Martel, *Beatrice and Virgil*

Within the contemporary period of Holocaust writing, we see a progression from early rejections of Holocaust literature to its later acceptance as a unique form of writing. Most recently, discussions about the process and function of “representation” have saturated scholarship on Holocaust literature. In these most recent discussions, the question, Can literature represent the Holocaust? has given way to, What is the most authentic or responsible kind of literature to represent the Holocaust? In the burgeoning

¹⁹ See, for example, David Roskies’ *The Literature of Destruction: Jewish Responses to Catastrophe* (1989), Michael Rothberg’s *Traumatic Realism* (2000), Lea Wernick Fridman’s *Words and Witness: Narrative and Aesthetic Strategies in the Representation of the Holocaust* (2000), Shoshana Felman and Dori Laub’s *Testimony: Crises of Witnessing in Literature, Psychoanalysis and History* (1991).

body of work on Holocaust literary representation, these discussions often take on a significantly moral tone.

In fact, the debate regarding proper Holocaust representation has become so reified that the debate itself is foregrounded in the plot of several works. Art Spiegelman's *Maus* series, first published in the early 90s and, more recently, Yann Martel's 2010 novel *Beatrice and Virgil* feature main protagonists who are authors struggling with how to properly write about the Holocaust. Both narratives include meta-commentary in which the protagonist wrestles with genre. At the beginning of *Maus II*, for instance, readers see the character Art, who represents Spiegelman, reflect on his choice to depict his father Vladek's experience in Auschwitz through a comic strip. "I feel so inadequate," Art reveals to his wife, "trying to reconstruct a reality that was worse than my darkest dreams. And trying to do it as a comic strip! I guess I bit off more than I can chew... There's so much I'll never be able to understand or visualize. I mean, reality is too complex for comics... so much has to be left out or distorted" (16). The text reads not as a direct Holocaust testimony given by a survivor, but rather as something once removed—a son's accounting of the complex and challenging dimensions involved in transcribing his father's Holocaust testimony. "By finding a new medium for an old story," writes Ruth Franklin, "*Maus* became also a story about its medium."

Whereas the *Maus* series charts Spiegelman's critical and commercial success in representing his father's experiences in the Holocaust, Martel's *Beatrice and Virgil* is the story of a failed Holocaust author. Readers are introduced to Henry, Martel's protagonist, early on in the novel as he stands before his dissatisfied editors, fighting for the life of his work. Following a verbal thrashing at their hands, he altogether abandons

his project and never writes again. Henry's professional miscalculation, the reader learns, pertains to his attempt to take on the subject of the Holocaust. What Martel's depiction of his protagonist makes clear, however, is that the most striking feature of Henry's failure has less to do with his choice of subject matter than how he chooses to write about it.

Balking at the use of a more serious genre such as historical realism, Henry instead chooses to represent the Holocaust using the awkward literary form of a flip book, which turns out to be half fictional play, featuring conversations between a donkey and a howler monkey, and half essay. Defending his choice of medium in a passionate monologue before his skeptical editors, Henry depicts the Holocaust as a tree with "massive historical roots and only tiny, scattered fictional fruit" (16). It is fiction—Henry's fruit—that holds the seed. Without this fruit, he warns, "the tree will be forgotten" (16). With these words, Henry attempts to play what he hopes will be his most compelling card. By picturing the Holocaust as a tree, a living thing in desperate need of preserving, Henry invokes one of the primary taboos of our era—a future where the one atrocity that we must never forget will, indeed, be forgotten.

Henry's argument, and indeed the central message of the novel, is that proper Holocaust remembrance hinges specifically on appropriate Holocaust representation. What we remember, in other words, depends on how we write. For Henry, the proper mode for remembrance is fiction. Fiction—the "fruit that holds the seed"—is, for this character, the most ethical way for an author to approach the Holocaust. For Henry, fiction simply gets at the truth of the matter, at least in a way historical nonfiction cannot sustain. "Fiction may not be real, but it's true," he claims. "As for nonfiction, for history,

it may be real, but its truth is slippery, hard to access...If history doesn't become story, it dies to everyone except the historian" (16).²⁰ Unfortunately for Henry, his editors are operating under the exact inversion of his ethical and artistic framework. The sanctioning of Holocaust fiction, in their view, would be taking dangerous liberties with historical fact, a slippery slope towards the debasement of truth and a way to give "the deniers" a foothold. Just where would it all end? With "Holocaust westerns, Holocaust science fictions, Holocaust Jamaican bobsled team comedies" (13).

Deemed by one columnist as the "worst book of the decade," critical reviews of Martel's *Beatrice and Virgil* have been savage, to say the least (Champion). As Benjamin Secher proclaims, "What began as the story of one man's struggle and failure to write about the Holocaust has itself become that struggle, that failure." For the majority of Martel's reviewers, *Beatrice and Virgil* represents a failed Holocaust fiction encased in a failed Holocaust fiction. It is interesting to note how Martel's critics, in their brutal appraisal of *Beatrice and Virgil*, parallel the harshness of the fictional reviewers of Henry's flip book. This doubling has the unique effect: Martel has created a novel in whose plot his critics unwittingly participate. The novel's content foreshadows its future so well that one wonders if Martel's critics have walked into a setup and even helped him make his point: Holocaust writers must follow certain rules.

The works of Spiegelman and Martel ultimately offer readers an inside view of the ways Holocaust writers negotiate various pressures from their publishers, family members, and readers. In doing so, these works also expose the complex economy of

²⁰ This is interestingly the same sentiment expressed by Spiegelman in *MetaMaus*, an extensive commentary on the production of the *Maus* series. "I felt we need both artists and historians," Spiegelman explains of his choice to write *Maus*. "I tried to explain that one has to use the information and give shape to it in order to help people understand what happened—that historians, in fact, do that as much as any artist—but that history was far too important to leave to historians."

literary rules that has arisen around proper Holocaust representation. Unlike these creative works, when literary theorists of the Holocaust evaluate what kind of representation is “best,” such scholars seldom explicitly reflect upon the genre categories often embedded in their theories of representation. Instead, genre categories often become the implicit markers of difference for literary critics. Concurrent with the publishing of Wiesel’s lecture at Northwestern University, Lawrence Langer in *The Holocaust and the Literary Imagination* was the first to put forth an “aesthetics of atrocity” for reading Holocaust material. “The fundamental task of the critics,” Langer contends, “is not to ask whether [the writing of Holocaust literature] should or can be done, since it already has been, but to evaluate how it has been done, judge its effectiveness, and analyze its implications for literature for society (22).” Langer’s first studies on Holocaust literature argued that the “literary imagination” was simply a better approach than historical realism for “making the experience of the Holocaust” accessible. Early critiques of Langer’s work challenge such privileging of Holocaust literature through direct comparisons with other atrocity texts. David Richter in a 1977 review of Langer’s book writes, “[T]he literature of atrocity has a long and rich history, from Grimmelshausen’s epic of the Thirty Years’ War through Defoe’s *Journal of a Plague Year* to the imaginative constructs of Sade, Maturin, and Poe. But Langer declines to view Holocaust literature in this context, to reconstruct the literary debts and individual contributions of its authors, on the ground that the Third Reich and its terrors were without example” (555). Not only does Langer decline to take up what could be equated with a realist position in literary studies—that Holocaust literature can be

compared with texts written in response to other world atrocities—his perspective on Holocaust literature also laid the groundwork for the next turn in Holocaust literary study.

From this early fascination with the power of literature to represent the Holocaust, Langer's later work almost twenty years later reveals a striking movement to a privileging of oral testimony over literature as the preferred genre because it allowed viewers to come closer to the Holocaust. Whereas Langer sees Holocaust literature challenges "the imagination through the mediation of a *text*," such mediation actually "deflects our attention from...the event itself. Nothing, however, distracts us from the immediacy and the intimacy of conducting interviews with former victims (which I have done) or watching them on a screen" (*Holocaust Testimonies* xii-xiii). Langer's refusal to acknowledge the mediation involved in film and oral interviews has been aptly noted by scholars such as Gary Weissman and David Roskies.²¹ What I find most interesting for my project here in tracing the evolution of Langer's thought over time has been his sustained drive to find the genre which most authentically represents the Holocaust—for this drive has been replicated throughout literary scholarship on the Holocaust.

Today, much scholarship seems devoted to an elaborate ranking of genres that have been used to represent the Holocaust. For instance, in his editor's note to *Literature of the Holocaust* (2004), Harold Bloom uses genre ranking as the primary descriptor of the essays which make up the work. Introducing the various essays in the book, Bloom states, "For Robert Skloot, the literary form of stage tragedy seems an appropriate figuration for telling aspects of the Holocaust story, after which James E. Young invokes 'documentary fiction' as a more appropriate form. Autobiography, to Joseph

²¹ See Gary Weissman, *Fantasies of Witnessing* (2004), and David Roskies, *The Literature of Destruction: Jewish Responses to Catastrophe* (1989)

Sungolowsky, seems still more the rightful genre, while Deborah E. Lipstadt tends to emphasize ghetto diaries” (Bloom vii). What is interesting is the apparent ease at which four genres—stage tragedy, documentary fiction, autobiography and ghetto diaries—are not only listed as ways of representation, but are comparatively judged as more or less ethical, as “more appropriate” or the more “rightful genre.” For example, in the face of such a specific ranking of genres, Bloom states in his introduction that, “I confess that I do not know exactly what ‘Holocaust literature’ is” (1). Scholar of Bloom’s stature can edit a book of essays devoted to the detailed categorization of Holocaust literature, yet reveal a lack of understanding of such a concept is telling of a kind of confusion about genre categories.

A scholar’s hierarchy of genres—which genres are preferred and which are rejected—usually depends on what they see as the task of the genre. Antirealism has led literary scholars working on Holocaust material to assess the value of a genre based on its ability to convey the uniqueness of the Holocaust. For Barbara Foley, the task of Holocaust writing relates to identifying what she refers to as “the Holocaust experience.” In defending her hierarchy of genres, Foley states “I hope to show that those narrative forms—both factual and fictive—that rely upon an informing teleology generally prove inadequate to the task of encompassing the full significance of Holocaust experience” (333). What genre would “encompass the full significance of the Holocaust experience”? Foley summarily rejects autobiography because it “furnishes an inadvertent parody of the conventional journey toward self-definition and knowledge.” Fantasy and the realistic novel are also rejected because the former “creates a grotesque portraiture of metaphysical evil that evades the historical immediacy of the Holocaust as a twentieth-

century phenomenon” while the latter “proposes ethical humanist resolutions that are incommensurate with the totalitarian horror of the text’s represented world” (333). She, however, believes the diary and the “pseudofactual novel,” what she calls “nontotalizing narrative forms” have a greater “appropriateness” and “relative efficacy” because they more readily “penetrate to the core of Holocaust experience” (333).

In accordance with the antirealist stance that Holocaust literature represents by not representing, other scholars place at the apex of their hierarchy those genres they feel most resist traditional mimesis. In other words, if literature normally works through the creation of meaning, the best genres for representing the Holocaust are those that somehow resist this process. For Aliea Assmann, in “History, Memory and the Genre of Testimony,” the creation of a genre called “audiovisual video testimony” is tasked with retaining the meaninglessness of the Holocaust. “The audiovisual video testimony,” Assmann notes, “is a new genre that has evolved only over the last two decades. The Fortunoff Video Archive for Holocaust Testimonies has played a major role in establishing it as a separate genre and defining its specific format and purpose” (264). Assmann distinguishes audiovisual video testimony from what she calls “oral testimony” and “written autobiography” although all three fall under what she describes as “the larger genre of autobiography” (264). For Assmann, this new sub-genre presents a unique and “intrinsic mixture of history and memory” (264). Traditional autobiography creates meaningful stories from a life, but, Assmann argues, audiovisual video testimony retains the meaninglessness of the trauma: “While the genre of autobiography creates meaning and relevance through the construction of narrative, the relevance of the video testimony solely lies in the impact of the historical trauma of the Holocaust. It registers

events and experiences that are cruelly meaningless and thwarts any attempt at meaningful coherence” (264). In general, this implicit, hierarchical ranking of genres by Holocaust scholars has resulted in the institutionalization of constricting ethical guidelines surrounding the processes of representation.

The Birth of Testimony

The widespread impact of the second point Elie Wiesel posited during his 1977 Northwestern lecture—that a new kind of literature emerged from the events of the Holocaust—cannot be underestimated. In 2001, the Nobel Foundation organized a centennial symposium around the idea of “Witness Literature.” The event in part stood as an acknowledgement, according to Michael Bachmann, of “Elie Wiesel’s sentiment, first formulated in the 1970s, that this literature is *the* formative genre of the 20th century” (79). During the opening lecture of the event, Horace Engdahl, literary critic and permanent secretary of the Swedish Academy, announced the birth of this genre as “the most profound change in literature since the breakthrough of modernism” (Engdahl 6).

Wiesel’s turn to testimony as a watershed event in literary history was to provide the necessary resolution to the apparent impasse between literature and the Holocaust. A seemingly new and sacred literature had been born which could adequately house the sacred content of the Holocaust, a genre comparable in stature and prestige to the tragedy, sonnet and epistle. Wiesel’s institutionalization of the new genre of testimony, however, provoked a new set of questions. For instance, if testimony is kind of literature, should it be considered non-fiction, fiction, or some hybrid form? What are the unifying characteristics of a testimony? In short, what counts as testimony?

Holocaust scholars have ventured to answer these questions by listing common attributes of testimonial writing. For instance, in *The Holocaust and the Postmodern*, Eaglestone presents what he admits is not a “complete taxonomy” of generic conventions for Holocaust testimony. He includes the following list as characteristics of this genre: “the use of discourse usually seen as historical, diverse and complex narrative framing devices, moments of epiphany, and confused time schemes” (67). Because of these unique conventions, Eaglestone argues that “Holocaust testimonies are to be understood as a new genre in their own right.”

Beyond identifying genre characteristics in Holocaust writing, other scholars have noted the conventions that have emerged to characterize testimonial writers themselves. In *The Era of the Witness*, Wieviorka links the rise of the *Holocaust* miniseries in the United States as setting the generic type for the authors of testimonies and the dominant understanding of the victims. *Holocaust* was a four-part television miniseries broadcast from April 16th to April 19th in 1978.²² The nine-and-a-half-hour fictional series depicts the lives of the Weisses, an assimilated German Jewish family. While it is “fruitless” to represent the diverse social, political, and cultural backgrounds of 1930s European Jews

²² The much acclaimed miniseries actually served as the primary catalyst for scholarly and historical interest in the Holocaust in the U.S. Like many others, the historian Saul Friedlander acknowledges the fact that the miniseries actually preceded the institutionalization of the Holocaust as a topic of research and historical reconstruction. In his lecture “The Development of Public Memory and the Responsibility of the Historian,” Friedlander suggests “It was the memory construction of popular culture and mass media that enforced the growing attention of professional historians on the history of the holocaust since the late 1970s.” The lecture, delivered at the University of Heidelberg in October 2000, was published as Friedlander 2002. Friedlander is himself a survivor who published his memoir *Quand vient le souvenir* (*When Memory Comes*) in 1979. What this means is that Holocaust studies (as it exists in its current institutionalized form in US academia) would not be what it is today if not for the foresight of the producers who predicted that *the* atrocity of the 20th century could be creatively mined for prime time entertainment. This is not to assert that the Holocaust was not talked about in any way until the end of the 1970s. For instance, the collection, *After the Holocaust: Challenging the Myth of Silence* (2012) shows numerous examples of collective awareness by Jewish writers immediately following WWII. While this collection is an important contribution to disproving the commonly held assumption that Jews were generally silent about their experiences for decades after the war, such studies do not invalidate the development of the genre of Holocaust testimony, or its effects on contemporary writers and readers.

in a single type, the miniseries chose to represent the generic Holocaust victim as “the assimilated Jew from the Western European petite bourgeoisie” (Wieviorka 101). As Wieviorka notes, this generic typing of victims was not a matter of chance:

It was certainly easier for the U.S. viewer to identify with this type of person than with a Polish Jew wearing a caftan and side-locks, the father of a large, Yiddish-speaking family. Nonetheless, many, very many, such Polish Jews perished in the genocide and indeed constituted the majority of its victims. The survivors were not the only ones dispossessed of their stories by the miniseries. Their complaint also concerned those who did not survive and whose history was stolen by *Holocaust* when they were not there to tell it themselves. (Wieviorka 101)

Wieviorka’s use of the phrase “stolen by *Holocaust*” is an obvious and ironic play on the common assertion that lives were “stolen by the Holocaust.” This elision draws our attention to a more concrete theft. Exposing the limits of personifying “the Holocaust” as perpetrator, Wieviorka instead points us to a specific causal connection between the release of a cultural product and its generic effects.

Genre as an Ethics of Reading

“There is an absolute obscenity in the very project of understanding.”
—Claude Lanzmann

How should readers respond to Holocaust testimonies? For many scholars of the Holocaust, there is no other body of work which has as much at stake in proper reading than the testimonies which have been produced by survivors. Lawrence Langer believes that the study of survivors’ testimonies should be “an experience of unlearning; [where]

both parties are forced into the Dantean gesture of abandoning all safe props as they enter and, without benefit of Virgil, make their uneasy way through its vague domain” (*Art from the Ashes* 6-7). And yet, to follow Langer’s metaphor invoking Dante’s *Inferno*, it is the scholar himself who seems to embody Virgil in this scene. By offering the reader guidance on the proper way to read Holocaust texts, Langer forbids readers to “focus on the meaning of survivors’ testimonies.” To venture outside the scholar’s charted path is to risk making a profoundly unethical interpretation, according to Langer. For there can be no meaning in testimonies.

By determining the “horizon of understanding” for a testimonial text, generic rules such as Langer’s make certain types of reading possible while simultaneously excluding others. Specifically, he openly declares his exclusion of authors of Holocaust testimony who do attempt to draw meaning from their experiences. In *Art from the Ashes*, Langer censors these texts, stating, “I have deliberately excluded from this collection the extensive (and very familiar) Holocaust literature that depends on these safe props for its impact” (7). Langer comes closest to a definition of “safe props,” a phrase he repeats three times in the surrounding paragraphs, in his description of “the best Holocaust literature” as that which “gazes into the depths without flinching. If its pages are seared with the heat of a nether world where, unlike Dante’s, pain has no link to sin and hope no bond with virtue, this is only to confirm the dismissal of safe props that such an encounter requires” (7). Here safe props seems to refer to the clarity given to the emotions of pain and hope by their tethering to the religiously inscribed doctrines of sin and virtue.

Presenting a similar ethics of reading, Robert Eaglestone suggests that readers should “respond to these texts in a way the texts demand rather than the way we presuppose, and to respond to the sense of the Holocaust as a watershed event” (8). Holocaust testimonies, he contends, contain unique conventions which prevent the reader from identifying with the author. In this formulation, the desire of the critic or scholar is effaced and it is the text itself that originates certain “demands” on the reader. This language of demands resurfaces frequently in Holocaust literary theory. In the preface of *Holocaust Representation: Art Within the Limits of History and Ethics* (2000), Lang states, “Almost nobody who has reflected on the matter would deny the extraordinary character of the Holocaust as a historical and moral ‘event’ or the unusual demands it would be likely to make on whatever was imagined to describe it” (x). The implication is that the “character of the Holocaust” itself makes “unusual demands” on “whatever was imagined to describe it.” For Lang, it is “the Holocaust” itself that makes demands on representation, effectively limiting what can and should be said. The passive voice of this statement effectively obscures the actors in such a transaction: both the authors who attempt to “imagine to describe” and those standing vigilant to police such “demands.”

The language of demands is similarly used by Michael Rothberg to structure his work *Traumatic Realism*. The subtitle of the book, “The Demands of Holocaust Representation,” suggests that “holocaust representation” itself is the actor which “makes demands.” In fact, a number of things in Rothberg’s book are said to make demands. For instance, Rothberg presents “traumatic realism” as a genre “attuned to the demands of extremity.” Rothberg further describes the demands of Holocaust representation as tri-fold: “a demand for documentation, a demand for reflection on the formal limits of

representation, and a demand for the risky public circulation of discourses on the events” (7). This formulation of demands excludes the actor and substitutes the object (e.g. extremity) in its place.

How are we to interpret Holocaust texts in “the way they demand”? The ethical formulations assumed when scholars use the language of demands to construct Holocaust literature as a genre begs the question of who interprets which demands are being made by a text. Because this perspective sees genre originating within the text instead of with scholars themselves, the solution for the appeasement of ethical demands is most often placed on the reader. According to Eaglestone, if readers “properly approached” such generic conventions then they should be prevented from “becoming ‘complicit’ with the text” (43).

In *Traumatic Realism*, Rothberg takes a more explicit approach toward the reader. Quoting Frederic Jameson’s *Signatures*, Rothberg writes, “Realism and its specific narrative forms construct their new world by *programming* their readers; by training them in new habits and practices, which amount to whole new subject positions in a new kind of space; producing new kinds of actions” (emphasis in the original, Rothberg 102). Thus the idea of programming is positively reinscribed with Jameson’s picture of providing readers with a necessary retraining through a productive education.

Conflating programming with pedagogy, Rothberg attempts to draw our attention to the idea that an ethical reader attends to what the genre demands. The demands listed in Rothberg’s *Traumatic Realism* are similarly aimed at readers. In fact, in a number of the definitions that Rothberg gives of traumatic realism, his goal seems to be to highlight the relationship between the reader and the genre. “Instead of understanding the

traumatic realist project as an attempt to reflect the traumatic event in an act of passive mimesis,” Rothberg suggests that “traumatic realism is an attempt to produce the traumatic event as an object of knowledge and to program and thus transform its readers so that they are forced to acknowledge their relationship to posttraumatic culture” (103). Interestingly, Rothberg offers an almost verbatim definition of traumatic realism three times throughout his text.

Rothberg’s didactic impulse—where readers are taught how to read texts of traumatic realism correctly—appears to be the reason why he repeats the definition of the genre throughout his text. He writes, “Because it seems both to construct access to a previously unknowable object and to instruct an audience in how to approach that object, the stakes of traumatic realism are both epistemological and pedagogical” (103). Such a depiction of the genre where readers are given demands, forced, and programmed seems to invoke less a system of education than one of violence.

These various approaches to the reading of Holocaust literature are, I believe, done in good conscience. Yet a mistake is made is when a zeal to guide reader response is concealed in suggestions that texts can make “demands” themselves. While I agree that the ways we read should be rigorously questioned, what is ethically and epistemologically dubious, I suggest, is the construction of regulations which “demand” or “program” readers to read in specific ways.

Genre, then, embodies a particular ethics of reading—the rules guiding the way in which the genre is supposed to be read. The ethics of reading used to approach Holocaust literature is often based upon the idea that nonsurvivors cannot understand the Holocaust. These ethics go one step further in also declaring that nonsurvivors should

not even attempt to understand the Holocaust.²³ This ethics pairs the command to remember the atrocity with the idea that those who come after the Holocaust cannot (and more importantly *should not*) attempt to represent the Holocaust.

The dominance of this methodology has created an ethically fraught space for readers to navigate. As Eric Sunquist notes, “The unimpeachable commandment ‘never forget’ is thus transmuted into the unimpeachable caveat ‘never remember.’” (70). The central problem for readers of Holocaust testimony, according to Eaglestone, is that we, on the one hand, have an “ineluctable desire” to identify with the survivor-authors of Holocaust literature and, on the other hand, are presented with “the epistemological impossibility and ethical prohibition against identification” with these narratives. As Eaglestone’s *The Holocaust and the Postmodern* demonstrates, “Literary, historical, and philosophical writing since 1945 are involved in a new genre, testimony, with its own form, its own generic rules, its own presuppositions” (6). If genres set the standards for “proper” reading and writing, scholars are in a unique position to instruct readers about how to correctly interpret a text. To name a genre, then, it is to give the law of the genre.

Can We Laugh?: Genre Constraints and Taboo Testimonies

“Every discipline, I suppose, is...constituted by what it forbids its practitioners to do.”
—Hayden White

Critics in Holocaust Studies are well aware of the power of genre to effectively change not only the way readers read but what readers read. As Young notes, “Like other histories, Holocaust literary history is constructed in such a way as inevitably to select

²³ As we shall see in chapter two, the specific ethics of reading espoused in Holocaust literature varies significantly from those of human rights literature.

and omit particular authors and works” (190). The rejection of certain forms of Holocaust literature based solely on their genre has led some critics to defend certain types of Holocaust representation marked as taboo. For instance, Walter Metz in his article, “‘Show Me the Shoah!’: Generic Experience and Spectatorship in Popular Representations of the Holocaust,” references “critical attacks” on the genre of melodramatic cinema such as the film *Schindler’s List* and comedic films such as *Life is Beautiful*, directed by Roberto Benigni. As Metz puts it, the post-Holocaust interdiction of Adorno and Wiesel remains the “litmus test of Literal Correctness” (17). It is this test which is used to judge proper representations of the Holocaust.

Arguing that certain taboo genres such as comedy “deserve academic recognition,” Metz explains, “There may be generic strategies that are just as moving, intellectually precise, or important as the ‘proper’ representations of the Holocaust—solemn and reverent—found in the documentary, *Night and Fog*” (17). Metz points out that the reception of Alain Resnais’ 1955 film, *Night and Fog*, while arguably the most politically correct film about the Holocaust, often proved boring to audiences. Metz believes that no matter how carefully constructed such “proper” representations of the Holocaust attend to the historical Real, they cannot control audience reception. Reception is the key for Metz. In order to “rescue these popular texts” we must pay attention to what he calls their “reception contexts rather than only placing critical emphasis on their form and content” (6).

Turning to testimonies given by survivors, we might expect to see an acceptance of whatever Holocaust eyewitnesses chose to recount about their experiences. However, similar genre taboos seem to constrain these accounts. In *Writing the Holocaust*,

Waxman describes, “The collectivization of Holocaust memory has led to a homogenization of Holocaust comprehension that eschews difficult testimony or stories that fall outside accepted narratives” (186). There are many Holocaust testimonies that do not easily accord with accepted narratives of Holocaust testimony. For example, Waxman cites a series of taboo testimonies including “the brutal behavior of some Jewish *Kapos*, instances of rape in the camps and in hiding, the killing of others in order to survive, and the contradictory behavior of certain ‘perpetrators’” (158). The testimony of survivor Kitty Hart reveals the censorship of difficult testimonies:

We heard the Hossler [*Lagerfuhrer* (Camp Leader) at Auschwitz I] had been arrested and was coming up for trial...It was he who had responded to my mother’s plea and had freed me from *Kanada* to travel with her. I would not have been alive today but for him. We knew he had committed many brutalities in Auschwitz but we owed him a lot and felt someone ought to speak up for him...We explained that we’d been in the camp and knew of Hossler’s crimes, but also knew of some good he had done. We wanted only to give simple, straightforward evidence in his defense. It was not allowed.

Because Hart’s testimony would have complicated an easy identification of blame and perpetration on the Nazi Hossler, her testimony was not allowed.

Another example of a “difficult testimony” is the comedic plays that were written by Jewish prisoners in concentration camps. Translator and playwright Lisa Peschel describes the experience of being criticized for her work translating WWII Czech theatrical cabarets which were originally performed in the Terezín concentration camp.

From 2004-2006, Peschel conducted interviews with survivors who remained in Czechoslovakia after the war who had been involved in the Terezín theatrical performances. She also collected and archived testimonies from other performers which had been gathered over the 62 years since the end of WWII. Peschel's work in English has focused on the translation of the unpublished Czech manuscript called *Laugh with Us*. This comedic play, also known as the *Second Czech Cabaret* [Český Kabaret II], was written and performed circa 1944 by Jewish prisoners Felix Porges, Vítěslav Horpatzky and Pavel Weisskopf during their imprisonment in the Terezín concentration camp.²⁴

During the years she has spent translating Holocaust comedic theatre, Peschel describes the litany of accusations she has received from American Holocaust scholars and audiences who claimed her work was inappropriate. Peschel responds to these accusations in an essay entitled, "The Law of What Can Be Said," which references Foucault's definition of "the archive" as "the law of what can be said, the system that governs the appearance of statements as unique events" (*Archeology of Knowledge* 129). As Peschel puts it, "every discipline operates according to rules that change over time and that define what statements are allowed to appear: what is and is not admissible evidence, what is and is not an acceptable conclusion to draw from that evidence" (366). The law that is currently operating in Holocaust studies, according to Peschel, does not accept her translations of this play as proper or respectful. This is particularly interesting considering the play, written and performed by Jewish prisoners themselves, represents a testimony of their experiences.

²⁴ The title on the script is *The Second Czech Cabaret*; the title on surviving posters and other archival documents is *Laugh with Us*.

The source of the discomfort, Peschel finds, is the disjunction between her American audience's expectation and what the play actually presents. Her American audience, she concludes, expected to see elements of resistance and satire (aimed at the Nazis). They found it disturbing, however, when themes of escapism, leftist politics, and pleasure were introduced in the plays. For instance, the opening scene of *Laugh with Us* includes a cheerful song with the following lyrics:

Ladies and gentlemen,
Come laugh with us again
We're glad to have you at our show
We welcome all of you
You know that after
A dose of laughter
You'll feel renewed... (8)

This opening exaltation was originally presented to prisoners of Terezín by their fellow prisoners. For modern viewers with full knowledge of the broader historical context, many may feel uneasy with the call "to come laugh with us" in its assumption of a partnership with those who were exterminated by the Nazis.

To an extent, Peschel has attempted to assuage the resistance she has received from American audiences by explaining throughout her works that those Jews who wrote the comedy did not know the extent of the Nazi's plan to exterminate them. As the thinking goes, if we understand that the prisoners didn't know they were going to die, the play and its comedic features can be retained. Much of the play's humor, for example, relies on the fact that its plot is set in the post-WWII future. Many scenes depict the

characters looking back with ironic fondness on their time in Terezín. In a conversation between two of the main characters, F. Porges explains to P. Horpatzky that “we have a maid again now,” but goes on to complain that “you don’t get anyone to work for free anymore like they did back then, now you have to pay health benefits and so on” (11). The joke, explained in the footnote, is most likely a reference to the *Putzkolonne*, a group of female prisoners assigned as the cleaning crew in Terezín.²⁵

The reasoning that retains the play’s humor only in terms that it was the product of ignorance is ultimately insufficient, Peschel reported to me, because the Czech-Jewish survivors, after watching an adaptation she staged of a cabaret from Terezin, desired to hear more of the jokes. Survivors who listened to her present early drafts of her work told her, “You know, I think you’re emphasizing the idea of trauma too much” (Personal interview). Other survivors who had performed in the plays, and whom Peschel interviewed decades later, still found them humorous.

Peschel also gave a similarly defensive preface to the audience in her introduction at the opening of “Why We Laugh,” an adapted version of the play performed in Minneapolis on December 13, 2010. Reactions by the audience after the play revealed conflicting attitudes about audience expectations. Some reported that they started to laugh but then checked themselves, feeling guilty about their initial reaction. Such careful monitoring of the reception of her work might have indeed been necessary given the previous criticism of the play.

²⁵ As is often the challenge in translating humor between cultures, most of the jokes in “Laugh With Us” required extensive footnoting in order to explain Czech and German word puns and historically specific references.

Questioning Peschel later about her reasons for giving a preamble to both her essay and the performance itself, she admitted she felt such a defensive stance was necessary. The tension by critics and audience members wondering whether it is “ok to laugh” reveals a certain lasting culpability for some genres—particularly comedy—which attempt to represent the Holocaust. The solution to censor such work based on the discomfort of certain audiences, however, seems untenable to Peschel:

We do the survivors, and those who did not survive, a great injustice if our laws of what can be said...close down inquiry into the ways in which they experienced Terezín, and into the ways they employed theatre in their attempts to represent, interpret, and shape that experience. If an examination of those attempts reveals evidence of functions that do not match our notions of ‘spiritual resistance,’ then perhaps it is not the prisoners’ actions but rather our definition of that term...that must be called into question. (382)

Peschel questions the archival systems that require survivor testimonies to be authorized through them in order to reach a wider audience. In fact, she calls such critique of our definitions and assumptions of what Holocaust literature should be an “ethical imperative.”

Fictions and Frauds: Approximating Testimony

Another unintended consequence of the law of genre takes the idea of performance quite literally. The kind of performance I am referring to pertains to the rise of faked and embellished Holocaust accounts in recent years. These include Misha Defonseca’s *Surviving with Wolves* (2005), Bernard Holstein’s *Stolen Soul* (2004),

Benjamin Wilkomirski's *Fragments* (1996), and Martin Gray's *For Those I Loved* (1971).

Whereas the generic Holocaust testimony overly adheres to the expectations of the reader, a faked Holocaust account intentionally manipulates its content based on the reader's expectations.

There is a fine line that fakes must balance in order to maintain the guise of credibility for readers. "Too many shared details may actually undermine a testimony's worth," cites Sue Vice (14). For instance, Martin Gray's 1971 *For Those I Loved*, a memoir describing his experiences in the Warsaw Ghetto and Treblinka, was discovered to be a hoax because the detailed descriptions of the author's time in Treblinka conflicted with those of other survivors. A *Sunday Times* article questioning the veracity of Gray's account revealed that the author had blatantly appropriated aspects of Jean-François Steiner's autobiographical novel, *Treblinka*. According to the *Times* article, Steiner's fictional novel "apparently serve[d] to add weight" to aspects of Gray's testimony.

By far the most famous emulation of a genuine Holocaust testimony has been Benjamin Wilkomirski's *Fragments: Memories of a Childhood, 1939-1948*. Published in 1996, Wilkomirski's *Fragments* narrated the author's experiences of persecution during the war including his escape with other Jews from Riga, his survival in Polish concentration camps, and his eventual escape to Switzerland. The book was hailed a masterpiece of literature winning numerous awards including the Prix Mémoire de la Shoah from the Fondation Judaïsme Français and the *Jewish Quarterly* prize for nonfiction. Due to subsequent research by scholars such as Philip Gourevitch and Stefan Maechler, Wilkomirski was eventually revealed to be Bruno Dössekker, a man of questionable psychological stability who was born in Switzerland in 1941. The resulting

storm of controversy around the memoir caused publishers to withdraw *Fragments* from print in 1999.

As there has been much scholarship on the nature of *Fragments* and the psychology of Wilkomirski/Dössekker himself, my reading of *Fragments* is primarily interested in what the text and its surrounding controversy shows us about the function of genre.²⁶ In analyzing the Wilkomirski debate, Amy Hungerford notes, “There is nothing very new or interesting in saying that fakes require generic conventions—require, that is, a formal expectation that can then be met fraudulently” (“Memorizing Memory” 69). On the one hand, to say that a fake illustrates the presence of the genre they intend to copy is indeed obvious. On the other hand, observing how in particular a fake performs a genre is fascinating. By studying the fake, one can observe the features and rules and observances of the genre more clearly.²⁷

Due to the overwhelming celebration of the memoir by survivors and nonsurvivors alike, it is significant to think about what it would mean to consider Wilkomirski a “successful” Holocaust writer, especially compared with the refracted failure of Yann Martel. Where Martel apparently fails to produce the expectations inherent in the genre according to his critics, Wilkomirski vastly succeeded in appeasing audience expectations. Wilkomirski’s success is further supported by scholars who defended the text even after it was found to be a fake. For instance, Deborah Lipstadt argued that “If [Wilkomirski] had told the same story in terrible prose, it wouldn’t have

²⁶ For an extensive review of the Wilkomirski controversy, see Anne Whitehead’s “Telling Tales: Trauma and Testimony in Benjamin Wilkomirski’s *Fragments*.” *Discourse* 25.1&2 (2003): 119-137.

²⁷ Each of the following chapters (including this one) considers the idea of a fake as illustrative of the genre. As I discuss in chapter two, the attack on the faked *testimonio* of Rigoberta Menchú was the impetus to trigger an extensive debate about acceptable writing practices within a genre.

been mesmerizing” (Eskin 108) and Susan Suleiman maintained the work’s value as “a work of literary art, powerful in its effect” (553). Reinstated as a work of literature instead of memoir, *Fragments* on the basis of audience appeal proves to be a better performer of the genre of Holocaust literature.

As a successful demonstration of the genre, a fake Holocaust memoir like Wilkomirski’s has something interesting to tell us about our expectations as readers. “Within a given literary tradition,” notes David Damrosch, “authors and readers build up a common fund of expectations as to how to read different kinds of composition, and experienced readers can approach a work with a shared sense of how to take it” (7). Damrosch cites Jorge Luis Borges’ use of *ficciones* as an example of a writer who faked his sources and defied the conventions his readers expected him to follow. While Borges is considered novel for “push[ing] the envelope with genre-bending experiments,” Damrosch explains that “confusions can arise when we mistake a work’s genre or an author’s intention...Usually, though, a work fits well enough within a form whose rules we know” (8). Onus is placed on the reader, in this case, to be “experienced” enough to realize when a fake is a fake. As Wilkomirski’s success illustrates, readers of Holocaust literature do not usually assume the responsibility of questioning a testimony, often instructed that such suspicion is unethical.²⁸ Because the genre of Holocaust literature calls for blind trust in the authorial pact, it makes readers more likely to be misled by fraudulent accounts.

The faked Holocaust account is one which, through adept mimicry, deliberately keeps the letter of the law of genre while simultaneously transgressing its spirit. By

²⁸ In chapter three, I discuss how this trust in the author’s word is not always the case. In the hands of another genre, witness testimony is often considered suspect, unreliable from the beginning.

“spirit,” I mean the belief that we learn something about the Holocaust through reading the testimonies of survivors. Such fakes may, in actuality, reveal more about the desires of the readers themselves. Wilkomirski’s narrative, for example, seemed to play to readers’ desire to maintain a sharp distinction between victims and perpetrators, good and evil, innocence and guilt. “It could be,” suggests Waxman, “that the appeal of *Fragments* was in large measure due to the desire to view the Holocaust along such sharply dichotomized lines” (172).

If the law of genre produces the conditions under which survivors write generic testimonies, fakes such as Wilkomirski’s prove offensive when they are revealed, in part, because they expose the manufacturing of those conditions. Readers are often offended, in other words, because the fake reveals the ineffectuality of the law to provide them with the truth. The assumption by the reader is that they can trust the author to tell the truth about the experience of atrocity. The faked account is an affront because the reader is not only revealed to be naïve, but their experience of the Holocaust is denied them. The authorial pact between author and reader established at the beginning of Wilkomirski’s text promising the reader an authentic testimony is violated. Letters sent to Wilkomirski from readers after the breaking of the story “bear witness to the extent of their identification” (Whitehead 125). As one reader from Switzerland recounted her particular empathy for Wilkomirski, “It was as if I had to take this little child in my arms and tear away all that had happened to him...I want to put my arms around you.” Another reader writes: “If you have survived such cruelty, I must surely also find the strength to make it through my own problems, so much smaller in comparison to yours” (qtd in Maechler 119).

When faked accounts are publically exposed, the reading conventions attached to Holocaust testimony are foregrounded. The public, writes Maechler, was not simply “the victim of Wilkomirski’s staging and narrating. The moral pact can be complete only if readers play an active role—that is, if they *construe* the texts complex of norms on the basis of their *own* presumptions” (original emphasis, 286). Readers in this case expected to be equally moved and disturbed by the survivor’s depictions of suffering. Online reader responses to *Fragments* on sites such as Amazon and Goodreads similarly affirm a set of readerly expectations, namely that testimonies should contain images of horror that both draw and enthrall their spectators. “I read this book in middle school before it was discovered to be a fraud,” one reader describes, “I remember being very struck and disturbed by it...more than fifteen years later the images of rats ravaging decaying corpses in concentration camps still linger. The way that this book imprinted on my psyche *makes me want to believe* in its truth” (emphasis mine). If specific images of horror draw readers to believe in a text’s authenticity, such images also serve to give readers a seemingly “authentic Holocaust experience.” As one responder stated, “The child’s eye view of the horrors experienced in a concentration camp made this book incredibly intense and vividly transported me into his experience.” The assumption is that reading Holocaust testimony can give the reader an approximate experience of what survivor’s suffered. Holocaust scholar Gary Weissman suggests that, although these responses are troubling, they represent the quite common desire to get close to the horror.²⁹

²⁹ For an in-depth discussion of nonwitnesses’ desire to experience the horrors of the Holocaust, see Gary Weissman, *Fantasies of Witnessing: Postwar Efforts to Experience the Holocaust* (2004)

We see the power of a reader's genre conditioning in the fact that certain expectations seem to persist, *despite* the reader's knowledge of the hoax. One responder stated that, "in spite of [the hoax]," Wilkomirski's account was "excellent" because it causes readers to "think of what it might have been like for a child to experience the holocaust." Another reviewer declared that, "Even if 'Fragments' is an elaborate fiction written by a gentile imposter, as alleged by Blake Eskin and others, it is still the most powerful depiction I've ever read about a child survivor of the Holocaust." Such responses are troubling, not only because they reveal a lasting disbelief in the reality of the hoax, but because they seem to divorce authenticity from form: "Even if" the document is a fake, it "still" authentic and powerful Holocaust testimony. Similarly, some of Wilkomirski's most committed supporters, both before and after the hoax was revealed, were child survivors of the Holocaust themselves. As Stefan Maechler explains, "Wilkomirski's book moved them because in it they rediscovered their own experience—especially feelings of fear, helplessness, and horror...many survivors found in Wilkomirski a spokesman who...remembered precisely what they could recall only dimly. He gave his memories a form for which they had struggled fruitlessly (292-293). What then, we may ask, is a Holocaust testimony?

What these examples of fraudulent testimonies have illustrated is that the law of genre meant to preserve Holocaust memory has produced the conditions for both generic and faked texts. Such texts play to what readers hope to gain from learning the "truth" of the survivor's experience. Attempting to follow the letter of the law often means we sacrifice the spirit—the individuality of a survivor's testimony which should be protected and preserved. With the rise of fraudulent memoirs, we see that those who set the law of

genre have produced the very conditions by which that law can be violated. Indeed, the law meant to secure the truth actually opens the door for the introduction of fakes. By imitating credibility, fraudulent Holocaust testimonies function as symbolic representations of what the Holocaust has come to mean when it is about to turn into an event outside living memory.

Testimonial Resistance: Transgressing the Law of Genre

In his article “Who Owns Auschwitz?” Imre Kertész criticizes witnesses from the Shoah Visual History Foundation established in 1994 by Steven Spielberg as adhering to a specific ethics of writing that significantly alters their testimonies. According to Kertész, the problem with constructing “testimony” as a genre is that it actually blocks the memory of survivors: “The survivor is taught how he has to think about what he has experienced, regardless of whether or to what extent this ‘thinking-about’ is consistent with his real experiences. The authentic witness is or will soon be perceived as being in the way, and will have to be shoved aside like the obstacle he is” (268). This ethics demands that survivors regard the Holocaust experience as “dead memory [and] remote history” (Bachmann 86).

Writers such as Kertész strongly oppose such programming by the dominant discourse on the Holocaust. In an apparent refusal to be placed within the context of testimony, Kertész intentionally toys with the idea of genre in his own writing. In Kertész’s latest work, *K. Dosszié* (2006),³⁰ which takes the form of a comprehensive interview with the author, the author is extensively questioned by a nameless interviewer about the genre of his previous works. The paradoxical movement of the interview is

³⁰ Originally written in Hungarian, currently this work is available only in German and French translations. I am grateful to Professor Michael Bachmann for introducing me to this text.

revealed in Kertész' preface where he claims that he invented the interview on the basis of an actual discussion he had with his editor over the generic marking of his previous books: "Thus, he himself is both interviewer and interviewee, and at the same time, neither one of them" (Bachmann 85).

Like Kertész's *K. Dosszié*, Martel's novel *Beatrice and Virgil* is striking in that its plot centers on the main character's heightened consciousness of genre, and his attempt to outwit the dominant discourse with a flip book. Henry ultimately rejects his critics' suggestion that to improperly convey the events of the Holocaust is to forget one of our darkest hours of humanity, leaving open the door for possible repetition. This fictionalization is not far from the situation within Holocaust studies, in as much as the tendency is for scholars to institute ethical frameworks for writing, and authors, aware that they are working within a set of confining expectations, attempting to write beyond or against such generic codes. In fact, Martel later revealed in an interview that the plot of *Beatrice and Virgil* basically followed his real life experience with his editors when he presented them with a flip book about the Holocaust. Their ultimate rejection of his idea forced Martel to rework the whole piece, sandwiching the play and the essay into a novel about Henry, the failed writer.

As the genre discussions fictionalized in both Kertész and Martel show, a certain consciousness of these rules surrounding genre appears to be characteristic of authors who now takes up the task to depict the Holocaust whether or not they are survivors. There are, in fact, a growing number of examples of the refusal to accept genre categorization in Holocaust literature. Thomas Keneally, author of *Schindler's List*, argued that his novel, based on interviews with survivors and extensive archival research,

comprised a hybrid form, suspended between fact and fiction, which he termed “non-fiction fiction” (Whitehead *Trauma Fiction* 30). Art Spiegelman’s *Maus* comic books, based on historical research and interviews with his father, protested when the *New York Times* classified *Maus* under “Fiction” in its bestseller list; in response to a letter by Spiegelman, the *Times* changed the classification of *Maus* from “Fiction” to “Nonfiction.”

Texts such as Spiegelman’s *Maus* demonstrate that the laws of genre are essentially made to be broken. The strategies authors use to defy classification remind us that genres, as John Frow explains, resist being “fixed and pre-given” (3). Instead, Frow suggests that we think about texts as “performances” of genre rather than reproductions of a class to which texts belong. Here, the idea of “performances” has positive connotations for Frow in stressing the open-endedness of generic frames. Yet the idea of performance also includes a decidedly negative connotation in the sense that many survivors have felt compelled to perform aspects of a genre in order for their testimonies to be taken seriously. We should not be surprised, then, that the law of genre has resulted in the writing of generic Holocaust texts. Such writing sacrifices the survivor’s truth of an account in order to perform for reader expectations.

The ethical frameworks which have built up around the writing and reading of Holocaust literature have had real consequences for how the Holocaust is remembered today. In *Writing and Rewriting the Holocaust*, James Young defines a “responsible literary history” as that which takes into account “that manner in which its critical assumptions have both shaped the canon and led critics to their conclusions regarding it” (190). Young reminds us that what is remembered of the Holocaust largely depends on

the form that remembrance takes. “With the rise of contemporary literary and historical theory,” Young writes, “scholars of the Holocaust have come increasingly to recognize that interpretations of both the texts and events of the Holocaust are intertwined. For both events and their representations are ultimately beholden to the forms, language, and critical methodology through which they are grasped...What is remembered of the Holocaust depends on how it is remembered, and how events are remembered depends in turn on the texts now giving them form” (192). But if the texts ultimately give events their form, the form of the texts themselves also is highly contingent on what forms are authorized for use in representing the events.

In formulating what Young calls a “critical metalanguage” to talk about the literature of the Holocaust, we must pay close attention to our projections lest we become law-givers instead of mere observers of genre conventions. It would seem the more we try to specify what it is that has happened in the literature, the more we try to dictate how it should continue to happen. But there is a difference between noting that something has changed and stating that the change has now produced a new set of binding rules that authors and readers must follow. Holocaust scholars must beware the tendency to prescribe how future writers and readers should interpret literature about the event.

This awareness requires that we come to understand better the power of genre. Those recognizable patterns in a text which activate our expectations of what will come next also make us ignore the surprises and exceptions embedded in the writing. While all texts may be said to belong to a genre, texts also contain features which vary and break from genre expectations. It is our expectations as readers of genre which tend to close off our awareness of the individuality of a text. We tend to read for the familiar, Jane Gallop

suggests, because we desire reassurance that our previous knowledge is “sufficient in relation to this new book.” “Focusing on the surprising,” according to Gallop, requires “giving up the comfort of the familiar, of the already known for the sake of learning” (11). Gaining a greater awareness of genre is to recognize its primary function as the horizon of our expectations. That which we come to expect from a text is often what we project in the text as we read. As readers of Holocaust testimony, we must be willing to sacrifice what we think we know about the Holocaust—the expectations we bring to the text. This kind of reading requires work, a continued resistance against the temptation to homogenize individual voices into an indistinguishable roar.

Chapter 2

How to Make Your Bad Story Worse: Generic Testimonies of Human Rights

“So much for ‘never again.’ The problem has obviously not disappeared.”
—Raul Hilberg

Introduction: Distinguishing Two Lineages

Today, we get the sense that a dogged insularity has befallen the study of the Holocaust in the United States. Contrasted to discussions about the “end of testimony” now featured in Holocaust scholarship, testimonies produced in the response to post-WWII atrocities are only gaining greater visibility and wider audiences. This insularity continues to be reflected in the discourse itself. To paraphrase one scholar, declaring “Never Again” in the midst of continued worldwide atrocities has become tantamount to claiming that never again will German Nazis kill Jews during World War II. Against the persistence of genocide, we might wonder how a slogan that so visibly invalidates itself could nonetheless persist as a fixture in Holocaust scholarship. Indeed, the impotence of such sacralizing post-Holocaust rhetoric is made ever more evident by the ironic parodying of the slogan in the titles of comparative genocide studies: *Never Again?* and *Never Again, Again, Again...*³¹

³¹ See, for instance, Lane Montgomery’s *Never Again, Again, Again...: Genocide: Armenia, The Holocaust, Cambodia, Rwanda, Bosnia, Darfur* (2008); Abraham Foxman’s *Never Again?* (2007); and Simon Chesterman’s “Never Again – and Again: Law, Order, and the Gender of War Crimes in Bosnia and Beyond” (1997). According to Holocaust historian Raul Hilberg, the phrase “never again” first appeared on multi-lingual signs put up by prisoners of the Buchenwald concentration camp after they were freed by the Allies (Zucker).

With the broadening media exposure to global mass atrocity and human rights abuses, we might have expected Holocaust scholarship itself to be progressively subsumed within the larger discourse of genocide. What we see, instead, is a continued institutionalized support in US academia toward Holocaust uniqueness.³² Maintained by the antirealist ideology I discussed in my first chapter, this sensitivity is most clearly demonstrated by the growing tendency to employ the dichotomized “Holocaust and Genocide” in the names of centers, journals and academic departments.³³ At best, what the rise of these strangely bifurcated “Holocaust and Genocide Studies” programs indicates is an uneasy compromise between the appeasement of Holocaust exceptionalism and the acknowledgment of continued genocide. At worst, such institutionalized pairings expose an underlying Eurocentrism, mimicking a West-vs.-the-Rest construction framed within the language of world atrocity.

To be fair, if we listen closely to the sentiment beneath “Never Again,” what we begin to hear is a perennial, and certainly more palatable, call to “Never Forget.” Indeed, scholarship on commemoration and remembrance in the past decades has become the hallmark of Holocaust Studies. The primacy of the past has likewise driven the birth of whole new interdisciplinary fields within the US academy; two of the most visible scholarly off-shoots in this lineage being memory studies and trauma studies. Like

³² My point is not to challenge Holocaust uniqueness *per se* (for all genocides have characteristics which make them unique), but to expose the broader consequences of this debate, particularly in regards to its unproductiveness for future genocide prevention.

³³ For example, *Holocaust and Genocide Studies*, a journal published by Oxford University Press, “The Holocaust, Genocide, and Memory Studies Initiative” directed by Michael Rothberg (University of Illinois), and various similar national and international programs, departments or centers differentiating “Holocaust and Genocide” such as the Center for Holocaust and Genocide Studies (University of Minnesota), the Danish Center for Holocaust and Genocide Studies, the Strassler Center for Holocaust and Genocide Studies (Clark University), the Texas Holocaust and Genocide Commission, Holocaust and Genocide Studies at Monash University, Australia etc.

Holocaust studies, these nascent fields ground their analysis in reading testimonial texts. However, they also tend to engage only obliquely with the reality of perpetual post-Holocaust mass atrocity. Rather, scholars working on issues of memory and trauma have tended to focus on the “aesthetics of remembrance” such as the building of Holocaust memorials and museums (Williams 2008, Wolff 2003, Van Alphen 1997, Young 1993), and psychoanalytic studies of trauma (both personal and generational) and narrative representation (Hoffmann 2004, LaCapra 2000, Leys 2000, Caruth 1995).

It is this lineage of Holocaust scholarship that has come to shape Western conceptions of atrocity today. And yet, despite its ubiquitous influence, Holocaust studies remains insular insofar as the scholarship avoids a rigorous and holistic engagement with post-WWII atrocities. When we look beyond the genealogy of Holocaust studies, what we see is the emergence of other discourses specifically focused on accounts of mass atrocity outside the Holocaust.³⁴ Arguably, the most developed of these alternative discourses, and the one which I would like to explore in the chapter, comes out of the modern human rights movement.

While there were many precursors to current conceptions of human rights, rights scholars generally cite WWII as marking the beginning of the modern rights system, specifically with the United Nations General Assembly’s adoption of the *Universal Declaration of Human Rights* (UDHR) on December 10, 1948. In terms of historical trajectory, then, the modern human rights movement and the institutionalization of Holocaust studies developed out of the same shattered landscape of World War II. The

³⁴ As I discuss in my introduction, one of the obvious alternative discourses to Holocaust studies has been the emergence of Genocide studies. The relatively recent development of Genocide studies, however, has meant that the field remains in flux and has yet to institutionalize a set of generic conventions for post-WWII testimony. In other words, there is still no “genocide testimony” equivalent to the more recognized forms of “Holocaust testimony” or “human rights literature.”

UDHR and its supporting agreements represent explicit statements of international principles. The language of human rights has become the dominant contemporary vehicle for understanding the individual's obligations to others. Driven by activists, scholars and citizens since the ratification of the UDHR, human rights discourse has today achieved, as Joseph Slaughter asserts, "rhetorical, juridical, and political hegemony in international affairs" (2). In general, those who maintain a stake in this discourse represent a diverse and global community and include individual scholars, activists, government officials, and citizens, and larger institutions such as non-governmental organizations (NGOs), and intergovernmental organizations (IGOs). Today, the specific concerns of these diverse actors each contributes to the clarification and expansion of human rights as a primary attribute of secular society.³⁵

If we trace the divide between Holocaust studies and the modern human rights movement back to their common point of germination in WWII, we find that these discourses have developed distinct trajectories. As a result, the vocabularies each employs to speak about atrocity have become increasingly isolated from one another. This has meant that quite similar narratives are not connected or read together. In general, works on testimony produced by Holocaust scholars remain limited to testimonies produced solely about the Holocaust while human rights literature primarily examines more recent, post-WWII accounts of atrocity.³⁶ The perpetuation of the

³⁵ For a historical overview of the development of human rights, see Micheline Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era* (2004), and Joseph Slaughter, *Human Rights Inc.* (2007).

³⁶ There are several notable exceptions which examine Holocaust literature from a comparative framework including Michael Rothberg, *Multidirectional Memory* (2009), and Robert Eaglestone, "'You would not add to my suffering if you knew what I have seen': Holocaust Testimony and Contemporary African Trauma Literature" (2008).

scholarly divide between Holocaust studies and human rights discourse remains tenuous and superficial, however, given the fact that both discourses rely on the same primary text—the testimony of atrocity.

Similar to its function in Holocaust studies, the personal account of atrocity represents the primary document enlisted in human rights discourse to substantiate rights claims. To date, all the proposed declarations of human rights have relied on personal accounts of atrocity to validate their claims. Since the adoption of the UDHR, each of the major UN declarations aimed at addressing rights for specific vulnerable populations has been drafted in response to a preceding outcry against violations of that group's rights.³⁷ Likewise, at the international and regional level, the mission to secure rights is largely substantiated by the use of testimony to raise awareness of continued rights violations around the world. In the “evolving culture of rights,” individual witness reports continue to “play a central role in the formulation of new rights protections” (Schaffer and Smith 4). In fact, scholars have identified that personal storytelling has been at the heart of a myriad of local and transnational rights movements including “Black and Chicano civil rights, women's rights, gay rights, workers' rights, refugee rights, disability rights, and indigenous rights...all of which have created new contexts and motivations for pursuing personal protections under international law” (Schaffer and Smith 15).

Today, the lack of collaboration between the human rights, legal, and scholarly communities has led to the compartmentalization of atrocity narratives into distinct

³⁷ See, for instance, “The women's rights movement at the international and regional level, as well as official recognition of women's rights, appear to have focused primarily on the issue of violence against women and their victimization in this context. Immediately after the [1993 Vienna World Conference on Human Rights], the U.N. General Assembly passed a Declaration on Violence Against Women” (Ratna Kapur, “The Tragedy of Victimization Rhetoric: Resurrecting the ‘Native’ Subject in International/Post-Colonial Feminist Legal Politics” *Harvard Human Rights Journal*, Spring 2002).

categories. If “Holocaust testimony” has emerged as a definable body of works within the discourse of Holocaust Studies, human rights discourse has its own narrative categories such as “human rights literature,” “humanitarian interventionist narrative,” “the human rights report,” and the “testimonio.” Although the account of atrocity remains the primary document of both Holocaust studies and human rights, Holocaust literature and human rights literature have come to represent two distinct canons.

Championing Rights vs. Commemorating Wrongs

Because of their shared historical origin and reliance on the same primary text, juxtaposing the discourses of Holocaust studies and human rights can be particularly revelatory. Given the similarities between these discourses, such juxtaposition allows to more clearly account for their points of divergence. For instance, scholars of the Holocaust and those of human rights often confront mass atrocity with diametrically opposite missions. The stress on commemoration in Holocaust scholarship is often seen as missing the point and, at times, a direct affront to the mission of human rights. Human rights proponents, when faced with the history of genocide, rarely focus on memorialization and remembrance. Instead, human rights activism maintains a broad orientation toward future prevention, often prompting rights activists to explicitly distance themselves from the discourse of Holocaust studies.

We see an example of such discursive dissociation in the rationale presented by the board of the Canadian Museum for Human Rights (CMHR) currently under construction in Winnipeg. In a defense of the museum’s main objectives, museum president and CEO Stuart Murray has declared it a “misconception” that the CMHR is “primarily a centre for the commemoration of genocides...a museum not of human

rights, but of human wrongs that looks back at all the terrible things humans have done to each other over the years...That's not our role. And yes, it's vital that we pay close attention to the lessons of history, but memorializing human atrocity isn't what we're about" (Basen). Despite Murray's rejection of "commemoration" and "memorialization," it is interesting to note that the museum's design maintains multiple wings dedicated to the documentation of past genocides and human rights abuses. What the distinctly negative connotations given to atrocity remembrance suggest is a desire to distinguish human rights from the lineage of Holocaust studies, portrayed as peripheral in the work of future atrocity prevention. The logic seems to be based on an ironic failure of "never again" rhetoric: the focus on Holocaust remembrance has not stopped the occurrence of post-WWII genocide.

Murray's comments also represent a strategic attempt to champion "human rights" as wholly separate from "human wrongs." In this passage, Murray seems to group "human wrongs," "human atrocity" and "genocide" as synonymous with each other and with the responsibility for ethical commemoration. Complicating such desires to separate prevention from commemoration, the pervasive challenge confronting those engaged in human rights discourse is to reference human rights without, in some way, evoking the abuse and violation of rights. Indeed, the linkage between "rights" and "wrongs" is deeply embedded in the language itself. "The word *rights*," explains Gayatri Chakravorty Spivak, "acquires verbal meaning by its contiguity with the word *wrongs*...The verb *to right*...can only be used with the unusual noun *wrong*: 'to right a wrong,' or 'to right wrongs'" (523, original emphasis). Accordingly, one of the most common acts associated with human rights—that of "bearing witness"—always implies

the occurrence of wrongdoing. In other words, when we talk about bearing witness, we are not bearing witness to rights, but the violations of those rights. Can there be rights, we may ask, without wrongs?

Perhaps more unsettling has been the realization that human rights and rights abuses might be inherently linked. As numerous scholars have noted, the triumphant narrative of human rights discourse is consistently tempered by the recognition that, alongside the visible advances in international rights, the twentieth century has seen a parallel increase in rights violations (Powell 2011; Slaughter 2007). The intensification of wrongs seems to have consistently produced a counterbalanced push for the greater enforcement of rights. Those activists courageous enough to audit their own efforts often report that the relationship of rights to rights violations persists in a frustrating equilibrium. While the connection may not go so far as to suggest that human rights give birth to human wrongs, it would seem that the more precise identification of the former has resulted in shining more visibility on the latter. In the words of Joseph Slaughter, it seems we are at once living in “the Age of Human Rights and the Age of Human Rights Abuse” (2).

Despite the clear connection between rights and wrongs, rhetorical strategies continue to reinforce the distinction between prevention and commemoration. By extension, such strategies buttress the paradigmatic divide between the discourses of human rights and the Holocaust. Conversely, rhetoric has also obscured key differences between these discourses. For instance, the use of similar terminology, albeit with distinct connotations, within these discourses often works to conceal fundamental

ideological divisions. We see the most obvious example of this in the various applications of the phrase “bearing witness.”

The concept of witnessing has come to have significantly different connotations in human rights discourse than those found in Holocaust studies. In Holocaust literature, bearing witness is often thought to be an experience solely of survivors. This is the meaning exemplified in Elie Wiesel’s argument that “those who did not live through the Holocaust will never be able to grasp its horror . . . non-witnesses cannot represent or even imagine what Auschwitz was like” (Weissman 22). In human rights literature, however, witnessing rarely implies a direct, unmitigated account given by a survivor. Instead, witnessing in the context of human rights often connotes accounts given by those Wiesel dismisses as “non-witnesses.” For instance, James Dawes introduces his book, *That the World May Know: Bearing Witness to Atrocity*, with the declaration that “this book is not about the survivors of atrocity; it is beyond my capacity to tell such stories with any adequacy. It is instead about the view of the witnesses” (2). In this context, those who bear witness are the legal bureaucrats, journalists and NGO workers responsible for transcribing stories of atrocity. It is this group of advocates which Dawes describes as engaging in “professional witnessing” (230). Similarly, amongst the “four modes of rhetorical witnessing” identified in her study of human rights documentaries, Wendy Hesford includes the “human rights activist/victim as a witness to her/himself” and “the viewer/listener who witnesses/hears the testimony of another,” yet excludes mention of actual survivors as witnesses to their own suffering (106).³⁸

³⁸ A wholly separate employment of “bearing witness” can be found in the discourse of international criminal law, which is the subject of my third chapter.

Given these key discursive differences in the ways witnessing is defined, we can begin to see how such assumptions are reflected in the gathering and use of witness testimony. For instance, “bearing witness” in the context of human rights consistently obscures a significant level of mediation, illustrating the complex challenges inherent in the production and collection of testimonies themselves. “In authoritarian, fundamentalist, and rigidly patriarchal nations... victims may be unable or unwilling to speak publicly,” note Schaffer and Smith (4-5). In response, rights advocates often feel compelled to stand in and speak for vulnerable populations. These acts of mediation are often posed in ethical terms, as an activist’s “duty to bear witness” (Tiktin 81). As intermediary voices, when rights activists seek out stories of abuse from victims and speak on their behalf, they go on to “frame their stories within the field of human rights” (Schaffer and Smith 3-4). Such testimonies are ultimately distributed as part of individual articles, human rights campaign literature, or human rights reports³⁹

Even accounts which supposedly come directly from survivors most often include substantial editing by external readers. In human rights reports from Darfur, for example, the reliance on victim testimony, presented as verbatim, often conceals extensive revision. “Judging from the text of the uncommonly cogent testimonies,” Jayne Blayton describes, “these are reconstructed from notes and recordings rather than the direct transcripts of interviews or statements which are invariably less coherent and well-structured” (n.pag). Extensive revision of testimonies has become a common feature of human rights reports, a type of document which Blayton characterizes as “a genre that

³⁹ For examples of human rights reporting, see Amnesty International’s website, <http://www.amnestyusa.org/>, and the extensive annual World Report produced by Human Rights Watch, <http://www.hrw.org/publications/reports>. For human rights reports from the U.S. government, see <http://www.humanrights.gov/reports/>.

redefines tragedy.” To follow the production of such reports, then, is to recognize the substantial shifts since WWII in the conception of testimony and bearing witness to atrocity.

Genre and Rights

In human rights scholarship, the concept of genre has gained a surprising amount of attention in recent years. Joseph Slaughter’s *Human Rights, Inc.: The World Novel, Narrative Form, and International Law* (2007), and Lynn Hunt’s *Inventing Human Rights* (2007) remain the two most referenced works drawing explicit connections between genre and human rights. Both studies read the development of genres as vital to the historical interdependencies operating between literary culture and human rights.

In *Human Rights Inc.*, Slaughter identifies the *Bildungsroman*, or coming of age novel, as the primary literary form used to substantiate the institutionalization of human rights as a discourse. Slaughter suggests that the developing figure of the modern person as bearer of rights—the “human” at the center of the 1948 Universal Declaration of Human Rights (UDHR) and the United Nations’ covenants—was based upon the formation of the individual conceived within the *Bildungsroman* genre. For Slaughter, human rights and the *Bildungsroman* are “mutually enabling fictions that institutionalize and naturalize the terms of incorporation in (and exclusion from) an imagined community of readers and rights holders” (328). The “incorporation” of the individual into the community in these novels provided the source of the human rights “plot,” a narrative pattern that for Slaughter undergirds the shape of human rights law. The oft-quoted phrase from Article 26 of the UDHR that links the right to education to the “the full

development of the human personality” implies an understanding of *Bildung* that, Slaughter demonstrates, was at play in the creation of the law.

In her work, *Inventing Human Rights*, Hunt cites epistolary novels such as Rousseau’s *Julie* and Samuel Richardson’s *Pamela* (1740) and *Clarissa* (1747-48) as encouraging a new form of empathic identification by readers beginning in the late 18th century. According to Hunt, these sentimental fictions foregrounded a kind of intersubjectivity, teaching readers new ways of imagining equality. This evolution in reading practice, Hunt argues, eventually led to the formulation of the French Declaration of the Rights of Man. By tracing the history of a particular literary genre, both Slaughter and Hunt persuasively show how certain narrative forms—the *Bildungsroman* and the epistolary novel—have encouraged the formation of human rights and the efficacy of human rights discourse today.

These scholars persuasively show how discrete literary genres were used to substantiate the development of modern human rights as a concept. More broadly, these genre studies reveal the extent to which literature has shaped the institutionalization of human rights discourse. If such scholarship signals a genre turn in human rights discourse, we also see the beginnings of genre ranking. For instance, in his critique of Slaughter’s research on the *Bildungsroman*, Michael Galchinsky offers the following:

I think it’s too soon to make a claim that any particular genre is exemplary. That could be established only after the slow accumulation and synthesis of numerous empirical studies of individual texts and genres. Slaughter himself suggests that ‘other cultural forms...may make imaginable alternative visions of human rights’ (4), mentioning other

novel subgenres such as the picaresque, romance, epistolary, and sentimental. Curiously, he discounts the human rights potential of non-narrative forms like poetry and plays.

As has been the tendency in Holocaust studies, the turn to a hierarchical ranking of genres evident in Galchinsky's critique is increasingly becoming part of rights discourse. The assumption Galchinsky makes is that continued scholarship will produce an "exemplary" genre that best represents rights. This kind of assessment of the "human rights potential" in a particular literary form does not account for its inevitable inverse implication: that certain narratives do not have "potential" to serve human rights institutions and are thus illegible. Certainly when compared with the detailed hierarchical thinking that has developed in Holocaust scholarship, human rights discourse has a long way to go. Yet, if this kind of thinking follows the trend of Holocaust studies, the elevation of certain narrative forms has a tendency to lead to the rejection of certain testimonies as taboo.

If the historical work of scholars like Slaughter and Hunt draws a clear relationship between "rights and genre," this chapter examines contemporary manifestations of the "rights and genre" matrix. If the modern concept of human rights was substantially influenced by discrete genres in the 18th and 19th centuries, I would like to argue that we now see a reversal. Modern human rights discourse, I will argue in what follows, now reinforces a genre. What I mean by genre, to return to Todorov's definition, is the creation of a "horizon of expectation" for the receivers of testimony that, in turn, has profoundly shaped the writing of testimonies. To conceive of genre in this way is to move beyond the work of the above scholars who primarily reference genre as a

discrete written form. By contrast, I would like to examine how the discourse of human rights, like that of Holocaust studies, acts as a genre.

My aim, then, is to trace the function of genre as an organizing concept for the discussion of human rights and literature. When placed alongside Holocaust studies, we begin to see that human rights discourse has developed parallel yet distinct methods that both influence and limit the production and reception of atrocity narratives. By connecting genre with conventions of reading and reception, I also would like to show how the generic impulse within human rights has instituted unique patterns of reading testimony, distinct from those developed in Holocaust studies.

Human Rights Storytelling

In the summer of 2011, two similar but unrelated accounts of refugee women were featured in national and international news: both women had fled war-torn African conflict zones, and both women claimed rape as the primary reason for their immigration to the US. The similarity I find most interesting is the fact that both women eventually admitted to lying about being raped. In the case of Nafissatou Diallo, a Guinean maid working at a Manhattan hotel, the initial fabrication of rape for immigration ironically caused her testimony about a subsequent rape in the United States to be discounted. In May of 2011, Diallo became the center of an intense, worldwide media storm after she accused IMF managing director Dominique Strauss-Kahn of attempted rape. Only a few months later, the case was dismissed and, although irrevocably damaging his hopes for the French presidency, Strauss-Kahn was released of all charges. Illustrating the classic “he said, she said” impasse, Diallo’s accounting of the events was pivotal to Strauss-Kahn’s conviction. Yet, her testimony was eventually thrown out because, according to

the prosecution, she had exhibited a “pattern of untruthfulness” which included lying convincingly about being gang raped by soldiers in her native Guinea. A few weeks before the dismissal of the Diallo case, the story of a second refugee woman appeared in the August 2011 issue of the *New Yorker*. Referenced only by the pseudonym Caroline, the woman was interviewed by journalist Suketu Mehta for an article, entitled “The Asylum Seeker.” The article followed Caroline’s life as she faced the arduous challenge of applying for asylum in the US.⁴⁰ The focus of the article was how Caroline had adopted the persona of a torture and rape victim, even though she already had a valid request to apply for asylum. The requirement that Caroline have a “well-founded fear of persecution” had been met due to her family’s support of the opposition leader in her home country.⁴¹ Although she had faced personal harassment, Caroline nonetheless felt compelled to augment her application with a story of rape and torture, going so far as to attend survivor meetings and obtain medication for post-traumatic stress disorder (which she discarded).

While fabricated or embellished stories such as Caroline’s and Diallo’s are not unheard of, they are only recently gaining greater scholarly attention and media exposure. As one scholar notes, in recent years there has been an “eruption of hoaxes, alleged and proven, that attends the contemporary traffic in witness narratives” (Smith). What is

⁴⁰ Instead of rehearsing a sentimental “plight of the immigrant” story, Mehta instead focused on Caroline’s duplicity, what he described as “a willed schizophrenia.” For, as Caroline awaited the outcome of her (ultimately successful) immigration case, she vacillated between three different identities. Besides her real identity as a middle-class African immigrant attempting to make a life in the US, Caroline employed two other personas: one as a legal immigrant whose name she rented in order to work locally, and the other as a torture and rape victim.

⁴¹ A refugee, as officially defined in the 1951 United Nations Refugee Convention, is a person who has a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.” See Office of the UN High Commissioner for Human Rights, www.ohchr.org.

perhaps more interesting than the fact that these women lied, is *how* they lied. In order to pass convincingly as victims of rape, both Diallo and Caroline admitted to being coached by professional storytellers before applying for asylum. The storytellers supplied them with specific instructions on how to present themselves as rape victims, details of a life that each woman memorized. In the brief filed by the District Attorney's office to dismiss the case against Strauss-Kahn, Diallo admitted to collaborating with "an unnamed male with whom she consulted as she was preparing to seek asylum. She told prosecutors this man had given her a cassette tape that included an account of a fictional rape, which she had memorized" (14-15). Similarly, Caroline recounted to Mehta that she was able to get "help in crafting her narrative from a Rwandan man...who was a sort of asylum-story shaper among central Africans."

These accounts work to displace several classic myths. First, the formula commonly critiqued in postcolonial discourse which depicts white-men-saving-brown-women-from-brown-men is ironically modified.⁴² Rather, in the system in which Caroline and Diallo participate, men and women of color work together to fabricate tales of rape in order to secure the rights of women before an establishment of primarily white men. These accounts also challenge a second common myth in which "loose" women falsely accuse men of rape in order to cover feminine sexual desire coded as both dangerous and insatiable. In the traditional telling, men and women function in antagonistic positions. By contrast, Caroline and Diallo represent women encouraged by men to reproduce the rape lie as a means of female empowerment.

⁴² For an extensive review of this myth, see Gayatri Chakrovorty Spivak, "Can the Subaltern Speak?" (1988).

As Mehta reports, Caroline's asylum officer "kept asking her for more details of the rape because a rape story was what was expected from a female petitioner from her country." "The system demanded a certain kind of narrative if she was to be allowed to stay here, and she furnished it," Mehta describes, "She had read the expected symptoms of persecution, and repeated them upon command" (35). What was required of Caroline in order to activate her rights was to tell a story that could be easily comprehended by a system. In this case, her narrative was assessed along a matrix of gendered legibility, one that recognizes only the figure of the broken female body as a capable rights-bearer.

In the same article, we also learn the story of Caroline's storyteller, a man called "Laurent" who, like Caroline, had a valid reason for seeking refuge yet also fabricated his entrance interview into the US. Coming from Rwanda after the 1994 genocide, Laurent's story was complicated by the fact that his father was Hutu and his mother Tutsi, which meant Laurent had "relatives who were murdered, and relatives who murdered." He chose not to apply for asylum as a Rwandan refugee because "I didn't want to compromise my family in Rwanda." So Laurent, having spent his childhood in Burundi, fabricated a story about Burundi. He even boasted about impressing the US immigration officer when he told her that, instead of working, he planned to go to school. As Mehta put it, Laurent knew how to "play the African intellectual." For both Caroline and Laurent, the performance of legibility was required for both the refugee and the refugee's hired storyteller, and the parameters of a story's legibility were exceedingly small.

Not only do professional storytellers assist in manufacturing fraudulent accounts, narrative coaches also provides a value-added service to individuals attempting to relate truthful accounts of atrocity. Ishmael Beah's autobiographical nonfiction, *A Long Way*

Gone: Memoirs of a Boy Soldier, recounts the author's experience as a child soldier in Sierra Leone and his eventual relocation to New York City around the same time Caroline and Diallo were preparing their accounts of rape. Featured in Beah's account is the assistance he receives from a professional storyteller, a "short white woman with long dark hair and bright eyes" named Laura Simms, a woman who would later adopt Beah. Upon first meeting Simm, Beah recounts, "I was in awe of the fact that a white woman from across the Atlantic Ocean, who had never been to my country, knew stories so specific to my tribe and upbringing. When she became my mother years later, she and I would always talk about whether it was destined or coincidental that I came from a very storytelling-oriented culture to live with a mother in New York who is a storyteller" (197). Although this passage reveals the initial incongruity Beah perceives between Simm's race and her ability as a storyteller, accepting her assistance is portrayed throughout the book as an act of empowerment.

At one point, Beah recalls Simm's promise that, by taking her storytelling workshop, "she would teach us how to tell our stories in a more compelling way" (196). Indeed, phrases throughout Beah's account reflect the careful narrativization of his life as a child soldier. In one scene from his memoir, for instance, he describes his experiences of frantic wandering as if he were "trying to stay in the daytime, afraid that nightfall would turn over the uncertain pages of our lives" (88). Yet, why must true testimonies also be compelling? And compelling for whom? As such cases demonstrate, the requirement for survivors of human rights abuse is not to tell the truth, per se, but to spin a story in a compelling manner. In other words, stories must in some way fulfill the expectations of their audience. Implied in each of the above examples of individuals

seeking rights is the idea that what a particular audience would find compelling is known in advance. Professional storytellers remain in business because the expectations of the human rights community—the lawyers, activists, and immigration officials involved in these cases—are explicit and perceptible.

My interest in these stories does not revolve around discrete questions of truth or falsehood. I have no desire to take the role of cultural police, seeking to prove the veracity of some narratives and the fraudulence of others. As with faked accounts of the Holocaust, the manipulation and fabrication of these stories demonstrates that a certain set of expectations governs the act of testifying. My point is not to lessen or deny experiences of human rights abuses, but rather, I am interested in identifying the system of ethical rules which maintains significant influence over the production and interpretation of witness accounts, a system that has become institutionalized enough to create and sustain the occupation of the professional storyteller.

Performing Legibility

Today, testimonies of abuse and rights violations have become ubiquitous. Far from reaching an end, these accounts have only increased in number, their production and reception taking place across numerous transnational stages. In response, a number of studies have emerged which focus on the narratives produced by select vulnerable populations such as refugees, immigrants, the indigenous, and survivors of sex slavery during war. When situated within the discourse of human rights, these populations are described as specific categories of rights bearers; their testimonies give accounts of rights abuse. In what follows, I will examine three ethnographic studies of vulnerable populations. I have chosen these particular studies because they each highlight the

production and reception of testimony.⁴³ Despite their disparate discursive locations, these studies, especially when they are juxtaposed with each other, have much to tell us about how individual testimonies function under the larger umbrella of human rights discourse. In turn, they show us the potential political and cultural transactions which testimonies mobilize, and the ways individual accounts evolve when confronted by external expectations.

In “The Physicality of Legal Consciousness,” an extended report on refugee resettlement narratives, Kristin Sandvik documents the reception of individual accounts by officials working for the UN High Commission for Refugees (UNHCR). As a former UNHCR caseworker, Sandvik recounts the ways in which the UNHCR determines refugee placement based on an individual’s presentation of his or her experiences. According to Sandvik, “for every ‘successful’ resettlement candidate, hundreds are considered ineligible,” and many of those who fulfill the criteria for resettlement are “rejected for...the failure to generate credible performances of suffering” (227). This produces a situation where refugees must compete with other candidates on the basis of the perceived authenticity and credibility of their story. To gain access to a safe county, Sandvik explains, an individual must be able to offer immigration officers convincing evidence of “deserving victimhood.”

Attempts to streamline the processing of testimonies within large bureaucratic systems has resulted, according to Sandvik, in a “strategic legal alignment of vulnerable populations” within categories of right violations (223). In other words, personal stories are grouped together and compartmentalized under specific types of human rights abuses.

⁴³ As compared with other research which relies primarily on statistical data.

For every abuse, there is a corresponding victim group which testifies to that specific abuse. We see this genre coding confirmed by a former immigration lawyer interviewed by Suketa Mehta, in his article describing Caroline's rape tale:

“The immigration people know the stories. There's one for each country. There's the Colombian rape story-they all say they were raped by the FARC. There's the Rwandan rape story, the Tibetan refugee story. The details for each are the same.” It is not enough for asylum applicants to say that they were threatened, or even beaten. They have to furnish horror stories.

The implication is that immigration officers are willing participants in such a coding system. They are knowledgeable about “the stories” they are likely to hear from a specific vulnerable population. Yet, their expectation that a specific type of victim will furnish a particular story remains. This was also my personal experience when I visited refugee camps in northern India and Austria in 2008 and 2009. Interviewing a number of Tibetan refugees, I found that the embellishment of human rights abuses was widely practiced and widely known throughout the Tibetan community. In refugee communities which are continually confronted with an influx of Western tourists, it is common for narratives of persecution to coalesce into horrific yet generic communal myths repeated to foreigners in order to mobilize empathy and secure aid.

The second study of human rights narratives I would like to explore comes from Miriam Tiktin's *Casualties of Care*. In this work, Tiktin describes the use of individual testimonies throughout the history of the French immigration system. The study focuses on two major organizations, Médecins sans Frontières (MSF) and SAMU Social, which

have played an important role in the “management of immigrants in France today” (62). Where these organizations intersect with the French government, Tiktin reveals, is in a specific legal provision known as the “illness clause.” The illness clause permits immigrants already living in France to stay, provided they have life-threatening illnesses and are declared unable to receive proper treatment in their home countries (91). Since it is the job of the doctors and nurses working with MSF and SAMU Social to provide each immigrant with a diagnosis, these medical professionals become the arbiters of an immigrant’s future in France. According to Tiktin, this emphasis on the “suffering body” which must be cared for instead of cured has dramatically shaped French immigration politics. It is this philosophy that continues to guide the programming of both MSF and SAMU Social (62).

Tiktin’s study describes the results of this philosophy in the frequency in which rape narratives are reported by women who haven’t been raped. “Worthy or not, one must perform innocence,” Tiktin suggests, “It is perhaps not surprising, then, that gender plays an important role in who will be accepted” (121). As was the case with the rape narratives offered by Diallo and Caroline, this performance is strategic because, as Tiktin points out, “sexual violence stands in as the most morally legitimate form of suffering [and] is characteristic of the larger politics of care...it brings together the languages of humanitarianism and violence against women, drawing on shifting understandings of vulnerability that are often expressed through sexualized bodies” (122). It is the figure of the raped woman, the “passive feminized subject,” who is more easily understood as a victim and thus stands at the apex of the hierarchy of suffering, in the privileged position of “compassion’s ideal” (122).

In *Human Rights and Narrated Lives*, Kay Schaffer and Sidonie Smith examine the challenges facing Australian indigenous groups in securing their rights. In particular, Schaffer and Smith identify a devastating report entitled, *Bringing Them Home*, as a most influential document in the history of Australian human rights. Conducted by the Human Rights and Equal Opportunity Commission (HREOC) Inquiry in 1997, this report recounts the forced separation of indigenous children from the families. The *Bringing Them Home* report contains an accumulation of victim testimony of those known as the “Stolen Generation/s,” documenting over 60 years of forced assimilation, and serving as the basis for indicting the Australian government with gross human rights violations (95). What is particularly relevant to our study of genre is in their comparison of indigenous testimonies presented before and after the report. Schaffer and Smith note significant differences in the “tenor, tone and tactics of transmission” of testimonies due to the report’s impact (114). Before the publishing of *Bringing Them Home*, indigenous narratives were published largely with the support of political, union, women’s, or church advocacy groups and were made accessible to a majority white audience through collaborations between indigenous authors and white editors and publishers. These narratives, according to Schaffer and Smith, received little publicity and, to the extent that they attempted to impact a white audience, represented an unfortunate compromise of indigenous knowledge: “Couched in assimilationist ideologies, Christian optimism, or neo-Marxist critique,” the narratives utilized “polite forms of audience address,” written primarily in the “designated categories of fiction or autobiography” (96).

In contrast, the post-HREOC testimonies contained “a concern with the politics of collaboration; narrative authority and ownership of knowledge; a critical awareness of

heritage and modes through which it was threatened; and interpretative frameworks that locate the speakers as subjects of human rights” (114). Moving from the position of a survivor to that of a “subject of rights” transforms the way in which a person gives her testimony. In general, Schaffer and Smith view the adoption of rights vocabulary positively. Such transformation in their opinion makes the testimonies more engaged and powerful: “Claiming this legal subject position, survivors were empowered to address governmental and nongovernmental instrumentalities—activists, rights organizations, UN rapporteurs, lawyers, courts, and so on” (136).

Yet, their portrayal of testimonial alteration to meet reader expectations is not entirely positive. In their chapter on the testimonies of WWII Korean “comfort women,” Schaffer and Smith reveal the negative aspects of human rights discourse on testimony. Tracing ten years of survivor narratives told to activists, Schaffer and Smith describe the creation of the “ur-story of forced prostitution and social death” (135). An ur-story, also called the ur-myth or ur-narrative, refers to the generic and collective storytelling of a group. When overlaid with the language of human rights, Schaffer and Smith describe the disastrous effects:

In some ways...women have been held hostage to the ur-narrative of crimes against humanity. Rights activists require for their activism and expect from their informants a particular story of victimization: the ur-story of childhood poverty, abduction, forced sexual slavery, and lonely survival...Paradoxically, the agency promised through rights discourse requires the ceding of agency regarding the kind of story that can be told.

(137)

This implies that individual testimonies become progressively more homologous when filtered through the various transnational institutions responsible for securing human rights. If narrative testimonies provide evidentiary basis for rights abuses catalogued by human rights reports, the report's authority—its “official status as a truth-telling document”—depends on witness accounts that tell the same story and suppress individual differences (Schaffer and Smith 137). Altering the story by moving beyond the expected narrative can be perceived negatively as a deviation from the work of collective remembering. The narrator is expected to present herself as a victim instead of an active agent.⁴⁴ When narratives of suffering and atrocity are called to accompany human rights initiatives and support human rights claims, it seems that there is a tendency for these personal testimonies to become generic. As these studies attest, for every category of abuse, there is a generic story coded for a specific community of victims.

The implication of these three ethnographic studies is that the genre of human rights is both explicitly political and gendered in a manner that sets it apart from its counterpart in Holocaust scholarship. In order to gain access to rights, individuals must perform and embody, to the extent that they are able, the figure of the violated, feminized victim. It is this victim-specific criterion which I broadly describe as the “genre of human rights.” Testimonies of atrocity must fulfill certain criteria given by the interpretive community which receives the testimony. Ironically, it would seem that, in

⁴⁴ In my interview with Mary Allison Joseph, a human rights caseworker working in Brazil, Joseph reported a similar occurrence regarding her work for Catalytic Communities, a Brazilian non-governmental organization which petitions for the rights of *favela* dwellers, residents of ghettos, in cities such as Rio de Janeiro and São Paulo: “We solicit stories from the community living in the *favela* in order to build a case against the government who is attempting to evict residents in preparation for the 2016 Summer Olympics and the 2014 World Cup. The personal narratives we collect are intended to display the *favela* in a positive light. However, if an individual's story contains a critique of the *favela*, we are unfortunately forced to censor it because it works against the mission of the NGO.”

many cases, manipulating stories of human rights abuses to attend to the specific conventions of this genre actually makes a victim's testimony more credible. In a strange reversal, the generic, it would seem, substantiates the authentic.

Generic Reading

Instead of enabling individual testimonies, human rights discourse provides templates which desensitize readers to what an individual has to say. Victim stories tend to merge as genre expectations take over. Showing an awareness of this tendency, journalist Peter Godwin writes, "I shrink from generalizing what 'they' have gone through because it can feed into that sense that this is some un-differentiated, amorphous mass of Third World peasantry. Some generic, fungible frieze of suffering." And yet, "after dozens of hours" of interviewing atrocity victims, Godwin's report demonstrates the generalization he previously shirked: "I often know now, before they speak, what they will say next" (138-139). The repetitive nature of the Zimbabwean testimonies Godwin collected, narratives that became for him easily predictable over time, did not ring the generic alarm in his mind. Instead, their very repetitiveness supported Godwin's assumption of their authenticity to such an extent that they became banal. The speed at which a seasoned journalist can move from a self-aware injunction against the "generic" to an outright performance of it attests to the difficulty we have avoiding our natural impulse to read generically. Unlike any other type of narrative, a testimony's strict adherence to convention is often what makes an account of atrocity believable and successful.

How do we account for these tendencies? Normally, such generic reading has certain built-in limits. As readers, we want to be able to locate our stories in a larger

framework of literature and, at the same time, be surprised by their uniqueness. In their relationship to genre, individual texts are supposed to be recognizable but not overly repetitive. What we might call an unsuccessful text is any work which attends too closely to convention. It would seem that many texts function at the intersection of two imperatives: the demand for a work's representational uniqueness and the demand for its correspondence to genre. A fine line, to be sure, but one that is inherently felt, and if crossed, often elicits dramatic rejection by the reader. We might balk when we encounter a failed generic attempt because it feels, not only like we've read it before, but also that the text is simply trying too hard. In its attempt to fulfill a certain set of expectations the text openly exposes its labor to "fit in."

In our encounters with a growing body of atrocity narratives a surprising pattern of reading has emerged, one in which the reader's normal warning markers against the generic appear absent. The more an account represents the conventions of its genre within each of the atrocity paradigms, the more it meets the standards of an authentic testimony. A text's success seems directly correlated to its fulfillment of the reader's expectations for what a valid and truthful account of atrocity should look like. The repetitive nature of the Zimbabwean testimonies Godwin collected, narratives that became for him easily predictable over time, did not ring the generic alarm in his mind. Instead, their very repetitiveness supported Godwin's assumption of their authenticity to such an extent that they became banal. Within the field of human rights, it is not extreme horror that we seem to have difficulty comprehending, but actually the less dramatic stories of ongoing persecution that seem mundane by comparison. Indeed, "for a chance at a better life," cites Mehta, "it helps to make your bad story worse."

Over the past twenty years, Schaffer and Smith note that “life narratives have become one of the most potent vehicles for advancing human rights claims.” Yet, if this is so, we must negotiate the fact that an increasing number of these narratives are altered to fit a certain set of expectations. As was the case with many of the Holocaust testimonies discussed in the first chapter, in the discourse of human rights, it is the expectations on the part of the reader which over time change the way that atrocity is represented by writers. How might our conceptions of “rights” change if those testimonies used to substantiate rights went unaltered? As the above studies suggest, the relationship between human rights and genre has seemed to come full circle. Whereas discrete genres have historically influenced the way we think about human rights, we can now observe how human rights has a developed genre which influences the writing and reading of atrocity accounts today.

Resisting Convention

In recent years, human rights narratives have enacted forms of resistance to convention. One common form of resistance is through generic ambiguity. For instance, the subtitle for David Egger’s most famous work, *What is the What* is “The Autobiography of Valentino Achak Deng. A Novel by Dave Eggers.” Stacking two conflicting generic markers, autobiography and novel, without explanation, the text immediately signals to the reader its resistance to categorization. *What is the What* is based upon the experiences of a real-life Sudanese refugee who informs the reader in a brief preface that “over the course of many years, I told my story orally to the author. He then concocted this novel, approximating my voice and using the basic events of my life as the foundation.” The explicit terms of the collaboration allow Eggers to tell the story

of mass migration and mass murder characteristic of the experiences of the Lost Boys of Sudan, without being restricted to Achak's specific experiences.

A similar move is made in the Canadian writer and film-maker Gil Courtemanche's first novel, *A Sunday at a Pool in Kigali*, set amidst the Rwandan genocide. The book's preface begins with the pronouncement that "This novel is fiction. But it is also a chronicle and eyewitness report." Stationed at one point in Kigali, the novel portrays Courtemanche's lived experience working as a journalist in Rwanda. His protagonist is a thinly veiled version of himself, a Canadian documentary-maker called Valcourt. Also within the preface, Courtemanche states that many of his characters "all existed in reality," and that he identifies the real names of those who planned and conducted the genocide. As for the novel's fictional side, Courtemanche warns those readers who will say that he has an overactive imagination: "They are sadly mistaken." James Dawes describes the novel as "the *most* authentic" fiction about the Rwandan genocide, because Courtemanche "took real people, used their real names, and turned them into characters in a novel" (emphasis original, 29).

In unapologetically straddling multiple genres, these works avoid having to fulfill the requirements of any one specific set of conventions. Specific to human rights literature, these works strategically sidestep the standards of authenticity expected by readers of human rights testimonies. The genre ambiguity in these novels works well due to the mediated nature of their textual production. Both these texts represent a transcription by a Western author who speaks the story of distant suffering experienced by others. At the point at which the text becomes a mediated testimony, it takes on the characteristics of fiction—a novel created in the mind of the author. And yet, to the

extent to which these books portray self-consciousness about their mediation, they are able to maintain their dual identification—and thus their authenticity—with non-fictional genres such as autobiography, chronicle and eyewitness report.

Along with genre-bending, we also see the introduction of new literary categories such as the *testimonio*, a genre originating from Latin America, used to testify about human rights abuses. John Beverley defines the genre as “a protean and demotic form not yet subject to legislation by a normative literary establishment [and] any attempt to specify a generic definition for it, as I do here, should be considered at best provisional, at worst repressive” (13). Giving a cautionary preamble, he offers the following definition of *testimonio*:

A novel or novella-length narrative...told in the first-person by a narrator who is also the real protagonist or witness of the events he or she recounts, and whose unit of narration is usually a “life” or a significant life experience. *Testimonio* may include, but is not subsumed under, any of the following textual categories, some of which are conventionally considered literature, others not: autobiography, autobiographical novel, oral history, memoir, confession, diary, interview, eyewitness report, life history, novela-testimonio, nonfiction novel, or “factographic literature” (13).

Interestingly, Beverly’s definition omits the major difficulty with the genre, namely that *testimonios* are frequently employed to offer testimony for an entire community. Most *testimonios* today originate from Latin America. The complex notion of authorship presents a challenge for readers who have grown to expect that an individual text offers the perspective and experience of an individual person. This is not the case with

testimonios. Written by individuals, the purpose of a *testimonio* is to testify for many.

“Quite beyond the varied norms associated with individual literary genres,” writes David Damrosch, “different cultures have often had distinctive patterns of belief concerning the nature of literature and its role in society. A good deal--though by no means all—of Western literature during the past several hundred years has been markedly individualistic in its emphasis” (*How to Read World Literature* 8).

The most famous published *testimonio* remains *I, Rigoberta Menchú* produced by Elisabeth Burgos-Debray’s interview with Guatemalan indigenous rights activist, and later Nobel Peace laureate, Rigoberta Menchú. Menchú’s narrative testified to the human rights violations of the Guatemalan military during the country’s civil war, which lasted from 1960-1996. Like Courtemanche and Eggers, Menchú signals the genre of her text with provocative ambiguity. After the introduction, written by Burgos-Debray, Menchú opens Chapter One speaking in the first person: “My name is Rigoberta Menchú...This is my testimony. I didn’t learn it from a book and I didn’t learn it alone. I’d like to stress that it’s not only *my* life, it’s also the testimony of my people...my story is the story of all poor Guatemalans. My personal experience is the reality of a whole people” (1).

We see the limits of such genre play, or the chafing at genre ambiguity, in the debates triggered by archeologist David Stoll’s attack on Menchú’s text, detailed in his work, *Rigoberta Menchú and the Story of All Poor Guatemalans*. Stoll criticized the factual merits of Menchú’s text, persuasively arguing that not all the events reported actually happened to Menchú herself. Menchú defended her book, saying that the testimony she gave represented not merely her story, but the story of her people, and that

all of the events she described happened to someone in her community and consequently were part of her story too.

The argument sparked by Menchú's text, but which extends to the genre as a whole, relates to who has the authority to narrate testimony. In its function as a genre, the *testimonio* complicates the reader's assumption that the text testifies to the experiences of one individual. In doing so, *testimonios* challenge the rules governing the text's authenticity. And yet, *testimonios* are also not meant to be read as fiction. As Beverly explains, "We are meant to experience both the speaker and the situations and events recounted as real" (15). Ultimately, the genre attempts to negotiate the tensions between universality and particularity characteristic of all testimonies given about mass atrocity. Called an "affirmation of the individual self in a collective mode," *testimonios* continues to spark controversy in within human rights discourse, particularly when such texts are referenced in support of political action or military intervention.

Conclusion: The Danger of a Single Story

In a 2009 talk entitled, "The Danger of a Single Story," Nigerian novelist Chimamanda Adichie offers a brief autobiography detailing the emergence of her identity as an author. She recounted that, in her earliest attempts to write, all of her stories mimicked the themes of British novels because those were the only books she had been exposed to as a young girl. "I didn't know that people like me could exist in literature," she reveals, and so consequently, all her characters were endowed with blond hair and blue eyes. Realizing "how impressionable and vulnerable we are in the face of a story," Adichie states that her eventual introduction to African literature "saved me from having a single story." Adichie's talk is most remarkable in her admission of complicity in the

stereotyping that results from exposure to the single story. The groups the author admitted to stereotyping included the servants who worked in her family's home in Nigeria and Mexicans she met during a trip to Guadalajara. Adichie describes her shame in realizing that "their poverty was my single story of them."

Yet, the point of Adichie's presentation is certainly that the single story isn't inevitable. It happens, she suggests, when we show a people as "one thing, as only one thing, over and over again, and that is what they become" in the minds of the reader. The telling of a single, generic story reinforces stereotypes, and as the author warns, "the problem with stereotypes is not that they are untrue, but that they are incomplete." "I have always felt," Adichie states, "that it is impossible to engage properly with a place or a person without engaging with all of the stories of that place and that person." This requires that we not only tell the story of atrocity and the violation of their rights, but be willing to read the variety of stories which can be told about a people and a place--contradictory stories which resist the generic by illustrating acts of both empowerment and weakness.

One of the definitions of "generic" given by the *Oxford English Dictionary* is something that is "opposed to individual, specific." In looking at the function of genre in human rights, what we have seen in this chapter is that the conditions by which testimonies become generic work to obscure our understanding of the individual as a person who has experienced suffering. We might say that the failure of human rights is the frequency with which it inadvertently silences the very individual rights bearers it attempts to champion. So the problem remains: if life narratives and personal

testimonies are necessary in order to substantiate human rights claims, how can we elicit those stories without making them generic?

When faced with this profound ambivalence at the core of human rights, one possible solution we have is to diversify the expectations we carry as readers about these narratives. Put simply, we need to become better readers. If power, as Adichie warns, is the “ability to not just tell the story of another person but to make it the definitive story of that person,” it is the reader’s responsibility, then, to search out diverse stories, and to be sensitive to diversity within narratives themselves. These are the stories that resist the commodification and harnessing by those who curate the stories of the world for us, for these stories are as diverse as the ones we tell about our own lives.

Chapter 3

The Triage of Testimony: Bearing Witness in International Criminal Law

“Law is institutional normative order.”
—Neil MacCormick

Introduction

This chapter is an attempt to return to the source, as it were; to examine the nature of atrocity testimony in what could be considered its original context: the law. Indeed, from its earliest entrance into our lexicon, *testimony* has been an act defined by its function within the law.⁴⁵ Prior to Elie Wiesel’s claim that his generation had “invented a new literature, that of testimony,” testimony already had a long history outside of and separate from literature. In contrast to more literary readings of testimony, accounts of atrocity find their most literal reading in the courts. Grasping the implications of the legal genre, compared to the genres developed in Holocaust studies and human rights discourse, then, demands that we first attempt to comprehend legal interpretation on its own terms.

Here’s the legal definition of *testify*: to “provide evidence as a witness, subject to an oath or affirmation, in order to establish a particular fact or set of facts” (*West*). This definition will reward closer study, as it sets the framework for the unique ways in which

⁴⁵ From the Latin, *testimonium*, from *testis* meaning “to witness.” The other denotation of testimony relates the term to a declaration of a sacred or religious experience. International criminal law is responsible for creating much of the vocabulary we now rely on to describe the human savagery of our recent past. Terms such as “genocide” and “crimes against humanity” are in themselves monuments to hard-fought legal battles seeking justice for crimes that had yet to be given names.

the law engages with testimony. First and foremost, the purpose of testimony is to “provide evidence.” To gain evidence is to acquire proof that something indeed took place. In the context of the law, testimonies may *contain* evidence and *provide* evidence, but are not considered evidence in their totality. In order for a testimony to reach the courtroom, it is first mined for points of “evidential significance.” A testimony’s overall value, then, depends on the amount of evidentially significant facts it contains.

The legal definition of testify also tells us something about the figure who “provides evidence,” namely the witness. As we have seen, what is meant by witnessing or “bearing witness” varies widely across discourses. Despite the separate treatment of witnessing in reference to human rights and the Holocaust, a common thread might be that both discourses have tended to widen, rather than constrict, the definition of the witness. The result has been that, today, witnesses abound, even to the point that the label now extends to those who have never experienced the horrors of mass atrocity first-hand. In what is perhaps a response to the “end of testimony,” the act of witnessing in writing on the Holocaust now includes “secondary witnessing” by the descendants of Holocaust survivors and ethical mandates calling the general public to bear witness. In human rights discourse, the act of witnessing often represents a mediated form as rights activists stand in as proxy witnesses after collecting testimonies from victims.⁴⁶

In contrast with these discursive trends to broaden the parameters of witnessing, when we turn to the realm of the law, there is an extreme constriction in who counts as a witness. Within a legal framework, the figure of the witness is conceptualized in its most

⁴⁶ I use the term “victim” throughout this chapter because it is the predominant term used in legal texts and tribunals. Specifically, I follow Mark Drumbl’s definition of victim as “the vilified prey stalked by the perpetrators of mass atrocity. They are targeted *en masse* based on discriminatory grounds” (41).

specific and limited permutation. The legal definition of witness is confined to this: “a person who testifies under oath in a trial (or a deposition which may be used in a trial if the witness is not available) with first-hand or expert evidence useful in a lawsuit” (Hill). This definition gives precise specifications as to the context, cast and conduct of legal witnessing: the space for witnessing is reduced to the boundaries of a “trial or deposition,” the witnesses themselves must possess either “first-hand or expert evidence,” and they must swear “under oath” to tell the truth about such evidence.

Returning to the legal definition of *testify*, we are also given the explicit purpose of testimony within a juridical framework: “to establish a particular fact or set of facts.” In a particular case, the facts established by testimonies are interpreted first by the lawyers who review each testimony before it is presented before the court. Once a testimony is presented, explains Maartin Bos, the arbiter of its significance is ultimately the Court. The Court’s judgment represents a binding interpretation of the facts given the case-specific context:

Facts are never proved for their own sake, and when proved they take their place in the legal process together with other facts. They then assume their own evidential significance in the legal process, each fact depending for its proper evidential significance on the Court’s appreciation of it. It is the Court which welds all the individual facts together into a whole in which they mutually influence and delimit each other. This is why facts in one particular context may prove something else in a different context.

(Bos 10)

The Court, then, “appreciates,” or gives value to the established facts of a case. Since fact-finding is the aim, the logic within the judicial framework necessitates the culling of numerous testimonies so that the most facts might emerge to influence the Court’s final decision. The implication is that, conversely, the purpose of a testimony within a trial is not primarily meant to express trauma, history, representation, memory, or even to focus on the individual who has directly experienced the atrocity.

Finally, to complete our close reading of *testify*, we learn that under the law the witness is “subject to an oath or affirmation” before her testimony is given. Because the purpose of testimony is to prove guilt beyond a reasonable doubt, the law attempts to mitigate the narrative nature of testimony by placing parameters around the actor giving the testimony. She must promise that her testimony is true. The witness is further threatened with the felony charge of perjury (the willful giving of false testimony under oath) which is punishable by imprisonment. Such measures are an attempt by the legal community to actualize its expectations as the receiver of testimony. The expectations can be summarized as this: that testimony will provide the court with facts—the truth, the whole truth and nothing but the truth.

Given these juridical constrictions, we see that a successful testimony in the arena of human rights may represent a total failure in the court of law. Consider, for instance, the false rape accounts of Caroline and Nafisatou Diallo presented in the last chapter. In Caroline’s case, she gave her testimony before immigration officials versed in the discourse of human rights. Diallo, on the other hand, presented her testimony before an international legal community. By and large, the acceptance or rejection of the women’s stories relied on the context of their reception. While Caroline’s tale fulfilled the

expectations of her audience, Diallo's faked rape story had the opposite effect: it was the very thing that undermined her credibility as a witness and ultimately caused her case against Strauss-Kahn to be thrown out.⁴⁷ Testifying within a formal legal setting meant that Diallo had significantly less latitude to manipulate the facts of her story. The failure of Diallo's testimony, then, could be summarized as both a misunderstanding of the rule of law, and a misjudgment of her audience's expectation that she follow that rule. When looking at her case through a juridical lens, we could say that Diallo simply represented the wrong kind of witness. By comparing how the contexts of these two witnesses had serious ramifications on their testimony's success, we begin to see significant differences in the expectations that control juridical and non-juridical versions of testimony.

Compared to other discourses, the legal function of testimony may seem particularly utilitarian. Whereas Holocaust testimony has come to represent a kind of literature, within a juridical context, the parameters of the law render testimony furthest from the literary. Here we come face to face with a significant difference in disciplinary reading practices, with the legal scholar's definition of testimony liable to raise the literary scholar's hackles. The law's denotation of testimony stands in stark contrast to Wiesel's formulation of testimony as literature. If an individual's story is used to establish facts in a legal framework, testimonies are most often read as narratives within

⁴⁷ To be fair, Diallo's case is particularly complex in that it included the testimony of two separate rapes: her fraudulent rape story set in Africa memorized to substantiate her immigrant application, and the testimony of her alleged rape by Strauss-Kahn. What was often misconstrued in the media reports following the case is that, although Diallo had prepared a story of rape to gain access to the US, she did not actually use it during the immigration process. Her actual circumstances proved valid enough to gain her entrance in the US. Only when Diallo was questioned by her lawyers about the incidence with Strauss-Kahn did she include this earlier rape story in her testimony. We can only speculate about why Diallo chose to resurrect the original fraudulent story and attempt to pass it off as fact. Perhaps she thought the additional incident would strengthen her position as a victim. Regardless of whether Strauss-Kahn did, in fact, rape her, Diallo's falsification of a previous rape invalidated her credibility.

Holocaust scholarship. For the literary scholar, the nature of narratives is to provide a meaningful ordering of events. From a narratological perspective, testimonies are formed out of the subjectivity of the author, the one who orders the events to make the meaning. This subjective ordering is what Hayden White calls *emplotment*. To posit this narrative framework is to recognize the subjective origins of objective truths, and the measure of interpolation involved in the telling of “hard facts.”

Although literary scholars may bristle at the use of testimony for fact-finding, it is important to understand that this is precisely the premise of the law in its reading of witness accounts: that, perjury notwithstanding, therein lay the truth, not in some mythopoetic metaphorical sense – but literally, in the form of hard evidence. If justice demands the establishment of facts through the collection of evidence, the main purpose of testimony, from the legal definition, is to provide evidence. In order to secure justice, then, the law must read testimony as fact, not fiction. Because its purpose is to find evidence, the law must downplay the imaginative qualities of testimony that we may associate with literature. Today, the legal aspects of witnessing are often eclipsed by literary or psychoanalytic theories generated in the discourses of the Holocaust and human rights. Despite the law’s centrality in the articulation of atrocity, a survey of post-WWII scholarship on atrocity testimony reveals that the juridical is often occluded or disregarded.

Returning our focus to the law, we find that eye-witness testimonies of atrocity retain an essential function in the persecution of gross crimes against humanity. Such testimonies are housed under the rubric of international criminal law, the body of law responsible for adjudicating perpetrators of mass atrocity and genocide. In the wake of

WWII, this body of law has developed alongside modern human rights discourse and Holocaust studies. Although these parallel discourses have developed distinct vocabularies and methods of reading, each is founded upon the same primary text: the individual testimony of atrocity and abuse. With this chapter, then, I am presenting international criminal law as a third major arena through which individual witness testimonies to mass atrocity are read and interpreted.⁴⁸ More specifically, this chapter focuses on the function of testimony in the two international legal institutions currently responsible for the implementation of “transitional justice”: criminal tribunals and truth commissions.⁴⁹

A brief overview of the evolution of these two bodies within international criminal law is useful here.⁵⁰ Broadly, the history of international criminal law can be understood in two major movements: the institution of the tribunal system shortly after the close of WWII, and the development of truth commissions in the final decades of the twentieth century. The first international criminal tribunals were the Nuremberg and

⁴⁸ I am not assuming that these three atrocity paradigms represent an exhaustive list of reading practices. They do, however, represent the most prominent ones employed in the wake of WWII.

⁴⁹ “Transitional justice” is defined as a “set of judicial and non-judicial measures that have been implemented by different countries in order to redress the legacies of massive human rights abuses. These measures include criminal prosecutions, truth commissions, reparations programs, and various kinds of institutional reform” (International Center for Transitional Justice, <http://ictj.org/about/transitional-justice>)

⁵⁰ Not to be confused with two other branches of international law: international human rights law and international humanitarian law. For a detailed description of these bodies of law and their jurisdictions, see The Office of the High Commissioner of Human Rights (<http://www.ohchr.org>) and the International Committee for the Red Cross (<http://www.icrc.org/eng/war-and-law/index.jsp>). International criminal law is also distinct from “transnational law” in terms of the crimes each persecutes: whereas international crime encompasses “acts that threaten world order and security, crimes against humanity and fundamental human rights, war crimes, and genocide,” transnational crime includes “drug trafficking, transborder organized criminal activity, counterfeiting, money laundering, financial crimes, terrorism, and willful damage to the environment” (American Society of International Law, <http://www.asil.org/erg/?page=icl>).

Tokyo trials of 1946.⁵¹ The 1961 trial of Adolf Eichmann brought the workings of international law into the worldwide media spotlight, marking what historian Annette Wieviorka calls the “advent of the witness” (57). After the end of the Cold War, in 1993, the international community established the International Criminal Tribunal for the former Yugoslavia (ICTY) which was followed in the next year by the International Criminal Tribunal for Rwanda (ICTR). Established by the United Nations to deal with genocide and crimes against humanity, these courts were limited to trying crimes committed only within a specific time-frame and during a specific conflict. Since then, the ICTY has inspired the creation of other tribunals including the Special Court for Sierra Leone (SCSL), the Special Panels in the Dili District Court in East Timor (Special Panels), and the Extraordinary Chambers in the Courts of Cambodia (ECCC). Most importantly, in 2002, the International Criminal Court (ICC) operating out of The Hague in the Netherlands became the first independent, permanent criminal court.⁵²

The year 1984 marks the appearance of the first significant truth report: *Nunca Más*, prepared by Argentina’s National Commission on the Disappeared.⁵³ Since then, truth commissions have been established in numerous countries including Chile, El Salvador, Uruguay, Zimbabwe, Chad, South Africa, Germany, Rwanda, Ethiopia and the

⁵¹ The Nuremberg and Tokyo trials which both convened in 1946 addressed war crimes, crimes against peace, and crimes against humanity committed during WWII. See *France et al., v. Goering et al.*, (1946) 22 International Military Tribunal 203 and the International Military Tribunal for the Far East (IMTFE).

⁵² On July 17th, 1998, 120 States adopted the Rome Statute, the legal basis for establishing the ICC. After being ratified by 60 countries, the Rome Statute entered into force on July 1st, 2002.

⁵³ In reality, two other commissions existed at the time: the National Commission of Inquiry into Disappearances in Bolivia and the Commission of Inquiry into “Disappearances” of People in Uganda Since the 25th of January, 1971. The Bolivian Commission disbanded without producing a report and the Ugandan report, instituted by Idi Amin to investigate his own government, was largely seen as a “self-serving sop” to the international legal community. Considering the impotence of these commissions, Argentina’s report is broadly recognized as “the first serious attempt to use a truth commission to reckon with the past” (Phelps 82).

United States.⁵⁴ While each commission has developed unique characteristics, in general, truth commissions represent hybrid bodies sanctioned to investigate a country's past atrocities. The document that a truth commission produces is called a truth report or truth and reconciliation report. Such reports represent an organized compilation of testimonies from perpetrators and victims detailing the nature of the atrocities committed in a specified time period. In certain situations, truth commissions are preferred when countries do not have adequate resources to pursue the high costs of lengthy investigations and trials. In many countries dealing with histories of mass atrocity, however, tribunals and truth commissions operate simultaneously or in close succession. The complex co-existence of these legal institutions has prompted an emerging body of legal scholarship which examines the ways tribunals and truth commissions complement and constrain each other in countries where both institutions are present.⁵⁵

As international criminal law continues to evolve through the institutions of tribunals and truth commissions, this chapter endeavors to return a focus on the victims of mass atrocity within a legal framework. More specifically, I would like to explore the ways in which international criminal law has developed a unique genre for reading and appropriating victim testimonies. To this day, thousands of people have given testimonies to genocide, war crimes and crimes against humanity before international

⁵⁴ For a detailed, comparative history of these reports, see Priscilla Hayer, "Fifteen Truth Commissions--1974 to 1994: A Comparative Study" (1994). In the United States, the Greensboro Truth and Reconciliation Commission (GTRC) was a grassroots initiative established in 2005 with no state sanction, organized to disseminate evidence about a racially motivated shooting by members of the Ku Klux Klan in 1979. See Androff (2012) and the Commission's website: <http://www.greensborotrc.org>.

⁵⁵ For instance, the following authors writing in a 2004 special issue of *Criminal Law Forum* (vol.15) offer country-specific examinations of the relationship between truth commissions and the courts: Susan Kemp (Guatemala), Eduardo González Cueva (Peru), Margaret Popkin (El Salvador), Patrick Burgess (East Timor), Ken Agyemang Attafuaah (Ghana), and William A. Schabas (Sierra Leone). For an in-depth more historical overview of the development of both institutions, see the following transitional justice literature: Hayner (1994, 2000); Minow (1998); Teitel (2000); Bass (2000); Elster (2004); Simpson (2007).

tribunals and truth commissions. Yet, little scholarly attention has been given to the manner in which testimonies are read and appropriated for trials and truth commission reports, or for that matter, to investigating the lives of the victims themselves before and after their testimony. “Victimological research is tremendously important,” states Mark Drumbl, attorney and director of the Transnational Law Institute. In describing the status of the victim in international law, Drumbl continues, “We need to learn much more about victims. This will prove difficult to the extent that international criminal law remains focused on the defendant’s guilt or innocence, instead of integrating the victim, the harms he or she suffered, and the myriad elements that nefariously conspired to inflict those harms” (44).

In analyzing the function of testimony within the parameters of international law, the characteristics of the legal genre may seem both surprising and dismaying to practitioners of other disciplines. Continuing the discussion from my previous chapters, I define genre as providing “models of writing for authors and horizons of expectations for readers.” If the workings of genre are demonstrated by the emergence of identifiable templates for Holocaust and human rights testimony, I will argue that the practices of international criminal law present another, wholly distinguishable, kind of reading and appropriation of testimony.⁵⁶ Whereas Holocaust accounts primarily record and memorialize, and human rights testimonies establish victims as rights-bearers, when we come to the genre of the law, we are introduced to another function of testimony: the

⁵⁶ Those receiving testimony (both oral and written) within the judicial paradigm include lawyers, judges, translators, jury members, victims, representatives of a trial’s funding sources, and public on-lookers. Although testimonies are often presented orally, I refer to “readers” throughout this chapter (as opposed to “listeners”) due to the fact that testimonies presented in the framework of international criminal law are meticulously transcribed and archived as part of normal procedure. For example, in the archives I visited in Cambodia, East Timor, France and Poland, I was able to access extensive collections of testimonies translated into English.

rendering of justice. By unpacking the conventions developed within the law, this chapter examines how the pursuit of justice uniquely shapes the production and interpretation of testimony.

The establishment of tribunals and truth commissions under the umbrella of the international criminal legal system constitutes “one of the more extensive waves of institution building in modern international relations” (Drumbl 10). In what follows, I begin by examining the legacy of the most famous international tribunal—the 1961 trial of the head of the Gestapo’s Office of Jewish Affairs, Adolf Eichmann. In particular, I trace the trial’s influence on the evolution of two major philosophies of testimony—the “legal purists” and the “moralists.” I then turn to discuss the influence of these positions on the reception of testimonies in subsequent tribunals. To further examine the boundaries of the legal genre, I offer a parallel reading of two “sublime” testimonies given in separate tribunals—one from a Jewish victim and the other a Cambodian perpetrator. I conclude by discussing the rise of the truth and reconciliation report and its influence on testimonial reading practices in international criminal law. The chapter includes an interlude which characterizes the broader implications inherent in the juxtaposition of international criminal law with other atrocity discourses.

The Advent of the Witness

No other atrocity trial has received more popular or critical attention than the Eichmann trial. Conducted in Jerusalem, the case entitled *Attorney-General of Israel v. Eichmann* marks the first major tribunal brought under international criminal law after the immediate post-WWII period. To stand trial in Israel, Eichmann was kidnapped from

Argentina by Israeli Mossad operatives.⁵⁷ Steeped in drama from its inception, the Eichmann trial captured the imagination and attention of the international community, and remains the central trial discussed in the scholarship on legal witnessing. Historian Annette Wieviorka calls the trial “the pivotal moment in the history of the memory of the genocide” and Shoshana Felman refers to the trial as an “archetypal legal drama” and a “groundbreaking narrative event.” Hannah Arendt’s reporting of the trial in *Eichmann in Jerusalem* has, to this day, evoked intense debate and thousands of pages of scholarly commentary.

The Eichmann trial was significant because it contained so many firsts. Up until this point, evidence in international tribunals was presented primarily through written documentation. During the Nuremburg tribunal, for example, commentators found this method exceptionally tedious. At the Eichmann trial, by contrast, focus was shifted to the hearing of individual victim testimony. Gideon Hausner, the principle organizer of the trial explained his vision for the trial in his 1966 memoirs: “In any criminal proceedings,” he writes, “the proof of guilt and the imposition of a penalty, though all-important, are not the exclusive objects. Every trial also has a correctional and educational aspect. It attracts people’s attention, tells a story and conveys a moral” (292). In keeping with this vision, over the course of the trial, one hundred and eleven witnesses were called to the stand, a “litany of testimonies” that became the trial’s essence (Wieviorka 85).

⁵⁷ The Supreme Court of Israel defended the radical extradition and its jurisdiction over the case using the principle of universal jurisdiction in a common law state. The Court reasoned that the “power to try and punish a person for an offense . . . is vested in every State regardless of the fact that the offense was committed outside its territory by a person who did not belong to it” (Van Schaack 4).

Beyond its revolutionary inclusion of witnesses, the Eichmann tribunal also reinforced the separation of two major philosophies of legal testimony. The first, summarized by Eric Stover as the “legal purists,” are those who would tend to practice a literal reading of the legal definition of testimony. Legal purists hold that the main purpose of hearing victim accounts in international criminal tribunals is solely to establish a particular fact or set of facts. Testimonies are, first and foremost, to assist in fact-finding and the law, in its most general sense, is ““a system of rules and procedures’ that should never be bent or altered to satisfy wider social or political goals” (Stover 23). This position views the defense witness—the individual testifying about atrocity—as secondary in importance to the testimony itself. As Aleida Assmann concludes, “It is...the first obligation of the court witness to provide factual information that will help to discover the truth and to distinguish between the guilty and the not guilty...The economy of the trial demands that biographical aspects [of victims] are invoked only to the extent that they help to probe and to ascertain the testimony” (265-266). It is the victim’s testimony, and not the victim herself, that becomes *the* primary tool in the process of securing evidence.

According to the legal purist model, out of all the characters involved in an international tribunal, it is the perpetrator who should maintain the central focus within a trial. In her report on the Eichmann trial, Hannah Arendt represents this viewpoint succinctly: “A trial resembles a play in that both begin and end with the doer, not with the victim...In the center of the trial can only be the one who did—in this respect, he is like the hero in the play—and if he suffers, he must suffer for what he has done, not for what he has caused others to suffer” (9). Discerning the guilt or innocence of the

perpetrator is paramount so that he or she may be brought to justice. Consequently, the victim as witness to the prosecution is relegated to the position of least importance. As Assmann concludes, “In the courtroom, the witness as a person is of less interest than his or her testimony” (265).

In contrast to the legal purists, Stover describes the “moralist position” as those who believe that atrocity trials are always more than trials. “Trials,” writes Law Professor Mark Osiel, “when effective as public spectacle, stimulate public discussion in ways that foster the liberal virtues of toleration, moderation, and civil respect. Criminal trials must be conducted with this pedagogical purpose in mind” (2). Osiel goes on to suggest that atrocity tribunals should be recast “in terms of the ‘theater of ideas,’ where large questions of collective memory and even national identity are engaged...such trials should be unabashedly designed as monumental spectacles” (69). This position is further posited in the work of scholars such as Annette Wieviorka and Shoshana Felman. “Prior to the Eichmann tribunal,” states Felman in *The Juridical Unconscious*, “what we call the Holocaust did not exist as a collective story” (127). She argues that the adjudication of collective trauma in the Eichmann tribunal “put history itself on trial,” providing a stage for the “conceptual revolution in the victim” (126).

From the viewpoint of the moralist, the Eichmann trial was commendable because the personalities of the witnesses themselves, beyond the content of their testimonies, were able to take on added extra-legal significance. Instead of focusing on the perpetrator, the plaintiffs, witnesses, and victims take center stage. “For the first time since the end of the war,” states Wieviorka, “witnesses had the feeling that they were being heard.” Although Eichmann’s trial was, in the words of Wieviorka, “in theory the

trial of the perpetrator,” Eichmann himself virtually “disappeared” as the attention of the media was trained away from the man in the glass cage and onto the victims (83). As Haim Gouri explains, “The numerous witnesses...testified in order to illuminate the destruction in all its detail...they were the very center of the trial, because they served as faithful proxies of the Holocaust. They were the facts” (85).

The Era of the Witness?

While the tension between legal purists and moralist ideologies had existed in international legal circles since the Nuremberg and Tokyo trials, the legal interpretations of the Eichmann trial seemed to reinforce the dichotomy. Summarizing these two philosophical positions in terms of genre, the legal purists might be described as those who obey a strict code set forth by the law. Testimonies are to be read for evidence. The moralist position, on the other hand, represents those who would bend the rules of genre. Such a stance reads testimony outside of a strictly fact-finding mission. The moralists, for instance, championed the fact that many of the witnesses who testified in the Eichmann trial had no direct relation to the defendant. These victim testimonies fulfilled a grander purpose of preserving the collective memory of the Holocaust. Each position, then, maintains an idea of what a tribunal is supposed to accomplish and, more specifically, how testimonies are to be read in order to advance that purpose.

Much to the chagrin of legal purists such as Arendt, the Eichmann trial seemed to signify the triumph of the moralist position. In the legal climate of tribunals today, however, the pendulum has definitely swung to the opposite extreme in favor of the legal purists. Far from being “a bridge to the future” of law that some scholars have claimed, in many ways Eichmann remains an exceptional case (Cover 176). This is perhaps the

reason why scholarship rooted in the moralist perspective rarely compares the trial with more contemporary tribunals. For instance, in *The Juridical Unconscious*, Felman chooses to juxtapose Eichmann with the O.J. Simpson trial, then popularized as the “trial of the century.” In *The Era of the Witness*, Annette Wieviorka moves from Eichmann to discuss the emergence of archival testimony collections. Specifically, she points to the systematic collection of Holocaust testimony that began in the 1970s, and the broader interest in the 1970s and 1980s for ethnological “life stories,” as marking the “era of the witness” (96). The only other atrocity trial she mentions, that of the French civil servant and Nazi collaborator Maurice Papon, also pertained to the Holocaust. The implication is that when Wieviorka discusses genocide testimony, what she means is testimonies given about the Holocaust. In this framework, it would be more concise to call her designation the “era of the Holocaust witness.”

To call this the era of the witness is to overlook the fact that, in so many contemporary tribunals, witnesses remain virtually powerless to actualize their individual needs and desires before the court. Only recently has there been a slow evolution in victims’ rights in international criminal tribunals, demonstrated in a push to pass legislation that directly assists the witnesses. Still, documents such as *The Declaration of Basic Principles of Justice for Victims of Crimes and Abuse of Power* (1985) remain legally unbinding. The renewed focus on the perpetrator over the victim can be seen in the relative lack of rights given to victims who present testimony in international tribunals.

“Little, if anything, is known about the experiences of victims and witnesses who have testified before international war crimes tribunals,” declares Berkeley human rights

professor Eric Stover. “A review of the English literature covering the hundreds of war crimes trials held after World War II reveals not a single empirical study of witnesses and their perceptions of the trial process” (17). Stover goes on to cite the fact that, of the over 55,000 Holocaust survivor testimonies collected by organizations such as Steven Spielberg’s Survivors of the Shoah Visual History Foundation in Los Angeles and the Fortunoff Video Archive for Holocaust Testimonies at Yale University, only a dozen or so of these survivors presented their testimony before war crimes tribunals (17). Indeed, Stover’s seminal work *The Witnesses* (2005) represents the first systematic study of victim testimony in the international criminal justice system. The exceptional nature of the way testimonies were presented in the Eichmann tribunal is made starkly apparent when juxtaposed with those given in more recent genocide tribunals.

The continued focus on a single post-WWII tribunal risks reinforcing the assumption that the way the majority of testimonies are appropriated today is in a manner similar to those presented at the Eichmann trial. For instance, one misconception that arises from viewing Eichmann as paradigmatic of all tribunals is the idea that testifying is, in a certain sense, a poetic and moving affair. As an internationally renowned author, K-Zetnik presented testimony that clearly reflected his unique social position. A witness with the ability to aptly describe “the planet called Auschwitz” and its attendant “garb” demonstrates a level of sophistication that is beyond the common citizen in its acute articulation of horror.

Instead of witnesses boldly embodying the facts, as is claimed took place during the Eichmann tribunal, how testimony has been incorporated in more recent tribunals represents a much more banal and dismal experience. In contrast to the highly educated

witnesses of the Eichmann tribunal—many of whom had successfully published memoirs—the majority of witnesses testifying before international criminal tribunals today possess little education or familiarity with international venues. This is partially due to the fact that many post-WWII genocides target individuals of the community that hold the least social agency.

Oftentimes, witnesses in contemporary tribunals do not understand the questions being asked them and their testimonies are not understood by the court. Citing dozens of cases stretching back to 2001, legal professor Nancy Amoury Combs describes what she calls “testimonial deficiencies and evidentiary uncertainties” inherent to international criminal tribunals.⁵⁸ “With some notable exceptions,” explains Combs, “international witnesses have trouble providing the dates of the events that they witnessed. Sometimes a witness will be able to say that the event in question occurred during the dry season or the rainy season...but that is often about as precise as the dating gets, and many witnesses cannot provide even that much information” (242-243).

Witnesses also frequently have difficulty estimating distances. When asked how wide a road was, one Timorese witness during the Specials Panels responded “maybe 100 meters wide” (Combs 243).⁵⁹ Because a witness’s identification of a perpetrator at a certain scene depends on their physical distance from the defendant, accurate measuring of distance is crucial to judging the merits of eye-witness testimony. The inability to understand distance significantly affects the legitimacy of the testimony in the eyes of the Trial Chamber. These impediments, from the perspective on the law, indicate the failure

⁵⁸ For a complete discussion of such discrepancies, see Combs’s seminal *Fact-finding Without Facts: The Uncertain Evidentiary Foundations of International Criminal Convictions* (2010).

⁵⁹ *Brima et al.*. Case No. SCSL-2004-16-PT, Transcript, at 31 (Mar. 8, 2005).

of the witness because the inaccuracy of these testimonies “substantially impairs the Tribunal’s ability to find facts” (Combs 243).

Besides these kinds of testimonial failures, there is also the prevalence of falsified testimony in international criminal tribunals. The presentation of false testimony is considered perjury and is a crime punishable with imprisonment. There is evidence to suggest that within the tribunal system such perjury is rampant. For instance, in the ICTR, there exists what Alexander Zahar calls “a systemic temptation for Rwandan witnesses to testify falsely” (1). He further explains that “Anyone with experience of prosecution witness testimony at the ICTR (whether direct experience or indirect from study of the transcripts) will have been struck by certain clichéd renditions of events, hackneyed set pieces of evil-doing, so idealized that witnesses easily transpose them from one case to another, changing few details except the identity of the accused” (Zahar 5).

As we have seen in previous chapters, victim testimonies have the tendency to become generic in concordance to the set expectations of the audience. Like in the case of Diallo, it is often extremely challenging for legal witnesses to discern what they think the court officers want to hear, while obeying the legal rules of evidence. Adding further complication, victims may be so intimidated by the accused that “they prefer to face the prospect of lying to the court and being sanctioned than to live in constant fear of reprisals against their families” (Bohlander 115). Today, despite the prevalence of such perjury, only one person has been convicted of false testimony at the ICTR and ICTY. There exists significant reluctance to try such individuals, for “to question evidence is to question victimhood” (Zahar 26).

Coding Atrocity

As an institution dedicated to securing transitional justice, tribunals are limited in their ability to investigate all crimes and abuses. They tend rather to concentrate on trying the most vicious forms of criminality. By restricting their focus to representative cases, the judgment of tribunals is aimed at establishing “not an exhaustive record but a higher level of truth,” what Martin Imbleau calls a “macro-truth” (161). This means that usually only the highest ranking officials are tried before tribunals. In preparation for significant cases, tribunals such as the one I attended in Cambodia attempt to collect as many testimonies as possible, setting up collecting points where victims can come to give testimony and also sending trained individuals out into the field to collect them. The resulting challenge faced by these trials is one of scale: in order to present a coherent case before the tribunal, a substantial number of testimonies must be collected and organized.

Reading victim testimonies in this framework is geared to a specific purpose: to find evidence in order to prove the guilt or innocence of the perpetrator. Tasmin Din, a legal intern working for the Special Victims Unit (SVU) for the ECCC explained the complex process of reading to me. At the time of the interview, Case #1⁶⁰ had already begun and the tribunal was collecting testimonies for Case #2.⁶¹ In processing this second group of testimonies, the first stage was the collection and recording of interviews with victims. Legal interns rely on interview forms which ask victims a standardized set

⁶⁰ Case #1 was the trial of Duch. After an Initial Hearing in mid-February 2009, the substantive part of the trial commenced on March 30, 2009. The presentation of evidence concluded on September 17, 2009 and closing statements were given in late November, 2009. During the 72 days of hearing evidence, 9 expert witnesses, 17 fact witnesses, 7 character witnesses and 22 Civil Parties were heard before the Trial Chamber.

⁶¹ The suspects in Case #2 are: Nuon Chea, the regime’s chief ideologue, known as “Brother Number Two”; former foreign minister Ieng Sary; his wife, Ieng Thirith, who was Minister for Social Affairs; and Kheiu Samphan, the regime’s former head of state. All of these defendants vehemently deny wrongdoing and have pleaded not guilty.

of questions in order to ascertain whether their testimony falls under the jurisdiction of the Victims Unit. Each case before a tribunal pertains to a specific time span of the Cambodian genocide. The tribunal is charged with the burden of proof to connect living eye-witnesses to cases that are now decades old.

After each testimony was given, it went through several stages of “coding” and “uncoding.” After the interviews are collected and recorded by an initial team of transcribers fluent in Khmer, the written documents are then sent to a team of translators who translate the interviews into English. Then the interviews are sent to the “coders” who read and analyze the testimonies using a complex coding system. As Din explained to me, the system of coding was developed to manage the volume of information out there about a matter that is thirty years old. The coding system allows the tribunal to ascertain whether testimonies are relevant to a specific case. Each data point within a testimony receives a unique code. For example, if a testimony mentions the Eastern sector of Phnom Penh, that data point would have a different code than the Western sector. More controversially, the same numeric ranking is given for individual traumas sustained by the victim such as rape, forced relocation, and the death of family members. Such quantitative reading assigns individual testimonies a numerical “level of victimhood.”

The responsibility of the legal interns is to review the testimonies, to make sure that the coding was done correctly. It is at this point in the reading that certain testimonies are considered inapplicable to the current case and thrown out. This narrative triage is meant to bring only the most relevant testimonies before the court. Din gives the following example: “Victim #1 comes in and provides their testimony which is included

as evidence for Case #2. And then Victim #2 comes in and although their testimony is powerful and part of the oral history and the national record, their testimony doesn't make it to Case #2."

The final narratives that reach the court represent numerous layers of reading. The result is the creation of a form of testimonial reading that is both bureaucratically pragmatic and radically impersonal. In the end, such a reading practice indicates a unique genre developed by international criminal law—a form of reading victim narratives through a system of quantitative analysis. While such a reading practice ultimately works to delegitimize and silence those testimonies discarded by the prosecution, it also represents a byproduct of the expectations of the readership. In the viewpoint of the legal purists, the genre of the international tribunal is functioning as designed.

The genre developed in international criminal law operates with a logic that equates reading with fact-finding. As we have seen, extraordinary difficulties attend to such a practice of reading. The reading of testimony within the tribunal system remains severely constrained by what attorney Anna Petrig describes as the "tight corset of procedural and evidentiary rules." Diverse reading practices in this genre are highly discouraged. If the genre assumes that fact-finding naturally results in truth-finding, the rules of evidence at times also impede such a process: "Even though a measure of truth may emerge from the criminal proceedings," explains Petrig, "trials are limited in their truth-finding ability since they must comply with rules of evidence, which often exclude important information" (13).⁶² The implication is that the rules which govern the law

⁶² Such rules are in place so that the prosecution might establish proof of the larger context in which the perpetrator acted, thus making his or her crime an international one. For example, "to convict an individual

effectively curtail the law's ability to read meaning outside of a rather narrow set of expectations.

The main task of international tribunals, the condemnation of perpetrators, does not articulate the circumstances under which a victim can obtain redress.⁶³ Individuals who consent to give testimony during the collection phase of a tribunal often have little to no input into how (of even if) their testimony will come before the court. We can compare a victim's relative lack of agency within international law to that exercised by refugees in the previous chapter who were able to tailor their testimonies in order to improve their chances for relocation. "War crimes trials, at their best," suggests Stover, "can create an aura of fairness, establish a public record, and produce some sense of accountability by acknowledging the losses victims have suffered and punishing the perpetrators" (129). At their worst, the resulting legal situation means that individuals who experience mass atrocity often find themselves lost in the maze of the international justice system.

Considering the fact that international criminal law is charged with adjudicating the worst crimes known to humanity, it seems impossible to reduce the standard of proof

under genocide, the Court must establish the intent to destroy a substantial portion of the civil population. Likewise, to prosecute for grave breaches under the Geneva Conventions, the prosecution must prove that the offenses took place in the context of an armed conflict. The distinctive feature of crimes against humanity is a widespread and/or systematic attack against the civilian population" (Petrig 13).

⁶³ The only other area of law that pertains to redress for individual victims of mass atrocity is international tort law. Torts refers to a collection of "named and relatively well-defined legal wrongs that, when committed, generate a right of action in the victim against the wrongdoer" (Goldberg 3). This law remains in its infancy. In the United States only, victims may be able to file civil lawsuits in federal court based on a 200-year-old statute, the Alien Tort Statute (ATS) (codified as U.S. Code, vol. 28, sec. 1350). The ATS was used the 1980 case, *Filártiga v. Peña-Irala*, where Joelito Filártiga was tortured to death by a Paraguayan police officer, Peña-Irala. The Filártigas family found the perpetrator living in New York City and filed a lawsuit against him under the ATS. In the end, \$10 million in damages were awarded to the Filártiga family, although they were unable to collect the judgment. A similar case was filed against Radovan Karadzic, the leader of the Bosnian-Serbs, in 1993.

required for such indictments. In the framework of the law, the rules which are meant to preserve justice also work, in the above cases, to prevent justice. When individual victims feel that their testimonies are not read correctly by the tribunal, their expectations—that the genre fulfill its promise to deliver justice—go unmet. In addressing the needs of the survivors, international criminal law under which crimes against humanity and genocide are tried remains ill-equipped.

Jesus in the Docket

The genre of the law which reads testimonies for evidence narrowly defines the participation by the witness. International tribunals are currently ill-equipped to handle witness testimonies which are not legible in terms of their evidentiary significance. As we have seen above, witnesses in many contemporary tribunals fail (often inadvertently) to attend to the law's expectation for testimony. Ironically, we see the same breakdown of the international legal genre in testimonies that function too perfectly. The following section considers the illegibility of testimonies by witnesses who attend too closely to the law's characterization of victim and perpetrator.

"Every trial," explains Wieviorka, "has one or several testimonies that seem to carry more weight than the others, that make a stronger impression both on those participating in the trial and on the audience following the trial as it is reported in the media" (145). I would like to examine two such testimonies by witnesses testifying in separate tribunals—one a Jewish victim who presented at the Eichmann trial, and the other a Cambodian perpetrator who confessed before the Extraordinary Chambers in the Courts of Cambodia (ECCC). I choose to focus on these testimonies because I feel they illustrate limit-cases which reveal, in their extremity, the contrasting limits of

international criminal law in its reception of testimony. Interestingly enough, what links these seemingly disparate witnesses is that, within their testimonies, they both make explicit references to Jesus Christ.

Of the one hundred and eleven witnesses who testified at the Eichmann trial, the most famous testimony came from an Auschwitz survivor, a man by the name of Yehiel Dinor. Dinor worked as a full-time author and had previously published numerous titles including a well-known Holocaust memoir, *House of Dolls*. Dinor distinguished himself by writing under the name K-Zetnik, a generic title meaning “prisoner” in the language of the concentration camps. Called to give testimony before the Eichmann trial, he began his testimony by explaining that his use of K-Zetnik “was not a pen name.” “This is a chronicle of the plant of Auschwitz,” he continued, “I was there for about two years. Time there was not like it is here on earth. Every fraction of a minute there passed on a different scale of time. And the inhabitants of this plant had no names... They breathed according to different laws of nature; they did not live—nor did they die—according to the laws of this world. Their name was the number ‘Kazetnik’.” The lead prosecutor Gideon Hausner then showed the witness a camp uniform to which K-Zetnik responded, “This is the garb of the planet called Auschwitz and I believe with perfect faith that I have to continue to bear this name so long as the world has not been aroused after this crucifixion of a nation to wipe out this evil, in the same way as humanity was aroused after the crucifixion of one man” (Nizkor). After a few more words, K-Zetnik fainted to the floor.

If the Eichmann trial represents the most well-known trial in Holocaust studies and in international criminal law, then K-Zetnik’s testimony, and in particular his

fainting, has become the trial's most famous moment. In fact, the video clip of him dropping to the ground remains the most-broadcasted image related to the trial. Offering an extensive analysis of K-Zetnik's testimony, Shoshana Felman describes him as "the most central witness to the trial's announced project to *give voice to the six million dead*" (148, original emphasis). Because he fainted, K-Zetnik came to represent a sublime victim whose testimony to mass atrocity is his own body. The testimony is embodied in the physical presence of the witness himself. Cold and silent and unmoving, the body gives testament for all the other Jewish victims of the Holocaust who were robbed of their day in court.

In summarizing its exceptional qualities, K-Zetnik's testimony reveals the limits of international criminal law through its performing a negation of speech. The fainting of the witness produced a testimony that is a pregnant silence, one that refuses to be simply mined for facts. Representing the moralist position, Felman reads the rupturing power of such testimony positively: "It was precisely through K-Zetnik's *legal muteness* that the trial inadvertently *gave silence a transmitting power*, and—although not by intention—managed to transmit the legal meaning of collective trauma with the incremental power of a work of art" (154). Still, I would argue that such meaning, because it is devoid of evidential significance, remains outside the law and exposes the law's inability to use such undeniably powerful testimonies to secure convictions.

Representing the sublime victim, we can read added significance in the words K-Zetnik's uttered before he fainted. Specifically, I am interested in his Christological reference of the "crucifixion of one man." Paralleling himself with Christ, K-Zetnik proclaims his "perfect faith" in his duty to bear the name which stands for all Jewish

victims. His reference to Christ's death is an attempt to shame the world in its apathy to the even greater sacrifice of the Jewish people. K-Zetnik's appropriation of the Christian trope was not uncommon for Jews, particularly following Marc Chagall's 1938 painting, entitled *White Crucifixion*. The painting features the central figure of Christ on the cross wearing the white and black prayer shawl common to all Orthodox Jewish males.

Surrounding the cross are more contemporary scenes of Jewish oppression and suffering. In K-Zetnik's testimony, Christ appears to stand for the paradigmatic Jewish victim who, unlike the Jews who perished during the Shoah, has received proper recognition by the world. In a similar move, K-Zetnik's adoption of the persona of Jesus as the ultimate victim of the state allows the witness to stand in as proxy for all victims of the Holocaust.

The figure of Christ makes a more dramatic appearance in another testimony presented by the first perpetrator tried in the Khmer Rouge genocide tribunal. In 2009, I personally witnessed this testimony while attending the tribunal held at the ECCC located outside Phnom Pehn, Cambodia. The ECCC's first case, known as Case #1, was the trial of a man by the name of Kaing Guek Eav, alias Duch, the former Chairman of the Tuol Sleng prison complex (a building also known as S-21), which was the initial site of torture before the majority were sent to the Choeung Ek "killing fields" to be murdered.⁶⁴ After the fall of the Khmer Rouge, Duch went into hiding with his family. It is important to note that, before surrendering to authorities in 1999, Duch had converted to Christianity and, at separate times, worked for the American Refugee Committee, World

⁶⁴ I visited both Choeung Ek and the Tuol Sleng complex, which is now a crumbling museum. Both sights are considerably grizzly: it was virtually impossible, for example, as a visitor to Choeung Ek to avoid stepping on the bones of Khmer Rouge victims. Visitors to the Tuol Sleng Genocide Museum are escorted around the complex to view torture rooms, the floors and walls of which were saturated with dried blood spatters.

Vision International, and as a lay pastor for the Golden West Cambodian Christian Church in Battambang.

The scene I would like to focus on took place in the ECCC Trial Chambers on August 12, 2009. Taking the stand was a woman named Madam Bou Thon who had lost her family in the genocide. After she gave a tearful description of the deaths of her husband and three children into the microphone, Duch was given the chance to respond. Stretching out his arms in an unmistakably Messianic pose before the screaming witness, he gave a testimony that the law was not prepared to negotiate. He began by commending the witness for “her brave act to speak the truth.” Beginning to cry, he then launched into a extended monologue which I will quote at length:

What I am speaking now is not try to get myself rid of those crimes and responsibilities...yes, I am responsible for the crimes committed at S-21. I am responsible before the nation...Amongst the millions of Cambodian people who lost their husbands and wives during the regime, I accept their regret and their sorrow and their suffering. [The] Cambodian people...can condemn me to whatever highest level of punishment, or if there is an existing Cambodian tradition, as it existed in the past—or after the death of the Christ—Cambodian people can do that to me. I would accept it. My life, just one life, cannot compare to those lives which were lost during those periods. I accept all the mistakes, all the offences, before the Chamber and before the witness.

Interrupting the testimony, Ms. Silke Studzinsky, the Co-Lawyer for the Civil Parties Response, responded in obvious frustration that “Maybe now it is too late, but the speech

of the accused brings the witness into a situation that she cannot, and is not able as far as I can look at her reactions, to sit there and to accept this speech...I really would like to either grant a break or to stop this speech...This is not appropriate.” The presiding judge then asked Duch if he had anything to add, reminding him “not to say more things in order to make this witness remember the suffering that she has been inflicted upon for so many years.” Duch continues his confession of guilt before the counsel. A further objection by Studzinsky was not granted by the judge. After saying he would “accept without challenge to all the judgments which will be made by this Chamber,” Duch ended his testimony by confirming the witness’s testimony against him: “I would like the Cambodian people to be brave and courageous and talk straight and honest like Madam Bou Thon. This is my response, Mr. President.”⁶⁵

In the midst of his confession, the objection by the council for the victims is telling. They objected to Duch’s confession as “inappropriate,” particularly because it traumatized the victim. This leads to a particularly challenging question: how could Duch offer a full confession before the law if he was to simultaneously obey the judge who asked him “not to say more...to make this witness remember”? This reveals the paradoxical nature of the law which would place the defendant and plaintiff in close proximity, yet deny the perpetrator the chance to confess to the victim.

Ironically, the law which is supposedly designed to identify the guilty was not able to metabolize Duch’s confession. In this scene, Duch represents the ultimate protagonist who performs the role of the perfectly penitent sinner. In the midst of what could be called a sublime confession by a perpetrator, Duch didn’t just plead guilty, he

⁶⁵ The complete transcripts of the tribunal can be found at <http://www.cambodiatribunal.org/trial-proceedings/transcripts>

plead for the Cambodian people to “condemn me to whatever highest level of punishment” even to the point of requesting a crucifixion “after the death of the Christ.” It should be noted that there seemed to be no irony in the tone of Duch’s amplified plea for death. Like figure of Christ, Duch requested to stand in for all the Khmer Rouge perpetrators, attempting to take on the “sins of the nation.”

Looking at the testimonies of K-Zetnik and Duch, it is interesting to note the symbolic range embodied by the figure of Jesus in their references. Whereas K-Zetnik adopts Christ as the sublime victim who is sacrificed by the state, Duch, standing in the position of the defendant, takes on the persona Christ as the sublime perpetrator who accepts the “sins of the nation.” In doing so, Duch mirrors Christ’s dual trials before Pontius Pilate and the Sanhedrin depicted in all four Gospels of the New Testament.⁶⁶ In response to the accusations, both Duch and Christ refuse to defend themselves. Both willingly accept the role of scapegoat in the place of other criminals. Duch asks to take the full blame for the Khmer Rouge’s crimes, and Christ’s conviction causes the release of Barabbas, another criminal slated for death.⁶⁷

The architects of the tribunal desired a spectacle and the defendant delivered. In the words of Din, “Duch was to be the proxy for the Khmer Rouge and so the prosecution

⁶⁶ For Jesus before the Sanhedrin, see Matthew 26:57-68, Mark 14:53-65, Luke 22:63-71, and John 18:12-24. For his later trial before Pontius Pilate, see Matthew 27:11-31, Mark 15:1-20, Luke 23:1-25, and John 18:28-19:16.

⁶⁷ It is important to note the Duch’s admission of guilt shifted widely during the 72 days of hearing of evidence. In the end, after appealing to the Supreme Court of Cambodia, he was found guilty to Articles 5, 6 and 29 of the ECCC Law of the following crimes committed in Phnom Penh and within the territory of Cambodia between 17 April 1975 and 6 January 1979: Crimes against humanity (persecution on political grounds, extermination encompassing murder, enslavement, imprisonment, torture and other inhumane acts) and Grave breaches of the Geneva Conventions of 1949 (willful killing, torture and inhumane treatment, willfully causing great suffering or serious injury to body or health, willfully depriving a prisoner of war or civilian of the rights of fair and regular trial, and unlawful confinement of a civilian.) He was sentenced to life imprisonment.

came down on him like a ton of bricks in order to make a point.” However, those who organized the tribunal did not expect Duch to so willingly confess to wrongdoing. In doing so, Duch exposed the law’s inability to negotiate the sublime perpetrator. Just as the law did not have a place for the muted testimony of K-Zetnik as victim, the law did not have a place for Duch’s admission of guilt. Not only did the Trial Chamber attempt to silence Duch’s confession, he was denied a guilty plea so that the trial could continue. It would seem that the last thing such law inspires is for the perpetrator to plead guilty. Just as the law was unable to negotiate a witness whose testimony was a monument to all the silenced victims of the Holocaust, so it was not prepared to assess the perpetrator who tried to take the blame for all perpetrators of the Khmer Rouge genocide. In both cases, the testimonies were interrupted.

Genre Evolution

Emerging in reaction to the limitations of the tribunal system, truth commissions have played a role in the transition of countries to “post-” states—whether that be post-conflict, post-violence, or post-dictatorship. Broadly, truth commissions attempt to navigate a middle ground between two extreme responses to mass atrocity within the realm of law. On one side there is what Teresa Phelps calls “traditional retributive justice” requiring investigations, trials, and punishment “well beyond the means of new and fragile democracies” (52). At the other extreme are situations where no justice is pursued, perpetrators are not held accountable for their crimes and are free *to live with impunity*, and citizens experience a “historic amnesia.”

Truth reports represent a mode of alternative justice by replacing the traditional retributive model of justice with a conciliatory model. In many transitional democracies,

there often exists a cycle of revenge that threatens national stability. Truth reports attempt to curb such cyclical violence through reconciliation. In discussing the path-breaking Truth and Reconciliation Commission in South Africa, Alexander Dukalskis suggests that, “Reconciliation can help clearly divide abusive or violent pasts from peaceful horizons, and thus legitimize a new democratic order by providing a rhetorical space around which political community can grow” (7).

Truth reports establish a record of a country’s past, and by design, are intended to be projects of cathartic national unity. Like the tribunal system, the scope of a truth commission’s jurisdiction functions at the national level. Truth reports are also similar to tribunals in their attempt to collect as many testimonies as possible. However, unlike the tribunal system, truth reports attempt to be exhaustive in their gathering of testimonies. Accounts from both victims and perpetrators are encouraged, collected, acknowledged and published. As such, testimony forms the heart of truth commissions. Truth commissions often create a forum for people to give their personal testimonies, and to experience having their testimonies heard. Because the point is to give voice to as many testimonies as possible, the presence of a truth commission represents what legal philosopher Peter Goodrich calls a “radical and unique staging of justice” (271). Such reports are meant to function as a form of alternative justice by giving victims a chance for their stories to be heard.

Teresa Phelps’s *Shattered Voices* outlines seven foundational benefits of the storytelling function of reports. Beyond the fact that storytelling represents an essential human act, stories also provide what Phelps calls a balancing function. While no report can settle accounts perfectly, stories allow victims an option apart from the cyclical

violence involved with revenge and retribution. Besides being a way to discover the truth, the stories presented in a truth report also perform a kind of carnival: “Carnival provides an alternative social space that allows the participation of all. Carnival has the potentiality to open up and transform traditional, constrained spaces and to allow people to talk unguardedly and to be liberated from the forms and fears that might constrain them” (Phelps 67).

Such storytelling is often linked to a broader telling of the nation’s story. This can be noted in the circulation of truth reports as national literatures. For instance, Argentina’s *Nunca Más* spent many months at the top of the national Bestseller list. As Kemp explains, “The work of truth commissions will generally take place in the public spotlight and the results will be more widely publicized at national and international level than most historical publications” (68). Some praise the ability for truth reports to involve individuals in a retelling of the nation. As Phelps explains, “In a truth commission report, individuals tell personal stories, the commission uses them and constructs the *plot*, the inevitable master narrative, and the two together manifest a unique sharing of power reflecting the promise of democracy” (81). Oppositely, truth reports are often critiqued for their ability to promote what some view as a hegemonic nationalism, and thus to undermine the core principles of democracy. As a transitional process, truth commissions compose metanarratives—they define which truths become the truths, and how individuals fit into the national narrative.

Like the tribunal system, truth commissions have also received criticism related to their ability to fulfill the pursuit of justice which forms the foundation of the legal genre. In fact, in terms of reading practices, those employed by truth commissions mirror those

of tribunals. Similar to the coding of testimonies used for tribunals, truth reports also translate testimonies into quantified data in the form of tables and statistics. Individual testimonies are codified by victim demographic and type of victimization. By codifying testimonies, truth reports still maintain the legal genre of tribunals.

The inclusivity of testimony often boasted by truth commissions is also frequently negated in the way they describe their methodology. In the introduction of *Nunca Más*, for example, the Commission clarified that “each of the testimonies included in this report is representative of the thousands of cases which tell a similar story. Our selection represents only a tiny fraction of the material collected.” East Timor’s report, authored by the Commission for Reception, Truth, and Reconciliation Timor-Leste (CAVR), makes a similar declaration in the introduction: “Most truth commissions base their empirical findings principally on databases derived from the large-scale collection of qualitative testimonies. In this, the CAVR was no different from the commissions in Haiti, South Africa or Peru.” The reference to “qualitative testimonies” denotes individual anecdotes which were coded and compiled in databases from which the CAVR, like most truth commissions, presented its quantitative findings.

The purpose of this reading practice appears to assist commissions in labeling patterns in violations. For instance, section 6.2 of East Timor’s truth report is titled “Fatal Violations: analysis of the total extent, pattern, trend and levels of responsibility for fatal violations and displacement in Timor-Leste, 1974-1999.” Such quantification with the purpose of reading an atrocity’s patterns and trends is applied not only to testimonies but to the victims themselves. According to the East Timor Commission, for

example, the estimated “minimum-bound for the number of conflict-related deaths during the Commission’s reference period, 1974 to 1999, is 102,800 (+/- 12,000).”⁶⁸

In the end, the truth and reconciliation report, and indeed all atrocity genres, have the propensity to make the testimonies within them generic. With international criminal law, the genre currently necessitates that testimonies fit into an organized and quantitatively understandable account of a nation’s history. To these demands of the law, Phelps offers the following poignant warning:

We should not accept the template that calls for a certain kind of story, a certain kind of process. We should eschew any design that asks for seamlessness or for tightly organized narratives. If the conceptual basis for a truth commission is that it will find a single truth, that it will achieve closure, that it will automatically provide reconciliation, then...we must be brave enough to trust stories to be tools of disruption. (128)

As the genre of international criminal law continues to evolve, it will be interesting to see if its institutions can develop a reading practice that is attentive to subtleties, to the “disruptions” produced by individual testimonies. Such a legal genre would need to be capable of allowing testimonies to be, as Phelps describes, “incomplete, multivalent, heteroglossic.”

Conclusion

A parallax refers to the apparent shift of an object against its background due to a shift in the viewer’s position. Beyond the mundane observation that separate

⁶⁸ The Commission clarified that their estimate was “derived from (i) an estimate of 18,600 total killings (+/- 1000) using multiple systems estimation (MSE) techniques and (ii) an estimate of 84,200 (+/- 11,000) deaths due to hunger and illness which exceed the total that would be expected if the death rate due to hunger and illness had continued as it was in the pre-invasion peacetime period.”

perspectives will undoubtedly see the world differently, in philosophical terms, a parallax shift takes on more significance. “In the more radical sense,” suggests philosopher Peter Rollins, “to speak of a parallax view is to refer to the phenomenon whereby a single object appears to change in a way that is fundamentally opposed to its previous manifestation simply because of the observer’s change in position” (49). In terms of the discourses I have been discussing in the last three chapters, we see such a parallax shift in the ways each discourse approaches the narrative of atrocity, reads its function, and renders it meaningful according to predetermined conceptions of “bearing witness.” The very act of testifying depends on its discursive framing. It is not that each of these frames is merely different from the other; it is that, at times, they appear to be in opposition. Understanding that this parallax exists allows us to compare these genres at the points of greatest convergence. It is at these points of convergence which both expose and demonstrate the parallax relationship of these discourses.

One final example will suffice. An obvious point of convergence relates to the wide-spread perpetration of sexual violence against women during mass atrocity. As such, accounts of sexual exploitation and rape feature prominently in many of the atrocity testimonies referenced in the preceding chapters. The use of rape as a “weapon of war” and, more specifically as a method of genocide, has been well documented. Under the aegis of international criminal law, rape is a punishable “genocidal act” when “committed as part of a policy to destroy a group’s existence.”⁶⁹ The ubiquity of sexual violence as a function of atrocity is clear. How each genre confronts the prevalence of sexual abuse, I

⁶⁹ See Article II of the Convention on the Prevention and Punishment of the Crime of Genocide, the international legal definition includes “Causing serious bodily or mental harm to members of the group” which includes “inflicting trauma on members of the group through widespread torture, rape, sexual violence, forced or coerced use of drugs, and mutilation.”

would argue, actually reveals more about the discourse than about the testimonies themselves.

In a history of Holocaust testimony, Na'ama Shik observes that before the 1960s, early survivor testimonies and memoirs recounted incidents of sexual exploitation. Yet, since the mid-1960s, corresponding to the emergence of the contemporary period of Holocaust testimony, descriptions of sexual exploitation are “almost totally absent from testimonies and memoirs by women as well as men” (148). Shik links such discrepancy to developing social expectations regarding what constituted acceptable camp behavior for survivors. “Survivors writing in the early years,” she suggests, “were less exposed to social judgments and accusations regarding the use of feminine sexuality for the purpose of survival” (149). As Holocaust literature developed as a genre, testimonies which recounted rape and other sexual abuse diminished.

Opposite to the repression of sexual exploitation in contemporary Holocaust testimony, in human rights discourse, rape is often assumed and expected by those seeking access to rights. As the examples in the second chapter attest, sexual violation functions as a kind of currency, influential enough to support a black market of rape stories provided by professional storytellers. In international criminal law, we see a wholly different appropriation of rape testimony. The following section comes from the East Timor's truth report which I quote at length to demonstrate the report's tone in light of its content:

The age-sex distributions of victims of sexual violations documented by the Commission are substantially different to those for physical integrity violations. Furthermore, there are notable differences in the age-sex

distribution of victims for the different forms of sexual violations. The Commission documented rapes of women in all age categories under 65 years old. However, the highest frequency of documented rape and highest population-based rates of rape were for young women of reproductive age. 15-24-year-old women appear to have been the sub-population at most risk of rape. On average, the adult-to-child victim ratio documented by the Commission was 17.3 in Covalima, 15.3 in Indonesia and 14.1 in Oecusse....By contrast only women between the ages of ten and 44 were among the documented victims of sexual slavery. Of these victims women between 20 and 24 years old experienced both the highest counts and highest rates of sexual slavery. As was the case for rape, no cases of sexual slavery of men were documented by the Commission.

In accordance with its function, the report represents a codification and quantification of rape testimonies in its telling the truth of an atrocity. As this brief comparison demonstrates, the significance each discourse gives to testimonial texts is deeply contingent on the genre's reading practices and how its stakeholders position themselves in relation to atrocity.

In the past three chapters, I have employed the term *genre* to describe these separate interpretive frameworks. I have shown how such genres seek to be ethical in nature and how such frameworks are oftentimes explicitly political and gendered. These genres also seem to be concerned with separate temporal scopes. Against the anterior-gaze inherent to most Holocaust scholarship manifested in its call for remembrance, human rights discourse tends to maintain a future-oriented gaze, which is interested in the

problems of atrocity prevention and the protection of vulnerable populations. Positioned between these two discourses, in terms of its temporality, international criminal law is largely concerned with delivering justice in the present. In terms of their temporal sphere of influences, each discourse maintains a separate scope. As a result of this disjuncture, the interpretive apparatus employed by each of these discourses has had a profound effect on the treatment of victims and the manner in which their testimonies are read and interpreted.

By framing my analysis through the language of genre, I have focused on the reader's proposed *intent*. The way each genre locates the function of testimony dramatically effects the reader's expectations, not only regarding what she will find in a specific testimony, but also how she should respond. As we have seen in the first chapter, readers of Holocaust testimonies often take on the duty of remembrance. Human rights literature, by contrast, involves readers in the work of re-creation, where the author is established as a self-narrating subject of rights. As was the case with many of the victimized groups discussed in the second chapter, securing personal safety required a certain amount of political maneuvering where individuals manipulated their testimony to fit the demands of their audience. When we come to the genre of the law, readers mine testimony for evidentially significant facts in order to secure justice.

To my mind, one of the benefits of such comparative work—in examining the separate expectations of these discourses on a single type of text—is that it exposes the limits inherent to the ethics of reading at work in each discourse. To compare genres as such demands that we not only compare individual texts, but compare the production and reception of texts within specific contexts. We are, in the end, in the best position to

observe how genres work by peering at them through a comparative lens. As Ralph Cohen explains, the purpose and aim of a genre within a historical framework are defined by its interrelation with and differentiation from other genres (207). Ultimately, by exposing and dismantling hierarchical notions of genre which have calcified in these discourses, it is my hope that such analysis will further serve to open up alternative ways of reading and writing about the Holocaust and other atrocities.

To Read the Other: Toward an Ethics of Impurity

An Interlude

“Perhaps when we think we know them we stop knowing that we don’t know them.”
—Felisberto Hernández, *Around the Times of Clemente Colling*

My dissertation lacks a conclusion; or rather, I have designed my final chapter to act as a kind of extended conclusion, a foil to the preceding three. I go into further detail about how it does so in that chapter’s introduction. For now, I would like briefly to interrupt our progression forward in order to reflect on what insights the non-specialist reader might, drawing from the previous chapters, apply to his or her encounters with atrocity literature. Despite our best efforts to approach each account of atrocity as a unique narrative, our proclivity as readers to assign genre to texts may in fact be unavoidable. As Stephen Heath reminds us, “The most singular text is never simply in a class of its own but is written and read in relation to such types: there is no *genreless* text” (163). Indeed, my own decontextualization of atrocity narratives runs the risk of creating yet another amorphous meta-genre—the atrocity testimony. Given the challenges, how might we as individuals engage with the authors of testimonial accounts without projecting our own expectations onto the text? After examining the negative ramifications of institutional genres, how are we to negotiate between our desire to be attentive to individual narratives and our drive to categorize?

To my mind, a practical first step involves developing a critical awareness of our reading habits, one which questions our tendency to read generically. Henry Greenspan, in his work *On Listening to Holocaust Survivors*, asserts that we need to examine our role

as receivers of testimony, asking ourselves, do we really seek to hear the voice of the survivor? Instead of listening, Greenspan points out that often the receivers of testimony simply perceive the survivor as either a heroic symbol telling a tale of triumphant survival or a collection of psychiatric symptoms resulting from atrocity. These stereotypes, which either idolize or demonize, work to distance the survivor from the reader, rendering the account unheard. Becoming aware of this tendency might expose our desire for a testimony writer to fit into a predetermined category of victim or perpetrator.

“It is necessary to resist the tendency to universalize or collectivize,” writes historian Annette Waxman, writing within the discourse of Holocaust studies. Waxman points toward the importance of contextualization, by calling for greater exploration into the social and historical context of testimony. If we understand the diversity inherent at the sites of production, we might come to more fully “appreciate the sheer diversity of witnesses’ experiences” (1). I would like to suggest that, alongside critical awareness and an exposure to the breadth of testimony, we work toward depth in our reading practice. Waxman seems to move in this direction when she suggests that, beyond gaining an intertextual understanding of testimony, we also look intratextually, to “revive the particular by uncovering the multiple layers within testimony” (1). How does one “revive the particular”? What are the “multiple layers within testimony”?

To get us there, we need to consider how we think about things that are generic. What is implied when we call something generic? As we’ve discussed before, the term undoubtably has negative connotations. Unlike the term *replica* perhaps, the term generic seems to imply a failure—a reproduction that failed to perfectly reproduce.

Generic goods are cheaper than name brand, for instance, because we devalue the generic as merely reproductions of “the original.” That is to say that the generic’s failure to copy “the original” is evident to the consumer. By examining the discursive frameworks in which testimonies become generic, my intent was to draw our attention to the fact that, like generic goods, these texts represent failed copies, imperfect reproductions.

But failed copies of what? When we consider a generic atrocity testimony, it presents us with an imperfect reproduction of what we might consider an account of an “authentic” victim. This is why studying fakes, frauds and perjurious accounts in each of the discourses is particularly revelatory. Fakes expose our desire for, and the impossibility of, authenticity. “Fakeness itself is worth studying as the flipside of authenticity,” suggests Robin Hemley in an article entitled “In Praise of the Fake Memoir,” for fakeness is, in fact, “more authentic than authenticity.” What is more, Hemley draws a clear connection between our desire for authenticity and our desire for purity:

When we desire the Authentic, what we’re looking for really is some kind of sense of purity that more often than not doesn’t exist. Most things that we wish to be authentic are in fact dynamic and protean, constantly in flux: language, landscape, culture, cuisine. When we hope for the authentic we want stasis, and this is not possible. (124)

The list that Hemley gives—language, landscape, culture, cuisine—are all things we might desire to be “pure” but which never really are. They are all amalgamations, derived from mixed stock. To this list, we might add, *race* and *community*. On the one hand, it may be merely amusing to find a “Made in China” sticker on something we

bought as an “authentic” cultural artifact of another place. On the other hand, whenever notions of purity have been connected with “race” and “community,” the results have been incredible human suffering across the span of history.

Against such notions of purity, I would like to propose that we allow our reading habits to be shaped by what I am calling an *ethics of impurity*.⁷⁰ This ethics champions the failure of the text to present the reader with a pure object. In drawing our attention to this failure, the point is neither to criticize the text nor the individual giving the account. Rather, it is to reveal our own categorical demands on who the victims are and how they should experience atrocity. Primo Levi challenges our craving for “pure” categories in his reference to “The Gray Zone.” Our desire, Levi states, “to divide the field into ‘we’ and ‘they’ is so strong that this pattern, this bipartition—friend/enemy—prevails over all others” (37). We want “winners and losers,” “the good guys and the bad guys, respectively, because the good must prevail, otherwise the world would be subverted” (37). What Levi found, upon entering the concentration camp, was that the human relationships could not be “reduced to the two blocs of victims and persecutors” (37). The world became ambiguous and indecipherable, gray where it once was black and white. In a similar manner, the ethics of impurity expects such ambiguity, and calls for an attentive close reading of testimonial particularity—a reading which makes obvious the impossibility of living up to perverse conceptions of the pure. It is to resist our own

⁷⁰ This ethics is modeled after the “ethics of indecency” described in the second chapter of Jane Gallop’s *The Deaths of the Author* (2011). My thanks to Jane for suggesting this connection.

generic impulse, our demand for the pure victim, remembering that such demands for identity purity have formed the basis for extreme acts of violence.⁷¹

This ethics represents my attempt to combine a close reading methodology with an ethics of the other who has suffered.⁷² As such, it seeks to engage with the ethics of the other developed by the twentieth-century philosopher Emmanuel Levinas.⁷³ Drawing on his Jewish heritage and his experiences as a French prisoner of war under the Nazis, Levinas remains one of the most influential scholars to argue for a post-Holocaust ethics which concentrated on paying attention to the face of another person. In this action of closely observing another's face, we find ourselves in the other's proximity, a relation of responsibility for the other. "The proximity of the Other," Levinas tells us, "is not simply close to me in space, or close like a parent, but he approaches me essentially insofar as I feel myself—insofar as I am—responsible for him" (*Ethics and Infinity*, 97). This proximity does not necessarily infer a physical closeness. Instead, for Levinas, proximity is responsibility, or the ability to respond.⁷⁴ In its proximity to the other, the self's initial response develops into a responsibility.

⁷¹ All genocides have been driven, in part, by attempts to purify a community, regardless of whether notions of purity held by perpetrators manifest as racial, political, cultural or otherwise.

⁷² I am indebted to theories of the ethics of close reading formulated by Jane Gallop and Santiago Colás. See, for example, Jane Gallop, "The Ethics of Reading: Close Encounters" (2000), and Santiago Colás, "Toward an Ethics of Close Reading in the Age of Neo-Liberalism" (2007).

⁷³ Levinas' philosophy was profoundly affected by his personal experiences during the Holocaust. As a French prisoner of war, he was subject to forced labor under the Nazis. Almost all his Lithuanian family perished in the Holocaust. The major works of Levinas include *Time and The Other* (1948), *Totality and Infinity* (1961), and *Otherwise Than Being* (1974). For examples of Levinas' engagement with Jewish tradition and Judaism, see Emmanuel Levinas, *Difficult Freedom: Essays on Judaism* (1990); *Nine Talmudic Readings* (1990); and *New Talmudic Readings* (1999). My thanks to Matthew Lyon for helping me digest Levinas' thought.

⁷⁴ "Proximity, difference which is non-indifference, is responsibility" (*Otherwise than Being*, 139).

It is in this confrontation that we come to understand that the other is never reducible to ourselves or what we think the other should be. Rather, Levinas reverses this relation, asserting that we find ourselves in a state of obligation to the other, one of response and responsibility. “Subjectivity,” Levinas tells us, “is being a hostage” (*Otherwise Than Being* (127). In other words, subjectivity arises from a confrontation between “the self” or “the Same” (*le Même*), and “the other” or “the Other” (*l’Autre*). In Levinas’ framework, the other is not held hostage to our expectations, but rather, our identities are held hostage by a duty to respond which extends beyond the self—when I come to know myself as a subject, I find that I am already in the grip of the other to which I hold a duty.

Subjectivity, as Levinas presents it, is not only defined as subjection to the other, but goes one step further, implying that our identities are formed in our very relation to the other. The “birth of the subject,” Levinas explains, “occurs in obligation where no commitment was made” (*Otherwise Than Being*, 140). Instead of causing an antagonistic relationship between the self and the other, this obligation is the grounds for ethical action. Levinas’ notion of ethical “responsibility” is similar to the concept of responsiveness. Levinas invites us to listen to the voice of the other, who sanctions all of our moral obligation. The very meaning of being a subject, for Levinas, is to be for-the-other.

In our encounters with testimony, how do we envision this responsibility for the other? What is our obligation as readers, especially when the suffering to which writers testify is most often categorized as distant suffering?⁷⁵ Indeed, our proximity to the

⁷⁵ For an extensive examination of the moral and political implications for spectators of “distant suffering,” see Luc Boltanski, *Distant Suffering: Morality, Media and Politics* (1999).

other—the writer of the testimony—is rarely a physical presence. It is often seen as presumptuous, in fact, to assume a relationship to one who has suffered. As we have seen, this sensitivity is at work in much of the Holocaust scholarship, which draws a sharp divide between witness/author and reader. Yet, “we may still,” Colás asserts, “be in relation with things even when we do not know them—an important, albeit easily forgotten relation that actually depends upon our *not* knowing them *and* upon our knowing that we do not know them” (172). As readers of testimony, we are put in relation to the authors. In turn, authors often write to reach specific audiences, what Wolfgang Iser defines as “the implied reader.”

The working definition of ethics I am formulating here is based on the idea that we have an ethical obligation, or duty, to attempt to respect the other, rather than merely project our own ideas onto them. As close readers, we put our selves in relation, in proximity, to the other who has experienced extreme suffering. What we should expect to find is something that upsets our preconceptions. To take seriously survivor experiences that challenge our expectations is to practice an ethics of reading which leaves room for the other who presents us with unexpected and alternative visions.⁷⁶ It is this ethics of reading that Gallop describes as “listening closely to the other, and being willing...to hear what we didn’t expect him to say” (“Ethics” 16).

Reading testimonies of atrocity along these ethical lines requires that we attempt to hear what the other is actually saying, eschewing our tendency to project our assumptions onto the text. It is a kind of reading which attends to the uniqueness of each

⁷⁶ The ethics of impurity has its aesthetic counterpart in the Japanese art of *wabi-sabi*—the aesthetic appreciation of imperfection and impermanence; of accepting the natural cycle of growth, decay and death; of embracing life in its messiness, just as it arises.

testimony. Instead of reading *about* others—an action in which we have already stereotyped the other whom we expect to find in the text—this type of reading might be described as “reading the other.” The absence of the preposition “about” indicates a specific kind of relation, one that collapses the activity of a subject—reading—with the preexisting, external object, “the other.”

In such a formulation, we preserve what Santiago Colás calls a “zone of unknowing relating” that maintains the impenetrability of the other (174).⁷⁷ This relation of unknowing is important in that it keeps us from assuming not only that we know, but that we know everything about the writer, thus transforming them into generic figure. This kind of “knowing,” in this case, refers to the assumption that the idea we form in our minds about an object adequately represents that object as it actually exists outside of our mind.⁷⁸ Instead, when we read the other, we come to the text in a stance of unknowing and expect, in our relation to the other, that our expectations will always be challenged by what the other has to say. In other words, what we will find in the face of the other will most certainly be something we didn’t expect. And to be responsible for the other is to be willing to be subject to those unexpected, “impure” features which, in our notice of them, sully our preconceptions and bring our expectations into view.

We see the ethics of impurity enacted by one of the closest, and arguably best, readers of testimony. At the close of *Remnants in Auschwitz*, the Italian philosopher Giorgio Agamben describes finding in 1987 a collection of eighty-nine testimonies written by mostly Auschwitz survivors published in an article by Zdzislaw Ryn and

⁷⁷ In his article, Colás is speaking about “writing the other.” I am applying his ideas to the act of reading.

⁷⁸ This is called the “correspondence theory” of truth. For more on this theory, see William James, “A World of Pure Experience” (2000).

Stanslaw Klodzinski. Their article was entitled, “At the Border Between Life and Death: A Study of the Phenomenon of the *Muselmann* in the Concentration Camp.” In *Remnants*, a book Agamben wrote to be “a kind of perpetual commentary on testimony,” the author designates an entire chapter to describing the *Muselmann*, the “walking dead,” prisoners who had lost the will to live, and thus became the purely despised scum of the earth to both guards and other inmates. Once a prisoner reached this state, it was said, he never returned. In terms of testimony, then, the *Muselmann* present a unique case, posits Agamben, because they represent “the absolute impossibility of bearing witness” (164). What Agamben finds, however, in Ryn and Klodzinski’s collection, are testimonies which directly challenge his expectation. Over and over, he reads “I was a *Muselmann*.” It was a phrase Agamben did not expect to find in a testimony. These individuals who could not speak, who were not supposed to be able to speak, did speak nonetheless. Their testimonies had been recorded.

In the introduction to *Remnants*, Agamben states that his intention in writing the book was to attempt to listen closely to testimony. He concludes that this listening “did not prove fruitless work for this author. Above all, it made it necessary to clear away almost all the doctrines that, since Auschwitz, have been advanced in the name of ethics” (13). I would suggest that, to his credit, Agamben ultimately allows the testimonies he reads to unsettle his own doctrine of speechlessness. He closes his work by quoting extensively from these testimonies. In doing so, he enacts a personal subjection to the other, leaving the *Muselmann*—those who, according to his expectations, could not speak—“the last word” (165).

In the end, if we become readers who are open to listening to alternative stories, to reading outside our expectations and projections, we actually enable those kinds of testimonies to be told. It is a kind of reading which attends to the uniqueness of each testimony. Rather than silence the “vexing” components of a text (by either ignoring them or overlaying one’s own preconceptions onto them), I believe it is important that we readers learn how to respect, or listen to, what these individuals have to say. In opening our reading practice, our intention should be to keep our expectations pliable and responsive to the individual text. This is the reader’s responsibility to the other who is the survivor of atrocity. Ultimately, it is by developing our sensitivity to the uniqueness of each testimony that we may, as readers, participate with survivors in transgressing the law of genre.

Chapter 4

Anne Frank Abroad: The Emergence of World Atrocity Literature

“I want to go on living even after my death.”
—Anne Frank

Introduction

This chapter marks a significant shift in my consideration of how genre functions in relation to testimony. Instead of examining the institutional force of generic conventions, how testimonies become generic after WWII, here I would like to concentrate on the blurring and dismantling of genre, a process which I will argue is activated through the movement and cross-influence of texts. Such work recognizes that “genre is not... simply ‘given’ by the culture: rather, it is in a constant process of negotiation and change” (Buckingham 137). As scholars strive to conceptualize what counts as a genre and which texts best express a genre, the instability inherent in all genres causes them to continually evolve. This inevitable evolution of genres enables a constant and productive undermining of such scholarly activity.

By far, the greatest factor driving the evolution of atrocity genres remains the increasing transnational exposure of individual accounts. Works such as the *testimonio*, *I, Rigoberta Menchú*, first published in French translation before the original Spanish version appeared, exemplify a growing body of contemporary atrocity testimonies whose production and circulation are not bounded by a specific region or culture.⁷⁹ The increasingly broad readership of these works induces a complex interplay as diverse

⁷⁹ In *What is World Literature?*, David Damrosch donates an entire chapter, called “Rigoberta Menchú in Print,” to an extended examination of the book’s transnational production.

stories of mass atrocity come in contact with each other. Today, accounts testifying to human rights abuses and genocide now rapidly interface with a number of reading communities and other works of testimony. If the Cambodian filmmaker *Socheata Poeuv* can disclose, before making her documentary on the Cambodian genocide, that she “knew more about the Holocaust than the Khmer Rouge,” what is certain is that such cross-exposure of atrocity accounts is only becoming more prevalent (*New Year Baby*). As both readers and writers of mass atrocity accounts, Menchú and Poeuv occupy a position unique to most of their literary predecessors. Their texts reveal an intimate awareness that their experiences correspond to a global pattern. Unavoidably, their testimonies represent works of comparative genocide.

Although comparisons like Poeuv’s are becoming increasingly more common, relatively little attention has been given to studying the effects of this trend. By way of intervention, this chapter attempts to posit a working description of what I see as an emerging world literature of atrocity. As my primary object, I have chosen what could arguably be considered the most famous example of this literature: Annelies Marie Frank’s *Het Achterhuis*. Written between 1942 and 1944 by a German Jewish teenager and later published by Annelies’ father Otto Frank as *Het Achterhuis* (literally “The House Behind”), the text recounts the life in hiding of the Frank family from the perspective of their youngest daughter, whom they called “Anne.” Known to the English speaking world by its translation, *Anne Frank: The Diary of a Young Girl*, and through its 1955 Broadway adaptation, *The Diary of Anne Frank*, the work marks what many regard as “an essential tool for understanding one of the darkest periods of our history” (Clements, Milwaukee Repertory Theatre), and “the seminal example of Holocaust—and

genocide—literature” (Fry 9). Whether we agree with such characterization, the *Diary* has nonetheless retained its status over the years as the paradigmatic text of atrocity. As the protagonist of Shalom Auslander’s novel *Hope: A Tragedy* (2012) pronounces, even if we have not actually read Anne Frank’s diary, “everyone knows the story.” Because of its widely successful travel outside its original cultural context, it is a narrative which, to my mind, most clearly exemplifies the dynamic functioning of the world literature of atrocity.

This chapter locates Frank’s *Diary* at the intersection of a number of interconnected works. By anchoring this chapter to a single text, what I hope to demonstrate is that, in the production and transnational circulation of an individual account of atrocity, a multitude of cross-influencing voices converge. Reading across these works enables me more easily to probe both the constraints and vulnerability of the institutional frameworks under which these texts labor. The methodology of this chapter, thus, is focused less on theorizing world atrocity literature through a quantity of discrete examples. Rather, I am interested in understanding the particular characteristics of the narrative sphere that is created when a single account of atrocity circulates transnationally.

To begin, what does it mean to call *The Diary of Anne Frank* “world literature”? Most people might think that gaining a broad international audience has something to do with the excellence of the work. The universal appeal of a world literary masterpiece, for instance, is often directly correlated with the author’s particular mastery of language. In *What is World Literature?*, David Damrosch offers a seemingly more pedestrian vision of these works, but one I feel is more constructive, by basing his description of world

literature on any text that travels beyond its culture of origin (4). By this account, to categorize a text as world literature does not necessarily indicate some inherent quality in the work itself, but rather highlights the characteristics of its movement, what Damrosch refers to as a “mode of circulation and of reading” (5).⁸⁰ This nuancing suggests that the international force of a work of world literature may have surprisingly less to do with the text’s content, and more with the nature of a specific reading community in which a text resonates. Following Damrosch’s stress on circulation, my rubric for analyzing texts in this chapter is interested primarily in the details of their cultural production, cross-cultural movement and reception. Questions which probe the transnational and transhistorical circulation of texts now integral to the growing study of world literature remain particularly useful for exploring the broader implications and ethical dilemmas which arise in the circulation of world atrocity literature.

The first part of this chapter examines the historical motivations behind the *Diary’s* transition from relative obscurity to international fame. I am specifically interested in the ways the *Diary’s* adoption as the paradigmatic text has been used in the last half of the twentieth century to underwrite a nascent Holocaust pedagogy. The *Diary’s* initial rise to prominence within the genre of Holocaust literature, I argue, marks an essential step in its foray into the broader canon of world atrocity literature. To explore the text’s legitimization as “the seminal example of the Holocaust” is to

⁸⁰ Damrosch’s definition here represents only one of the many theories of world literature and only a small fraction of Damrosch’s evolving thought on the subject. Indeed, attempts to define the “world” in world literature has produced what Eric Hayot calls a “critical cacophony” in contemporary scholarship. Despite the challenges in defining what counts as “world literature,” the phrase remains, as Hayot points out, “a *marker of scale*, a figure for the relationship between the method of discovery and the breadth of its applicability....an asserted connection to the world-oriented historical present.” In his most recent work, Hayot offers a theory of world literature, against scholars such as Damrosch, which focuses on the ontology of composed works, namely the world produced within and by the literary text. For a succinct overview on the burgeoning field of world literature, see Hayot, *On Literary Worlds* (2012).

understand the foundation for the *Diary's* effective influence over the writing of other atrocity literature.

Reflecting the Euro-centrism of traditional world literary scholarship, most examinations of the *Diary's* translations tend to be limited to the text's publication history in Europe and the United States. For instance, in Francine Prose's *Anne Frank: The Book, The Life, The Afterlife* (2010), a section dedicated to the *Diary's* "afterlife," including its reverberations in the media and schools, allocates only a few paragraphs to discuss the *Diary's* global influence, in which Prose reports attempts by the Anne Frank Foundation to use the *Diary* to promote reconciliation in the Ukraine and Argentina. Instead, scholarship covering the text's contemporary emanations after its publication often highlights the drama surrounding the text's Broadway adaptation, a tale of "high-mindedness and slipperiness...accusations and counteraccusations" that crystallized the debate over the *Diary's* significance (Prose 178).⁸¹ My examination, by contrast, follows the move by contemporary world literary scholars to take seriously the expansive canon of non-Western literature. "It's hard to find much fresh to say about a book that has been scrutinized as much as Frank's diary," states the reviewer of Prose's work in a *New York Times* (Hammer). And yet, very little scholarship has followed the *Diary* beyond its Western iterations. To this end, I concentrate my coverage of the

⁸¹ Meyer Levin, a journalist who witnessed the liberation of Bergen-Belsen, drew public interest to the *Diary* by writing a review for *The New York Times Book Review*. Afterward, Levin became obsessed with adapting the book for the stage. His version was ultimately rejected in favor of a version written by the husband-and-wife team Frances Goodrich and Albert Hackett and producer Kermit Bloomgarden. This latter version would be criticized for its "de-Judification" of Frank. Levin's version was never performed in his lifetime, whereas Goodrich and Hackett's version went on to win the Pulitzer Prize. For a detailed coverage of the drama, see Ralph Melnick, *The Stolen Legacy of Anne Frank: Meyer Levin, Lillian Hellman, and the Staging of the Diary* (1997). In September 2012, three decades after Levin's death, an L.A. based theater company performed Levin's adaptation directed by Jennifer Strome. The performance is available for viewing at <http://www.theidealisonstage.com>.

Diary's circulation primarily outside the West, examining the text's influence in disparate places including North Korea, Cambodia, Bosnia, Palestine, Iraq and Algeria.

Building on the work of Damrosch, I would like to expand the idea that world literature represents a mode of circulation. I contend that the circulation of world atrocity literature is inherently *multimodal*. By this, I mean that the *Diary* does not only travel as a physical book through translation, but often surfaces around the world in more figurative ways. The main body of the chapter proposes a typology of circulation through which Frank's *Diary* travels as world literature. Specifically, its circulation operates in three separate modes, each of which varies in terms of its narrative faithfulness in relation to the original text. I start with the most obvious mode of the *Diary's* circulation—its transnational travel through foreign translations. Within this mode, I examine several unexpected and, at times, disconcerting interpretations of the *Diary* emerging from areas which have received little exposure in Western scholarship. I will then examine two other modes of circulation: the *Diary's* appearance in works of fiction as a text read by multiple protagonists, and the *Diary* as it is appropriated by victims of recent atrocities to authorize their own testimonies. Compared with direct translation, each of these less direct modes represents a progressively more abstract relationship to the original text. Reading comparatively the multiple modes in which a single narrative travels allows me to theorize more broadly the significance of the world literature of atrocity as it functions today. As I observe these diverse interpretations of the *Diary*, the chapter's conclusion considers the ethics of reading atrocity accounts on a global scale.

Canonization of a Text

About the prominence of Frank's *Diary* in the genre of Holocaust literature there can be little exaggeration. Arguably "the most widely read book of World War II" (Rosenfeld 244), its author has become the most famous and beloved victim of the Holocaust, and for most, the only victim they can name. Homage to the text and to Frank herself range in tone from respectful to purely saccharin, one reviewer describing the *Diary* as the "most famous of all works by a victim who happened not to have survived but who lives in our hearts" (Hilberg 14). Over time, praise for the *Diary* has intensified in terms of its sweeping claims as the work has been labeled "the fullest first-hand account by a Jew of life in Nazi-occupied Europe" (Joncney) and "the single most compelling personal account of the Holocaust" (Hampl). In light of such reviews, some scholars have puzzled over the text's journey from virtual obscurity to its world-wide fame at the apex of Holocaust literature. Considering the vast canon of Holocaust literature, which includes numerous diaries written during WWII, what about Frank's *Diary* has garnished it such attention? What exactly has prompted its subsequent dissemination as the most well-known (and at times only) text called upon to transmit Holocaust memory and support a now-international Holocaust pedagogy? Indeed, in light of the *Diary's* worldwide following and the mythic status of Anne Frank herself, answering these questions requires particular sensitivity.

Many attribute the *Diary's* value to its extensive first-hand account of life lived in the midst of the Holocaust. The text's form, a diary written *in situ* instead of a memoir written after the events, seems to make its record of the Holocaust particularly authoritative. The difference between Holocaust diaries and memoirs, as Rachel Reldhay Brenner explains, lies in a diary's unique ability to "record the horror," even as it tries to

escape it through psychological distancing (131). Memoirs written after the war, Brenner contends, may “attempt to return to the experience,” but inevitably fail to get close to the Holocaust. By this logic, reading diaries such as Frank’s is akin to getting a front-row view of the belly of the beast.

In contrast, others argue that authors who write in the midst of an atrocity are, paradoxically, in no better position as witnesses. Listening to witness recordings made in hiding during the Rwandan genocide, journalist James Dawes concludes that what the tapes reveal is not the immediacy of the testimony but its distance (3). “When you’re inside a chaotic situation,” Dawes explains, “how without context you are. In [the witness’s] case, it literally is being in a walled compound. And if you’re down in there, you can’t see what’s going on...it’s really how a lot of people experience traumatic or chaotic events: from a very limited frame of vision” (3). The implication is that the proximity of the testimony is directly related to the contextual limits of a victim’s experience. For Dawes, observing these limits in no way diminishes the horror of the events themselves. What it does recognize, however, is that gaining perspective during the perpetration of atrocity is often impossible. The enormity of the crime can often only be grasped after the events have subsided.

What, then, can a single testimony tell us about an atrocity? What can we know about the Holocaust from reading an individual account? Both of the previous viewpoints represent valid arguments, even as they remain in stark contradiction. To reconcile them with Frank’s account requires that we pay attention to the context of the text’s production. Since no documents have been attributed to Frank after her deportment

to the Bergen-Belsen concentration camp, Frank's last entry on August 1, 1944 written from her hiding place marks the boundary of her narrative.

Describing her internal struggle to conform to her family's expectations regarding her behavior, Frank ends her entry with these words: "I get cross, then sad, and finally end up turning my heart inside out, the bad part on the outside and the good part on the inside, and keep trying to find a way to become what I'd like to be and what I could be if...if only there were no other people in the world" (337). Cynthia Ozick reads the ellipses that close Frank's final entry, "what I could be if...if only," as "curiously self-subduing," signifying "a child's muffled bleat against confinement, the last whimper of a prisoner in a cage" (76). In Frank's case, her witnessing of the Holocaust is limited by her inability to leave her place of confinement. Frank's frame of vision does not increase until her family is betrayed to the Gestapo and, for the first time in years, she is physically taken outside the Annex. As Christopher Bigsby has pointed out, the Greek etymological meaning of ellipses as "to leave out" reminds us that the diary only tells a portion of Anne's life.

Taking the *Diary's* discontinuity into account is important for understanding the text's coding as Holocaust literature. Because Frank did not survive to tell her complete story, the text marks an important limit between what we know of Frank's suffering and eventual death at Bergen-Belsen and what she actually wrote in the Annex. Consequently, the common assertion that writers of the Holocaust struggle with "describing the indescribable" does not pertain to Frank's text. It is not that Frank saw great horror and could not describe it in words, but that she was not yet exposed to the

atrocities of the Holocaust *at the time of writing*.⁸² This distinction is noted by Ozick in her article, “Who Owns Anne Frank?” After praising the writing of Frank’s text as “miraculous” and a “self-aware work of a youthful genius,” she nonetheless concludes that “the diary in itself, richly crammed though it is with incident and passion, cannot count as Anne Frank’s story. A story may not be said to be a story if the end is missing” (78).

When we consider the text by itself, separate from our broader historical knowledge of the Holocaust and of Frank’s own fate, what becomes prominent is not its revelations about the facets of Nazi rule during WWII or the systematic discrimination and extermination of Europe’s Jewish population, but rather the text’s representation of a young girl’s journey towards self-actualization. In terms of content, the *Diary* most closely follows the generic conventions of a classic *Bildungsroman*, a coming of age tale which traces the protagonist’s moral and psychological development from youth to adulthood. Categorized as a *Bildungsroman*, what is exceptional about the *Diary* can be more accurately explained by the material conditions of its production. As the narrative unfolds under a state of perpetual containment, readers are offered a glimpse of the fascinating acceleration of Frank’s maturity as a result of her confinement. As a chronological record of this process, the *Diary* represents a *Bildungsroman* set in fast-forward.

The *Diary*’s coding as Holocaust testimony, rather than as *Bildungsroman*, dramatically alters the reader’s generic expectations of the text. Instead of highlighting

⁸² This is not to discount the pain of living for years in a confined space. However, the actual extent of the systematic persecution and extermination of Jews by the Nazis was knowledge unavailable to the Frank family and many others who were in hiding.

Frank's ability to self-reflexively narrate her accelerated identity formation both as a young woman and author, such talent is transposed in another genre as a unique ability to represent the horror of the Holocaust. In general, what readers don't learn about the nature of atrocity from the *Diary* has, for some Holocaust scholars, been profoundly troubling. According to Lawrence Langer, Frank's words "seem to offer concrete support for the welcome notion that in the midst of chaos, even the chaos of mass murder, the human imagination, to say nothing of other features of the self, can remain untainted by the enormity of the crime" (19). Exemplifying Langer's concern, the October 2012 production of *The Diary of Anne Frank* by the Milwaukee Repertory Theatre marketed the play as "[o]ne of the most beautiful, haunting stories in our shared experience. A testament to the human spirit and its young author's 'boundless desire for all that is beautiful and good,' the play illuminates Anne's unwavering belief in justice and love during more than two years in hiding during World War II" (Clements).

Implied in Langer's critique is the idea that miscategorizing the *Diary's* genre actually undermines our understanding of the Holocaust. What readers get, in other words, by reading *The Diary of Anne Frank* is Holocaust testimony *sans* Holocaust. This may, in fact, be viewed by some as a certain advantage. Readers do not want to confront actual atrocity, Langer suggests, and that is what her text thankfully avoids. Indeed, the most commonly cited passages of Frank's *Diary* in popular culture are those of extreme optimism portrayed as courage in the face of absolute evil. These include her declaration that "[d]espite everything, I believe that people are really good at heart" (Frank 263), and her hopeful pronouncement that "[t]he best remedy for those who are frightened, lonely or unhappy is to go outside, somewhere they can be alone, alone with the sky, nature and

God. For...God wants people to be happy amid nature's beauty and simplicity...I know that there will be solace for every sorrow, whatever the circumstances" (Frank 158).

Although Langer does not frame his argument in terms of genre, what his critique suggests is that a Holocaust account which fails to fulfill the expectations of its designated genre actually becomes complicit in the silencing of Holocaust memory.

Yet, if Frank's *Diary* actually tells us little about the horrors of the Holocaust, it bears noting that such critique does not indicate a failure or complicity on the part of the author. Such criticism is aimed at the work's reception rather than its quality. "[Frank] is in no way to blame for not knowing about what she could not have known about," clarifies Langer, "But readers are much to blame for accepting and promoting the idea that her *Diary* is a major Holocaust text and has anything of great consequence to tell us about the atrocities that culminated in the murder of European Jewry" (18-19). The onus, in other words, for the misappropriation of Frank's diary falls squarely on her overzealous readers.⁸³

This distinction ultimately calls into question the nature of the text's canonization as Holocaust testimony. Ironically, the implication is that what is now considered the most paradigmatic Holocaust text in the world may not offer much insight into the nature of atrocity. Yet, the publicity and transnational circulation of this text shows no signs of slowing. Consequently, the *Diary's* functioning as world atrocity literature tells us less about the way an author writes and more about the way readers interpret and transmit texts. Coming to terms with this paradox demands a careful analysis of the processes by which we read and the limits of what we label as testimony of the Holocaust. What have

⁸³ And, we might add, to the overzealous producers, adapters, and marketers of her text.

readers gained (and what do they concede) by this text's coding as the prime example of Holocaust testimony and its subsequent transmission internationally?

Anne Frank Abroad

“If she was going to be thought exceptional, it would not be because of
Auschwitz and Belsen but because of what she had made of herself since.”
—Philip Roth, *The Ghost Writer*

The international fame of Frank's *Diary* is today well-documented by the number of its translations, now numbering over sixty. Far-flung from the *Diary's* original Dutch, translations of the work into languages such as Farsi, Sinhalese, and Esperanto epitomize the work's extraordinary global reach. Discussions of the “universalization” of the diary, however, have remained oddly limited to the text's proliferation throughout Europe and North America. Given that little has been documented about the text's afterlife in numerous non-European languages, this section attempts to intervene by examining the ways the *Diary* has been interpreted in cultures outside the West.

In Cambodia, the translation of Frank's *Diary* from English into Khmer was completed in 2002. Its translator, Sayana Ser, a Cambodian woman born shortly after the end of the Khmer Rouge genocide (1975-1979), first read the *Diary* as a 19-year-old scholarship student in the Netherlands. Upon returning to Cambodia, she requested permission to translate the *Diary* from English into Khmer. The “Anne Frank Translation Project” was initiated in 2000 with support from the Netherlands' then-ambassador to Cambodia, Laetitia van den Assum. The publication, funded in 2002 by the Royal Netherlands Embassy in Bangkok, has now been widely disseminated across the Cambodian school system.

When a work of literature circulates beyond its culture of origin, explains Damrosch, “the foreign reader is likely to impose domestic literary values on the foreign work” (4). We gain insight into the “domestic literary values” of Cambodia by noting the various ways Cambodian readers have appropriated the *Diary*’s Khmer translation. For instance, dissemination of the translation has proven to be an important pedagogical tool for combating a common public conception that genocide is unique to Cambodia. “Genocide did not only happen in Cambodia,” says Ser in an interview with the United States Holocaust Memorial Museum. Ser’s mission is to show the Cambodian people that genocide “could happen everywhere in the world. So people should look beyond, should see further, should learn from others.” Ser believes her translation offers Cambodians a way to contextualize the Khmer Rouge genocide within the broader framework of the world history of atrocity. Today, the *Diary*’s translation has also opened up positive avenues towards general genocide education throughout Southeast Asia. Sasha Alyson, a children’s book publisher based in Laos, recalls, “I was describing [Frank’s *Diary*] to a bright college graduate here and gave him a little context [to which the student replied] ‘World War II? Is that the same as Star Wars?’” Alyson concludes that Frank’s *Diary* will “provide Lao children with a much-needed lesson in history” (Krausz).

Some have gone so far as to assign the *Diary* the task of future genocide prevention. Youk Chhang, the director of DC-CAM, declares, “If we Cambodians had read her diary a long time ago perhaps there could have been a way for us to prevent the Cambodian genocide from happening.” Apart from these sentiments which tend to overburden the text, the *Diary* continues to be widely used as a therapeutic device to help

Cambodians deal with the past. The Ambassador to Cambodia from the Netherlands, Gerard J.H.C. Kramer, has endorsed the translation, stating, “I hope that many Cambodians will find something of relevance to their own lives and experience in this book and that it can be a source of comfort” (Jay). Linking genocide education with national suffering, Ser states, “We want to teach them about their own history and about the Holocaust, because I think if they know that genocide has happened in other places, they would not feel like they are the only ones that suffered.”

The ways in which Frank’s text has been interpreted according to Cambodian literary values, specifically those aimed at national healing, come into direct conflict with the ethics of reading often associated with Holocaust testimony. The idea of moving on and healing from atrocity has been frequently criticized in Holocaust Studies as overlooking the extent to which the horror of the Holocaust marks a permanent rupture. As Alvin Rosenfeld concludes, “No meaning can be drawn from [Frank’s] atrocious end other than the obvious one: to be a Jew in Nazi-occupied Europe was to be an unwilling candidate for a program of systematic deprivation, persecution, terror, and almost certain death. No consolations or positive ‘lessons’ can be derived from these cruel facts, and certainly no affirmations of life as beautiful should be drawn from them” (13). Likewise, Langer critiques readers who take advantage of Frank’s “manageable narrative” merely to construct self-serving statements about world peace (xii).

While meant to curb such optimistic interpretations of the *Diary*, such criticism assumes a Western readership yearning to forget or even deny the factuality of the Holocaust. However, as is evident in Cambodia with readers who have personally experienced atrocity, Anne Frank’s *Diary* has proven to be a highly therapeutic device.

As Ser remarks, “I think the book is playing an important role for everybody, to learn about compassion, about humankind. And giving hope for the future, and the continuing and the moving on.” When applied to a readership with wholly separate cultural and historical foundations, the ethical framework affirmed by Rosenfeld and Langer loses its defining edge. The challenge, in this case, shifts to the critics to prove an ethical basis for denying Cambodian readers their interpretations of the *Diary*. What the Cambodian case shows us is the tension that exists between our desire to respect culturally-specific interpretations and our impulse to defend that which has deeply defined our cultural understanding of the Holocaust against those interpretations.

In many ways, the difficulty we have defining an ethics of interpretation that functions transnationally lies with our inability to control the text itself. That the *Diary* has been adopted in widely diverse cultural settings may have something to do with the versatility and boundlessness of the narrative. The basic plot—a young and innocent girl is forced to hide for her life from an ominous and evil force—represents a simple enough template for communicating a vast number of stories. Ironically, the thing that makes the *Diary* so usable in so many contexts is the *limited* scope of Frank’s experience confined to the Annex for years. As such, the *Diary* functions as a kind of rhetoric of containment over which numerous projections can be made.

One example demonstrating the extreme range of these projections has been the scandal which erupted around the *Diary*’s use in North Korea. Sparking international outrage, the story broke in 2004 after a Dutch television company gained rare access to cover the adoption of the *Diary* as a required text in all secondary schools in the nation. The film crew discovered that the *Diary* was being used as an allegory to paint former US

President Bush as Hitler and the North Koreans as the Jews. Interviewed by reporter Mirjam Bartelsman, one North Korean student explained, “According to our respected leader Kim Jung Il, the *Diary of Anne Frank* is one of the great classics of the world. That is why we read the diary—out of great respect for our leader” (McElroy). When questioned about what they had learned from reading the *Diary*, one student stated, “That warmonger Bush is just as bad as Hitler. Because of him we will always live in fear of war.” Another student declared, “For world peace, America will have to be destroyed. Only then will Anne’s dream of peace come true” (McElroy).

Despite his disapproval of the *Diary*’s handling in North Korea, Bernard “Buddy” Elias, Frank’s cousin and legal guardian in control of the publishing rights to Frank’s text, maintains that he would “never attempt to restrict its distribution” (McElroy).⁸⁴ Although he condemns the *Diary*’s use in North Korea as “terrible” and “absolutely disgusting,” Elias defends his leniency toward international requests to publish translations of the *Diary*. He explains his reasoning for such a relaxed policy lies in his hope that since “the book is so full of the love of freedom...the North Koreans will get its real message despite the way that they are being trained and rehearsed in what to say” (McElroy). Articulating a vigorous anti-censorship position, Elias’ opinion regarding the *Diary*’s circulation represents a stance held by the many Western readers who view the widening exposure of these texts to diverse audiences in a positive light.

A complex negotiation between the host and source culture of a work is, as Damrosch explains, a natural attribute of world literature: “The receiving culture can use

⁸⁴ One curious exception to this stance was Elias’ furious opposition to “The Diary of Anne Frank: A Song to Life,” a musical version of the *Diary* directed by Rafael Alvero in 2008. Because the musical did not directly quote the *Diary*, Elias had no legal right to halt the production. Despite the initial controversy, reviews after the performance described Alvero’s adaptation as “surprisingly anodyne” (Holland).

the foreign material in all sorts of ways: as a positive model for the future development of its own tradition; as a negative case of a primitive, or decadent, strand that must be avoided or rooted out at home; or, more neutrally, as an image of radical otherness against which the home tradition can more clearly be defined” (283). Thus, Damrosch concludes that world literature is “always as much about the host culture’s values and needs as it is about the work’s source culture” (283). While we may assume that the *Diary*’s circulation will advance Holocaust education, this logic assumes that the text’s “real message” remains stable as it travels across cultural and linguistic boundaries. Yet, as we have seen, other cultures have the ability to form drastically different interpretations of Frank’s *Diary*, some which we may stridently oppose. The reception of Frank’s text in Cambodia and North Korea suggests that the way in which an account travels primarily indicates the text’s *usefulness* in the contexts in which it is received.

Anne Frank, my Sister/Lover/Mother

The *Diary of Anne Frank* not only circulates through more than 60 different languages; it also finds itself imported into multiple works of fiction. There are, in fact, a number of novels in which the protagonist reads the *Diary*. In the past thirty years, these fictional works have included Philip Roth’s *Ghost Writer* (1979), Michelle Cliff’s *Abeng* (1984), Wacini Laredj’s *Shurufat Bahr al Shimal* (2002, Fr. *Les Balcons de la Mer du Nord*), and Shalom Auslander’s *Hope: A Tragedy* (2012). By examining the reading and reception of Frank’s work in each these novels, we can observe the various ways in which the *Diary* circulates intratextually, a mode distinct from direct translation. Looking across these narratives, we see the reader’s experience with the *Diary* from an array of historical and cultural contexts. Each fictional character’s reading of the *Diary*

demonstrates a unique encounter with the text, an encounter deeply determined by that reader's historico-cultural context.

One way to organize these texts is to look at the role that Anne Frank plays in life of the protagonist. For the main character of Cliff's *Abeng*, a racially-mixed Jamaican girl named Clare Savage, the *Diary* serves as a personal guidebook, from which Clare comes to understand both her physical maturation into womanhood and her place in a society coping with a legacy of colonial oppression by the British. Set in the summer of 1958, the novel traces Clare's interaction with the *Diary*, beginning with her purchase of the paperback version. Later, she cuts school because she "needed to see this movie *The Diary of Anne Frank*" (68).⁸⁵ The 12-year-old's similarities with Frank become the catalyst for the protagonist's deep identification, a connection foregrounded throughout the novel: "It was hard for Clare to imagine someone, another girl, who was of her age or near to her age, dying—to imagine her dying as Anne Frank died, in a place called Bergen-Belsen, the year before Clare was born, was impossible" (68). From these initial insights, the *Diary* becomes the key through which Clare struggles to come to terms with the history of racial discrimination in Jamaica. She maps her experience of racism onto the *Diary's* depiction of anti-Semitism. At one point, she reasons to herself, "Just as Jews were expected to suffer in a Christian world, so were dark people expected to suffer in a white one" (77).

"She was reaching," explains the narrator regarding Clare's growing fascination with Frank, "for an explanation of her own life" (72). Reading about Frank's life

⁸⁵ This appears to be an inconsistency in Cliff's novel. The movie version of *The Diary of Anne Frank*, directed by George Stevens and starring Millie Perkins, was released on March 18, 1959, the Spring following Clare's viewing in Jamaica.

provides Clare with a kind of mentorship, offering life instruction beyond a historical-political understanding of discrimination. On a more personal level, Frank also plays the role of older sister to young Clare, serving as a feminine role model who teaches Clare how to negotiate her strained relationship with her mother, and the onset of her menstruation. Calling the *Diary* a “critical intertext” in Cliff’s novel, Alison Van Nyhuis locates close parallels in the narration of Clare’s psychological and physical developments with those found in Frank’s diary entries. “The passages about the girls’ attitudes towards their developing bodies,” Van Nyhuis explains, “and their experiences and expressions of homosocial and homoerotic desires are strikingly similar” (177). For instance, in January 1944 entry, Frank writes the following thoughts about puberty:

I think what is happening to me is so wonderful, and not only what can be seen on my body, but all that is taking place inside. I never discuss myself or any of these things with anybody; that is why I have to talk to myself about them... Sometimes, when I lie in bed at night, I have a terrible desire to feel my breasts and listen to the quiet rhythmic beat of my heart... I already had these kinds of feelings subconsciously before I came here, because I remember that once when I slept with a girl friend I had a strong desire to kiss her, and that I did do so. (146-47)

Similar passages appear in *Abeng*, where Clare relates her private explorations of her body and her feelings toward her friend Zoe:

Clare never asked Zoe whether she stroked herself in her pussy or across her chest or squeezed her own nipples. There were places in her parents’ house Clare could do this secretly—but Zoe lived in a room with her

mother and sister. Clare didn't mention to her friend the sweet and deep feeling when she did these things, nor the salty taste of her own moisture on her fingertips. (107)

In these passages, both Anne and Clare explore their developing bodies in private spaces, their curiosity matched by their reticence to discuss such topics with others. Recalling Anne's experience with her own girl friend, Clare later in the novel finds herself lying naked next to Zoe after the two girls go skinny dipping in a river. In that moment, and unlike Anne, Clare represses her desire to "lean across Zoe's breasts and kiss her" (124).

These passages and others which closely parallel Clare and Anne demonstrate not only Clare's strong identification with Frank, but Cliff's as well. Like her adolescent protagonist, Cliff relates being moved by her reading of Frank's *Diary* to begin writing a diary of her own. In her article, "Notes of Speechlessness," Cliff describes how she stopped writing for many years after experiencing her parents' humiliating exposure of her diary. Cliff's initial influence to write vis-à-vis Frank was ultimately rekindled. As Cliff relates in an interview, Frank "gave me permission to write, and to use writing as a way of survival" (qtd. in Raiskin 68). In its charting of a young girl's reading of the *Diary*, *Abeng* may be read as the semi-autobiographical account of Cliff's experience reading the *Diary*.

Compared with Cliff's portrayal of Frank as older sister, the figure of Frank shifts dramatically in two other novels. The first originates from the America Jewish culture, a place where we expect to find the *Diary*, while the other comes from Algeria, a culture where the *Diary*'s presence proves more surprising. *The Ghost Writer* (1979), composed in English by the Jewish-American author Philip Roth has garnered substantial

scholarship. In contrast, the novel by the equally prolific Algerian author, Waciny Laredj remains virtually unknown to Western readers.⁸⁶ Entitled *الشمال بحر شرفات* (*Shurufat Bahr al Shimal*) or *Balconies of the North Sea* (2002), the work has yet to be translated from its original Arabic into English.⁸⁷ Despite the differences of place, time and languages employed by Roth and Laredj, there are some striking similarities in the way their protagonists relate to the *Diary*. Nathan Zuckerman, the protagonist of Roth's *Ghost Writer* and Yassine, the main character of Laredj's *Shurufat Bahr al Shimal*, both recollect their past reading of the *Diary*, albeit with diametrically opposite reactions.

For Zuckerman, a fledgling Jewish American writer, his encounter with the *Diary* is primarily a negative one. The *Diary's* international fame is an annoying reminder of his own inadequacies as an author. Zuckerman stands condemned by New Jersey's Jewish community for writing scandalous fiction about "kikes and their love of money" (118). By way of redemption, a family friend, Judge Leonard Wapter, offers him the following suggestion: "If you have not yet seen the Broadway production of The Diary of Anne Frank, I strongly advise that you do so. Mrs. Wapter and I were in the audience on opening night; we wish that Nathan Zuckerman could have been with us to benefit from the unforgettable experience."

Nathan refuses this intervention, and tells his parents:

"Nothing I could write Wapter would convince him of anything. Or his wife."

⁸⁶ Also written as Wacini al-A'raj.

⁸⁷ The novel's sole translation into French was undertaken a year after its initial publication. All quotations come from this French version, *Les Balcons de la mer du Nord* (2003). All English translations are mine. As far as I know, Lamia Ben Youssef Zayzafoon's article, "Anne Frank Goes East: The Algerian Civil War and the Nausea of Postcoloniality in Waciny Laredj's *Balconies of the North Sea*" (2010) is the only scholarly work written in English or French dedicated to this book. Anissa Talahite-Moodley's *Problématiques Identitaires et Discours de l'exil dans les Littératures Francophones* (2007) includes a short analysis of the novel but excludes all discussion of Laredj's use of Anne Frank.

“You could tell him you went to see *The Diary of Anne Frank*. You could at least do that.”

“I didn’t see it. I read the book. *Everybody* read the book.”

“But you liked it, didn’t you?”

“That’s not the issue. How can you *dislike* it?” (Roth 107)

In this scene, the novel parodies the *Diary*’s ubiquitous influence in defining and normalizing an American Jewish cultural identity in the 1950s.⁸⁸ Socialized within this cultural context, Nathan reads the *Diary* as a literary benchmark against which he repeatedly comes up short.

In Laredj’s *Balconies of the North Sea*, the novel’s protagonist Yassine reads the *Diary* in a significantly different context than Nathan’s. The novel begins as Yassine, an Algerian Muslim exile, flees from his native Algeria to Northern Europe. At one point, Yassine recalls the comfort the *Diary* provided him while in hiding during the Algerian Civil war. Finding his way to Amsterdam, Yassine learns from his hotel’s concierge that he stands only a short distance from the Frank family’s Secret Annex. The news propels him into a reverie from which we discover the *Diary*’s significance in Yassine’s life:

The Diary of Anne Frank filled my solitude during my dark years. We are so alike in fear! Sometimes, we learn more from the simple books of children than from big academic lectures. Anne Frank had transformed

⁸⁸ See, for instance, Cynthia Ozick’s brutal critique of the *Diary*’s adaptation for Broadway: “The diary...has been infantilized, Americanized, sentimentalized, falsified, kitschified, and, in fact, blatantly and arrogantly denied” (78). Her article “Who Owns Anne Frank?” has become famously controversial for her questioning about whether the *Diary*, given the extent of its exploitation, should have been burned.

my view of life, to perceive it with an increased sensitivity and to consider it as something that was worth the price. (Laredj 84)⁸⁹

Yassine's self-exile, we learn, is in protest of the Algerian government's granting of amnesty to a large swath of prisoners at the close of the Algerian Civil War. Among those set free are the murderers of Yassine's younger brother Aziz.⁹⁰ Leading up to this breaking point, Yassine had been forced into hiding during the most intense periods of the war. Recalling his reading and rereading of the *Diary* during "those dark years," Yassine directly references his own traumatic experience of war through his close identification with Frank's account. For Yassine, Frank's *Diary* represents a kind of survival guide with the figure of Anne standing in as both an empathetic friend and a wise teacher.

As such, Laredj's novel can be situated in a body of works which utilize Holocaust themes to depict collective memories of suffering during the Algerian Civil War. In their engagement with the Holocaust, Maghrebien writers of this tradition tend to collapse strict distinctions between Jewish and Muslim collective memory, deconstructing ideas of separate biological, religious or ethnic ties. Pointing to unifying circumstances such as the frequent use of the term "Muselman" or "Moslem" to depict Jews on the brink of death in Treblinka, Dachau and Auschwitz, these writers radically reconfigure national identity based on shared memories of suffering defined in broad

⁸⁹ "Le *Journal* d'Anne Frank a meublé ma solitude durant mes années sombres. Comme nous nous ressemblons dans la peur! Parfois des livres simples et enfantins se révèlent plus instructifs que de grands discours pédagogiques. Anne Frank m'avait donné à voir la vie différemment, à la percevoir avec une sensibilité accrue et à la considérer comme quelque chose qui en valait la peine."

⁹⁰ Laredj's novel can be interpreted as a direct critique of the "Charter for Peace and National Reconciliation," a so-called truth and reconciliation report published by the Algerian government on August 15, 1999 at the conclusion of the Civil War. This report might certainly be categorized with other faked or fraudulent accounts which mimic the law of genre (in this case of the truth report) in letter but not in spirit.

terms, what Maghrebian literary scholar Lamia Ben Youssef Zayzafoon calls “blood memory.”⁹¹

As readers, the protagonists of these works display an intimate knowledge of the *Diary*, and their reactions are representative of the *Diary*’s actual readers. As *fictional* readers, however, their engagement with the *Diary* evolves into something much more intimate. Zuckerman’s and Yassine’s separate obsessions with the *Diary* are eventually personified as each meets and falls in love with Anne Frank herself. In both narratives, we find the figure of Frank very much alive and, in Roth’s novel, exceptionally erotic. Though initially the two protagonists are merely readers of the *Diary*, each ends up seduced by Anne Frank.

Laredj paints Yassine’s encounter with Frank with a considerably lighter touch than Roth. During his visit to the Annex, Yassine confesses, “Every time I began to feel lost, I opened Anne Frank’s *Diary* like a lover reading the first love letter from the woman that he had silently loved all his life” (118). The intimacy evoked in this passage reveals the extent of Yassine’s devotion and provides a lens through which to read his encounter with Frank. As he walks through the historic corridors of the Frank family’s hiding place, Yassine suddenly glimpses the “childish silhouette” of Anne Frank crossing the hall. Following her into a bedroom, Yassine sits next to her on a bed comforting a frightened figure of Anne who still believes she is hiding from the enemy.

Attempting to create a safe and intimate environment, Yassine’s mood is ultimately ambivalent, caught between comforting a scared little girl and embracing the woman of his fantasies. “I read the slightest lines in the features of her childish face,” he

⁹¹ For descriptions of “muselman,” see Primo Levi’s *Survival in Auschwitz* (1996), Giorgio Agamben’s *Remnants of Auschwitz: The Witness and the Archive* (1999).

thinks while holding her, “Things had not changed a lot; it was the same voice, the same confusions, the same shivers, the same panting silence, the same groans of agony begging in vain for a little saliva to be swallowed” (118). As he carefully studies his long lost lover, Yassine’s repeated descriptions of Anne as “shivering,” “panting” and “groaning” take on an erotic tone. When Anne whispers into his ear, Yassine “feels the shiver of her panting voice in its childish inflection.” He goes on to remark, “But she has always been amongst those who died before being able to take full advantage of her existence. She was looking for something else to connect her to life” (117).⁹² Although never explicit in the text, Yassine’s implied desire is to be the channel through which Anne might “take full advantage of her existence.”

Readers familiar with Roth’s extensive oeuvre expect him to be explicitly sexual and, on this point, *The Ghost Writer* does not disappoint. In the novel, only the first of a number of Roth’s texts which mention Frank,⁹³ the reincarnation of Anne can be described as an extended titillation for the protagonist. Transposing Anne from beloved Holocaust victim to desired Holocaust survivor, Roth reinscribes Anne in the role of Jewish femme fatale, seducing the male characters, and making all the women jealous.

⁹² Puis elle vint, s’assit à côté de moi et murmura en stimulant un courage qui n’était pas de son âge: /--ça y est, ils sont partis./--Anne? Il n’y a rien ici. La ville dort à présent./Ils sont partis. Je perçus le tremblement de sa voix haletante à l’inflexion enfantine. Mais elle était toujours là avec le flot de ceux qui étaient partis sans avoir pu profiter de l’existence, elle cherchait quelque chose qui la rattachât à la vie. Chaque fois que les horizons se bouchaient devant moi, j’ouvrais le *Journal* d’Anne Frank tel un amant lisant la première lettre d’amour qui lui parvenait de la femme qu’il avait aimée tout sa vie en silence. Je lisais les moindres traits de son visage enfantine. Les choses n’avaient pas beaucoup changé, c’étaient les mêmes voix, les mêmes confusions, les mêmes frissons, le même silence haletant, les mêmes râles d’agonie quémendant en vain un peu de salive à avaler. (117-118)

⁹³ While *The Ghost Writer* represents only one in seven novels in which Roth mentions Anne Frank, the novel has by far received the most extensive scholarly criticism, particularly for its maintained focus on the character of Anne. Anne Frank also receives brief mention in the following Roth novels: *My Life as a Man* (1974), *Zuckerman Unbound* (1981), *The Prague Orgy* (1985), *Deception* (1990), *Operation Shylock* (1993), and *Exit Ghost* (2007).

Her first appearance in the narrative comes when Nathan, in search of a proxy father-figure, is invited to spend the night at the home of his literary idol, the prominent Jewish writer E.I. Lonoff. Upon entering the home, Nathan notices a young girl reading in the study: “There she was, hair dark and profuse, eyes pale—gray or green—and with a high prominent oval forehead that looked like Shakespeare’s...Where had I seen that severe dark beauty before?” (Roth 16-17). The girl, Amy Bellette, turns out to be a young and mysterious Jewish refugee from Europe, staying at Lonoff’s home as his writing protégée (40). Over the course of his stay, Nathan learns Bellette’s true identity as Anne Frank. Now in her mid-twenties, Amy/Anne miraculously escaped the war only to make her way to America and change her name to Amy Bellette.

Besides providing him with the ultimate erotic conquest, the rebirth of Amy/Anne also gives Nathan a chance to regain the much sought-after approval of both his father and the Jewish American community. Projecting into the future, Nathan pictures his triumphant introduction of Amy/Anne to his parents: “This is my wife, everyone....Remember the dark hair clipped back with a barrette? Well, this is she...Anne, says my father, *the* Anne? Oh, how I have misunderstood my son. How mistaken we have been!” (Roth 159). For Nathan, Amy/Anne represents the ultimate trophy Jewish American wife. Ultimately it is this drive to regain his status in the community that draws him into a complex fantasy involving the physical character of Anne Frank.

In an apparent completion of Frank’s fictional life cycle, she appears in Shalom Auslander’s darkly comedic novel, *Hope: A Tragedy*, as a deranged and decrepit old woman. Having secretly survived the war, Frank is discovered squatting in the attic of an

American home. Unlike Laredj and Roth, Auslander is “neither a voyeur nor a romantic when it comes to conjuring Anne,” writes Janet Maslin in a *New York Times* review. Instead, Auslander’s Frank is portrayed as a crotchety, abrasive narcissist, concerned almost exclusively with the book sales of her *Diary*. Similar to Roth’s novel, Auslander’s text features a Jewish-American protagonist, man named Soloman Kugal, who has since birth been harangued by the legacy of the *Diary*. When Kugal hears a tapping in the attic and investigates for what he hopes are mice, he instead finds Anne Frank herself crouching over a typewriter, attempting to complete her second novel.

Kugal’s initial encounter with Frank’s “first novel” is depicted as one of punishment. He is brought the text by his overbearing mother who, by the time he reached the age of thirteen, had made him “read Elie Wiesel’s *Night*, and *Dawn*, and *Day*, and Primo Levi’s *If This is a Man*; and sit through all three hours of Stanley Kramer’s *Judgment at Nuremberg*, all seven and a half hours of NBC’s *Holocaust*, and all nine hours of Claude Lanzmann’s *Shoah*” (105). When she finally hands him *Anne Frank: The Diary of a Young Girl*, Kugal bargains with his mother to watch all five hours of the Holocaust documentary *The Sorrow and the Pity* instead. At one point, he admits to the Anne Frank living in his attic that he never actually read her *Diary*.

Auslander’s novel might have offended more, rather than receive the guardedly positive reviews that it has, if his narrative was not so absurdly humorous. When Kugel tries to coax Frank to leave his attic, she screams at him: “Thirty-two million copies, Mr. Kugel, that’s nothing to sneeze at! I will leave this attic when I finish this book, and not one moment sooner! Not one moment sooner! I am a writer, Mr. Kugel, do you hear me! A writer!” (61). In another scene, Frank conscripts Kugal to become her personal

shopper, grumbling “I’m out of matzoh. I can’t work without matzoh” (52). In response to her growing demands throughout the narrative, Kugal pendulates between gnawing frustration and soul-crushing guilt for desiring to throw her out: “Six million he kills...and this one gets away” (111).

Auslander pulls no punches in appropriating the voice of Frank to dole out a scathing critique of the ways the *Diary* specifically, and the Holocaust in general, continue to feature prominently in contemporary Jewish American culture: “Me, I’m the sufferer. I’m the dead girl. I’m Miss Holocaust, 1945. The prize is a crown of thorns and eternal victimhood. Jesus was a Jew, Mr. Kugal, but I’m the Jewish Jesus...I love God and hate his followers...I think never forgetting the Holocaust is not the same thing as never shutting up about it” (266). By inverting the young and hopeful Frank that readers expect to find with one who admits she is “sick of that Holocaust shit,” Auslander initiates a vitriolic attack on the commodification of the Holocaust (286). As such, Auslander’s novel represents an attempt to exorcize the idolized characterization of Frank from the Jewish American psyche.

When an historical testimony is inserted into a fictional account, the means by which a testimony is read (or not read, in Kugal’s case) and absorbed into an individual’s daily life become foregrounded. Reading across these novels, we see how reactions to a single testimony traverse the emotional spectrum from oppression to comfort, given the reader’s rhetorical-cultural context. It is interesting to note that, for the two Jewish American protagonists, Nathan Zuckerman and Solomon Kugal, the *Diary* comes across as oppressive, and its author obnoxious. Because both protagonists are told as young men that they must read the *Diary*, their accounts not only resist the text itself, but the

institution which has formed around the figure of Frank. Ultimately, the struggle of these readers represents an attempt by Roth and Auslander to negotiate the cultural capital which has consolidated around Anne Frank in American Jewish culture. By contrast, Clare and Yassine, two fictional protagonists who read the *Diary* outside of the Jewish American context, find the book uplifting and supportive of their experience. Unburdened by the cultural legacy of Frank in the States, her experience becomes easily co-opted into the post-colonial spaces occupied by fictional readers of Algeria and Jamaica. Reading the *Diary* is a revelatory act, offering both Clare and Yassine a way to negotiate their own experiences of discrimination and injustice.

The Anne Frank Phenomenon

To observe the final mode of the *Diary's* circulation requires that we move from the fictional world back into the real world, where a number of foreign “Anne Franks” have arisen in the past decades. These various “Annes” are female authors whose accounts of atrocity are, in their marketing and distribution, authorized under the name of Anne Frank.⁹⁴ I have tracked this international phenomenon through numerous countries, finding references to the Anne Frank of Cambodia, Palestine, Russia, France, Taiwan, Albania, Bosnia, Vietnam, and Iraq. In several cases, multiple Anne Franks have appeared from a single country.

For some, the emergence of these Anne Franks is a point of national pride. “I have seen many Anne Franks in Cambodia,” states Youk Chhang, the Executive Director of the Documentation Center of Cambodia, in an interview about the *Diary's* translation

⁹⁴ As an exception, the one male Anne Frank I have found, Shih Ru-chen (許壬辰), comes from Xinzhu, Taiwan where it is reported he hid in a wall for 18 years during the White Terror period. See Dan Bloom's article, “Many Tales from White Terror Era to be Told” in *Taipei Times* (March 5, 2007).

into Khmer (Krausz). Still others view the phenomenon as deeply disturbing. In his discovery of numerous “Palestinian Anne Franks,” Alvin Rosenfeld condemned the writers for taking advantage of the name-recognition to publish their own diaries detailing their fight against “Israeli Hitlers” (17). The variety of reactions to these female authors begs the question, who has the right to take up Frank’s name and what does it mean to label someone an “Anne Frank”? What characteristics of Anne Frank as a figure are evoked when the name is referenced by the media and, at times, by the writers themselves? To further explore this phenomenon, I begin with a comparative look at the “Anne Franks of Cambodia,” three women who wrote testimonies of the Cambodian genocide: Loung Ung, Chanrithy Him and Hout Bophana.

Often referenced together, Loung Ung’s and Chanrithy Him’s experiences of the Khmer Rouge genocide, at ages 5 and 9 respectively, are remarkably similar. Raised in the United States as refugees, both Ung and Him come from a generation of exiled children who escaped Cambodia directly following the genocide. Consequently, they wrote their experiences in English. In both Ung’s *First They Killed My Father* (2000) and Him’s *When Broken Glass Floats* (2001) the crux of the narrative concerns the memoirist’s shock at watching her father taken away by the Khmer Rouge to be killed. After recounting this initial trauma, both authors describe losing most of their family members to murder, starvation and disease. Although Anne Frank is not directly referenced in either Ung’s or Him’s text, reviews often note that both authors chose to narrate their stories in the style of the *Diary*, writing in the present tense from a child’s point of view. While neither Ung nor Him have admitted that they used the *Diary* as a model for their texts, the marketing of their books vigorously promotes the comparison.

The orchestration of the Khmer translations of Ung's memoir and Anne Frank's *Diary* for simultaneous release in Cambodia in 2008 represents one example of this intentional paralleling of narratives. Following the release of the two translations, Ung gained the title of the "Anne Frank of Pol Pot's killing fields" and her account has been called "The Diary of Anne Frank of Cambodia" (Long). In a review of Ung's book, John Riddick proclaims, "In this 'Age of Holocaust,' Ung's memoir of her childhood in Pol Pot's Cambodia offers a haunting parallel to the writings of Anne Frank in the Europe of Adolf Hitler" (*Library Journal*). Conflating the two narratives, Luke Hunt declares in his coverage of the dual release, "Translating the stories of two little girls who lived decades, and continents, apart but experienced the horrors of genocidal regimes was a painstaking job and full of heartache" (Hunt).

In terms of genre, the fact that Ung composed her memoir as an adult actually marks a significant difference from Frank's diary. Yet, for reviewers, what seems to make Ung an "Anne Frank" revolves around her style of writing, using childlike memories interspersed with interviews she conducted with older family members. Considering that this was the first Khmer publication of both accounts in Cambodia, it is worth noting that it was not Anne Frank who was marketed as the "European Lounge Ung." The fact that the name of Anne Frank is utilized as an authorizing figure in Ung's native country shows the remarkable power of this identification.

Difficulties arise when this identification feels forced, however, especially in circumstances where writers feel little affinity with Anne Frank. The alignment of Chanrithy Him with Anne Frank demonstrates the problematic nature of this identification. In her how-to book *Non-Fiction Book Proposals Anyone Can Write*

(2000), Elizabeth Lyon reproduces a letter written by Him to literary agent Meredith Bernstein which asks for assistance in selling Him's memoir. Used as an example of good marketing strategies for querying agents and editors, Him's letter nonetheless expresses her ambivalence at being characterized as Anne Frank: "When I spoke at a 1991 conference at Portland State University," Him recounts, "I was introduced to the audience, made up of educators and counselors, as 'the Cambodian Anne Frank.' While there are similarities in our stories, there are also differences, not the least of which is that the Cambodian holocaust is still underreported. In particular, the story of Cambodia's children has not been fully told" (Lyon 216). Distancing herself from the label of Anne Frank, Him distinguishes her experience and what she terms the Cambodian holocaust from Frank's narrative. Yet, the inclusion of Anne Frank in Him's letter to Bernstein ultimately works to authorize Him's credentials as a writer of atrocity literature.

Interjecting parenthetical remarks throughout Him's letter, Lyon offers the following critique: "This paragraph introduces the author as a public speaker and offers a terrific selling handle, 'the Cambodian Anne Frank.' The second sentence appeals to a larger reason for publishing the memoir—letting others know about the 'underreported' holocaust of Cambodian children. I would have begun a new paragraph after this" (Lyon 216). Rather than critique Him's identification with Anne Frank, Lyon declares this adopted persona to be a "terrific selling handle." And, based on the fact that Bernstein did eventually represent Him in marketing her memoir to W.W. Norton in 2001, Lyon is right.

Hout Bophana's experiences of the Cambodia genocide was significantly different from those of Ung and Him's. This is partially due to the fact that Bophana was

an adult when the Khmer Rouge invaded Phnom Penh in 1975. Since she was unable to flee Cambodia, Bophana's writing during this time directly led to her murder at Tuol Sleng, the famous Khmer Rouge torture center located in Phnom Penh. Her story was first publicized in Elizabeth Becker's *When the War Was Over* (1986), a book on the Khmer Rouge genocide. Conducting research at Tuol Sleng as a war correspondent for *The Washington Post* in Cambodia, Becker uncovered reams of forced confessions and numerous love letters written between Bophana and her husband Ly Sitha. Touring Tuol Sleng today, the grounds where both Bophana and Sitha were executed in 1976, the story of the couple's life and tragic love can be viewed twice daily in a documentary directed by Rithy Panh entitled *Bophana: A Cambodian Tragedy*. "Against the madness of the Khmer Rouge regime," declares Panh, "Bophana became a heroine in the Cambodian tragedy. Her constant resistance and her striking beauty were equally unacceptable to the butchers of the Cambodian people" (109). Bophana's identification as an Anne Frank is linked to her symbolic role as romantic heroine of a nation. "Called the Anne Frank of Cambodia," explains Becker, "Bophana has become a folk heroine" ("Minor Characters").

In this construction, Bophana is an "Anne Frank" because she demonstrated courage in the face of death. As romantic heroines of the nation, Frank's and Bophana's personae are asked to carry significant symbolic weight. In a *New York Times* article, Becker remarks about Bophana, "Among all those victims, one woman's life -- and death -- has come to symbolize the horrors of the Khmer Rouge regime" ("Minor Characters"). Responding to similar statements made about Frank, Alvin Rosenfeld critically wonders, "Why is it that *one name* and *one story* continue to have a resonance...? This one person,

of course, is Anne Frank, who for decades has been singled out as the preeminent victim of the Holocaust—the one who, above all others, has given a face and a name to the catastrophe visited on the Jews of Hitler’s Europe.” (“Anne Frank”). The metonymic use of the names of Frank and Bophana seems to make a positive connection between the writer and the atrocity. According to Becker, Bophana’s name directly evokes “the horrors of the Khmer Rouge regime” for Cambodians. Frank, likewise, “has given a face and a name to the catastrophe visited on the Jews.” In this logic, the name of an individual victim has come to encapsulate the entirety of an atrocity.

If “Anne Frank” now stands in for the Holocaust and “Bophana” for the Khmer Rouge genocide, such metonymy functions as a convenient counterbalance to the discomfort of reading about atrocity. As Rosenfeld explains, readers choose to remember only certain characteristics of Anne Frank, namely, the “Anne who stands as a positive symbol of articulate innocence and transcendent optimism in a world of brutal and ultimately lethal adversity” (“Anne Frank” 3). Demonstrating this tendency to idolize the figure of Anne, Becker states that she was “surprised at how deeply satisfied I felt, knowing Bophana had evolved from her first appearance in my book to become a national figure. Today, she looms so large in the public imagination that not even Chhang remembered where he had first come across her story. ‘It’s funny,’ he said. ‘I forgot she came from your book’” (“Minor Characters”). If Bophana “came from” Becker’s book, it was a Bophana which Becker felt “deeply satisfied” to have helped create.

Like the parallels drawn between the *Diary* and Ung or Him’s account, the collapsing of Bophana’s writing with Frank’s tends to gloss over significant differences

between the narratives. Perhaps the most obvious difference can be seen in the authors' motive for writing. Frank recopied and edited large portions of the *Diary* in the hope of one day becoming a famous author. In Bophana's case, personal love was a crime punishable by death during the Khmer Rouge period. In this context, the act of writing love letters can be interpreted as direct resistance against the State. As an overt fight against oppression, the subversive nature of Bophana's writing risks becoming trivialized when her text must be authorized by the *Diary*.

The Blog of Anne Frank

Today, the authors whose experiences are most frequently compared to Frank's are young women who write during wartime. I will conclude this chapter by looking at two of these Anne Franks, Zlata Filipović from Bosnia and Hadiya from Iraq. Although these authors chose different forms in which to write—Filipović composed a diary and Hadiya wrote an online blog—both shared Frank's experience of uncertainty as they wrote in the midst of war.

At age eleven, Filipović began writing a diary to record her experience living through the Bosnian war. Composed between the years 1991-1993 and published in 1995 as *Zlata's Diary*, Filipović's text includes her reaction to being identified by her teachers and peers as the Anne Frank of Sarajevo. Three passages of her diary, in particular, stand out for their portrayal of Filipović's negotiation with the label Anne Frank. The first, written on March 30, 1992, appears early in the text: "Hey, Diary!" records Filipović, "You know what I think? Since Anne Frank called her diary Kitty, maybe I could give you a name too. What about: ASFALTINA PIDŽAMETA ŠEFIKA HIKMETA ŠEVALA MIMMY or something else??? I'm thinking, thinking...I've decided! I'm

going to call you MIMMY. All right, then, let's start" (March 30, 1992). Imitating the personification of Frank's diary as "Kitty," Filipović's entry implies her intention to align her writing with the *Diary*, and herself with Anne Frank. At this point, Filipović's relationship to the *Diary* shows a reliance on Anne to model a strong and composed writer during war. However, just a year and a half later, there is a noticeable shift in Filipović's writing away from these earlier positive associations with Frank. For instance, on August 2, 1993, Filipović writes, "Some people compare me with Anne Frank. That frightens me, Mimmy. I don't want to suffer her fate." Two months later, her diary takes on a more urgent tone in relation to Frank: "That's why I have to try to get through all this, with your support, Mimmy, and to hope that it will pass and that I will not suffer the fate of Anne Frank. That I will be a child again, living my childhood in peace. Love, Zlata" (181 Wed. Sept 29, 1993). As the Bosnian war continues, we see that the figure of Anne Frank in these passages briefly sustains but then ultimately haunts Filipović. This marks an important distinction between Filipović's identification with Frank's text and with Frank herself. Whereas Anne's diary, "Kitty," can be safely mimicked by Filipović's "Mimmy," for Filipović to identify with Frank beyond the text of her *Diary* means experiencing a suffering and death similar to Frank's. Increasingly referencing Frank's "fate" as something to be feared, Filipović's diary is a record of her ambivalence toward being labeled as an Anne Frank. On the one hand, her self-identification with Frank benefits by imparting a certain amount of fame, an identity that served both to mentor her writing and rescue her from the war. In fact, due to the international success of *Zlata's Diary*, the text's publishers successfully appealed for assistance from the French government to allow Filipović and her family to immigrate to

France. On the other hand, such identification also requires Filipović to reconcile how she can be the Anne Frank who *survives*.

The figure of Anne Frank seems similarly to haunt the so-called Anne Frank of Iraq, a 15-year-old Iraqi girl who, for her protection, writes under the pseudonyms “Iraqigirl,” “Hadiya,” or “Hadia.” First posting in 2004 from her hometown of Mosul, Hadiya’s blog records her daily life under the US military occupation of her country.⁹⁵ The topics of her posts range from innocuous statements about her bedroom to a strong critique of American soldiers in Iraq. Since 2004, Hadiya’s blog has gained a large international audience with Hadiya touted as “the Anne Frank of our time” (Barack). While no longer updating frequently, Hadiya has kept her blog public, allowing readers to respond to past posts in the comments section. Although she has yet to mention Anne Frank herself, her readers have encouraged the connection. In August of 2004, one blogger gave her the address of the Anne Frank house, writing, “You must be as tough as [Anne Frank] was. Keep on laughing and wondering” (Jan). On August 31, 2005, another blogger suggested Hadiya read Frank’s *Diary*, stating “It is also about a girl who didn’t get to live out her dreams. It is very sad. I hope and believe that you will some day get to live in a happy, free and prosperous Iraq. I think this will happen, but it must be hard for you to believe that right now” (Rick). Although we might find these comments trite, it is interesting to note the repeated suggestion by readers that Hadiya compare her life with Anne Frank.

Due to the blog’s overwhelming popularity, in 2009 Hadiya was approached by Haymarket books to publish her blog posts in book form. In the published text, Frank

⁹⁵ To date, Hadiya’s blog is still active: <http://iraqigirl.blogspot.com>. She is currently in her 20s and pursuing a pharmaceutical degree.

appears as a framing device in the book's extra-textual additions where readers are invited to make direct comparisons between Frank's *Diary* and Hadiya's account. The title, for instance, chosen for Hadiya's text, *IraqiGirl: Diary of a Teenage Girl in Iraq*, mimics of the publication of Frank's diary: *Anne Frank: The Diary of a Young Girl*. Anne Frank is also referenced in the book's introduction: "Anne Frank's ghost floats over the jokes Hadiya intersperses in the text" (10). One of the book's concluding "Discussion Questions" asks, "Several other young people's wartime diaries have become famous testaments of the experience of war—Anne Frank's Holocaust diary and Zlata Filipovic's diary from Sarajevo, for example. This book is based not on a personal diary, but on a blog. How do you think writing for an audience might have affected what Hadiya wrote?" (187-188).⁹⁶ Here, Anne Frank serves as the *lingua franca* allowing North American to identify with an Iraqi teenage girl.

In her article, "Iraqigirl: The Modern-Day Anne Frank," Lauren Barack interviewed the book's two editors, Elizabeth Wrigley-Field and John Ross. When questioned about comparison between the stories of Hadiya and Anne Frank, Wrigley-Field remarked that one crucial difference is that Hadiya wrote "very publicly as a blog, and she was motivated quite consciously that what Americans were hearing about the war did not match what she was experiencing, and she wanted them to know about it." Unlike Frank, Hadiya regularly receives personal advice and counsel from her readers. One blogger, identifying herself as a grandmother from Canada, wrote on May 1, 2006, "Someone a couple of years ago, said you reminded them of Anne Frank. She was a

⁹⁶ It is interesting to note that the comparison of these texts as "war-time diaries," instead of accounts of atrocity or genocide, marks a careful maneuvering which avoids equating the actions of the US military with those of the Nazis.

young Dutch girl, who kept a journal during the war... You probably have heard of it.

You do sound a little like Anne. She too....felt that her mother enjoyed her sister more. As a mother...I can tell you, that its (sic) not a matter of loving one child more than the other, or thinking one is smarter than the other.” The public nature of Hadiya’s blog demonstrates that, despite localized war, total isolation from the outside world is becoming increasingly improbable. If young girls can now write about atrocities in real-time for an international readership, their consciousness of this readership influences how and what they write.⁹⁷

Clearly, the Internet has forever changed the ability of authors and publishers to directly compare stories against Frank’s text. Hadiya’s story in particular illustrates the fact that we cannot conceive of world literature today (especially the parameters and features of its circulation) without taking into consideration how technology has changed the production of texts. Ross suggests that “[i]f the technology had existed, Anne Frank would have been a blogger as well.” How might that have changed what she wrote? If Hadiya’s experience gives any indication, Anne Frank would certainly have had to negotiate her writing with the desires of an international audience.⁹⁸

⁹⁷ Stories similar to Hadiya’s emerge frequently in the news. A young girl named Malala Yousafzai earned fame across Pakistan for writing an online diary, writing under the pen-name Gul Makai for BBC Urdu, regarding life under the rule of Taliban militants.

⁹⁸ Further research is certainly merited into the ways the digital age has both enabled and constrained testimonies. The digital age has contracted the distance between witnesses of atrocity and their audiences world-wide, resulting in what could be called the textimonial era. Examples include the productive use of social media (Twitter, Facebook, blogs etc) in protests and revolutions (Moldova 2009; Iran 2009-10; Tunisia 2010-11; Egypt 2011). The delivery mechanism itself has also been used as a means of censorship and oppression. For example, in February 2012, the Syrian military used cell phone signals to triangulate the location of witnesses and bombed buildings in order to target and censor witnesses of civilian shelling by President Bashar al-Assad’s forces. In February 2012, British war correspondent Marie Colvin was killed in such an attack in the Syrian city of Homs.

This raises the question about the possibility of a *Diary* like Anne Frank's being written today. The irony is that, despite the unlikelihood of the *Diary* being produced in a technological age, these later writers are nonetheless pressured to write generically in order to fulfill their audience's expectation of reading a text similar to Anne Frank's. In terms of genre, Anne Frank did not know she was writing Holocaust literature. Hadiya and Zlata, however, must labor under the consciousness that they are writing "like Anne Frank." If narratives of atrocity now regularly interface, we might consider the extent to which the circulation of narratives like the *Diary* has the propensity to both enable and constrain authors who offer accounts of other atrocities.

Conclusion

Since atrocity is, arguably, a world-wide phenomenon, any responsible study of this literature must take its global scope into account. Tracing the multiple modes through which a single atrocity narrative travels on a global scale allows us to observe the differences in reception and interpretation based on the readers' cultural context. Although these modes of textual travel take place simultaneously, I have ordered my discussion to facilitate a comparison: Starting with a reading of the original text, each other the subsequent readings marks a progressive distancing from the original. In general, translations of the *Diary* attempt to faithfully represent the original as the text moves into other languages.⁹⁹ A translation's fidelity to the original text does not mean,

⁹⁹ This is not to imply that translations of the *Diary* represent perfect replicas of the original, but that their "faithfulness" is far more concrete than works which imagine Frank as still alive. Indeed, all translations are approximations. In the case of the *Diary*, scholars have shown how translations often reflect the politics of the host country. For instance, in his analysis of the *Diary's* German translation, *Die Tagebücher der Anne Frank* (1988), Alvin H. Rosenfeld identifies a number of minimal changes, all connected with the use of the word "German." In general, these changes work to censor the collective identity of the perpetrators. In one passage, "die Deutschen" (the Germans) are replaced by "die besetzende Macht" (the occupying power) (entry on 18 May 1943), and "die Unterdrückung" (the oppression) (28 January 1944). In another place, "gibt es keine größere Feindschaft auf dieser Welt als zwischen Deutschen

however, that a reader's interpretation of that translation will be recognizable across cultures.

In the fictional works of Cliff, Roth, Laredj and Auslander, there is a distinct move away from original *Diary* as the text is personified in the figure of Anne Frank. In this mode, however, the original *Diary* still operates as a text referenced by the protagonists. By contrast, in the *Diary's* third mode of travel, the original text is completely supplanted. In its place we find more contemporary atrocity testimonies written by the growing group of "Anne Franks." When we discuss a Cambodian Anne Frank we are no longer talking about the *Diary of Anne Frank* but about another work of atrocity. The figure of Frank in this mode becomes someone whose work is to be emulated. Because they are haunted by the specter of Anne Frank, Filipović and Hadiya mark the limits of such identification and, as one might expect, their narratives actively resist the darker connotations of this labeling.

Within the broader framework of world literature, what can understanding these various modes of travel tell us about atrocity literature? For Pascale Casanova, world literature functions in a politically-charged space, what she calls the "world republic of letters," in which various texts fight for recognition in a global arena. Distinct from traditional notions of geo-political space, the world republic of letters has "its own economy, which produces hierarchies and various forms of violence; and, above all, its own history...Its geography is based on the opposition between a capital, on the one

und Juden" ("in fact, Germans and Jews are the greatest enemies in the world" *DAF* 274) is transformed into "die Feindschaft zwischen diesen Deutschen und den Juden" (the animosity between these Germans and the Jews) (9 October 1942). Anne Frank's comment in her "Prospectus and Guide to the secret Annex," "Erlaubt sind alle Kultursprachen, also kein Deutsch" ("All civilized languages are permitted, therefore no German!" *DAF* 313) became "Alle Kultursprachen, aber leise!!!" ("All languages of culture, but quietly!!!"). See Rosenfeld, "Popularization and Memory: The Case of Anne Frank" (1991).

hand, and peripheral dependencies whose relationship to this center is defined by their aesthetic distance from it” (12). Such a space is equipped, Casanova argues, “with its own consecrating authorities, charged with responsibility for legislating on literary matters, which function as the sole legitimate arbiters with regard to questions of recognition” (12). By “consecrating authorities,” Casanova broadly refers to “critics, translators, publishers, academics, and other institutions that jointly are responsible for conferring literary prestige and reputation” (n 3, p. 358). To conceive of world literature in this way is to expose the power dynamics underlying this system and the authorizing readership which sustains them. If the circulation of atrocity testimonies now operates as one corpus in the world republic of letters, Anne Frank’s *Diary* represents the literary equivalent of a capital. In an international literary space where identity is defined by one’s aesthetic distance from Frank’s account, we might consider to what extent an atrocity testimony must continue to depend on that center, to what extent the authors discussed in this chapter felt compelled to conform their experiences to paradigmatic texts such as Frank’s.

Against such antagonistic constructions, Michael Rothberg’s *Multidirectional Memory* argues that testimonies of collective atrocities need not compete for recognition. Whereas Casanova’s model stresses the negative effects of the cross-influence of texts, Rothberg posits “multidirectional memory” and sees positive connotations in the meeting of these memory communities. Responding to the claim that Holocaust literature overshadows the remembrance of other accounts, Rothberg posits, “Far from blocking other historical memories from view in a competitive struggle for recognition, the emergence of Holocaust memory on a global scale has contributed to the articulation of

other histories” (6). Rothberg’s argument is that collective memory should not be considered a zero-sum game in which groups must compete with one another for the public’s attention.¹⁰⁰

As we have seen in the *Diary*’s reception in Cambodia, for example, I do not doubt that Holocaust literature has advanced the memory of other atrocities. As Rothberg notes, accounts of atrocity are “subject to ongoing negotiation, cross-referencing, and borrowing; as productive and not privative” (3). The translation of Frank’s *Diary* into Khmer is only one example of the ways in which Holocaust literature has helped victims of other atrocities situate their experiences of genocide. Remarking on the popularity of the *Diary* in Cambodia, Sayana Ser remarks, “The book has encouraged a lot, some also started writing their own diaries. It’s not a culture, Cambodian, writing your own diary, but the book can show the way for the reader to express their feelings” (Ser). That the *Diary* has encouraged new forms of testimonial expression in communities that have experienced atrocity calls us to consider that the circulation of atrocity literature may say less about the writing itself and more about the ways readers on an international scale have coded and appropriated it for various purposes.

If Casanova’s model of world literature stresses the constraining effects of the cross-influence of texts, Rothberg’s sees positive connotations in the meeting of these memory communities. One assumption underlying both models of world literature seems to be the idea that communities of memory (whether viewed as competitive or

¹⁰⁰ This follows the trend in scholarship on the Holocaust and other genocides since the mid-1990s which evolved beyond the strict hierarchies which pitted genocides against each other in terms of uniqueness. “For a younger generation,” as A. Dirk Moses describes these scholars, “the liberal/post-liberal polemics have run their course” (547). This receptivity to comparative genocide work has opened up a discursive space for what Moses calls “a nonsectarian, non-competitive and non-hierarchical analysis of modern genocide” (547).

collaborative) meet in a shared public sphere, courting a single body of readers who act as the consumers of that memory. What the examples in this chapter have demonstrated, however, is that world atrocity literature travels through multiple spaces and diverse communities, many of which remain outside the purview of Western scholarship.

Contrasted against other works of world literature, the stakes connected with the movement of atrocity literature seem considerably higher. In response to unorthodox readings of Frank's *Diary*, for instance, Rosenfeld concludes that "if these trends continue unchecked, the Holocaust's most famous victim will still be remembered, but in ways that may put at risk an historically accurate and morally responsible memory of the Holocaust itself" (17). Despite the discomfort readers may feel in response to such interpretations, it is equally difficult to picture what an attempt to "check" such trends would actually look like. What these sentiments best illustrate is a common anxiety that, in the global circulation of texts, increased exposure to Holocaust testimonies will paradoxically lead to decreased understanding (or absolute desecration) of Holocaust memory itself. To follow a text as it travels into another cultural context entails glimpsing interpretations which are often both surprising and unsettling. While this is true of world literature as a whole, when applied to atrocity testimonies, acknowledging another's capacity to form interpretations requires us to negotiate our own practices of reading and particular claims to memory.

Another assumption about world atrocity literature, one commonly made in Holocaust studies, is the idea that collective atrocity memory is something that travels intact. Yet, if what is commonly called "Holocaust memory" is transferred primarily through the genre of Holocaust literature, then what we discover is that texts such as the

Diary prove to be unreliable conveyors of information. To understand *how* a text travels, it is important to first question *what* actually travels. If we look at the ways atrocity literature actually moves through the world, we see that a text in circulation is often profoundly fragmented. What we know of Anne Frank, suggests Rosenfeld, “seems to be shaped less on the basis of information contained in historical documents than through the projection of single images of ubiquitous and compelling power” (“Popularization and Memory” 243). Conceptions like “Anne Frank,” “diary,” “young, female writer” and “hiding” have come to represent the primary memes tethered to Frank’s text. Most often, these fragments are denuded of their context, but nonetheless remain powerful. The idea of “hiding,” for instance, is referenced by multiple Anne Franks and also appears as a trope in both Roth’s and Laredj’s novel. If what we mean by world literature refers to texts that travel, what counts as a text? Should the idea of “hiding” be considered a kind of world literature in itself? What is certain is that the ubiquity of such fragments challenges our understanding of world literature as a “set of texts.”

One conclusion we can draw from the case of Frank’s *Diary* is that whereas individual accounts now travel with relative ease, the ethics of reading by which those texts are interpreted has not travelled as well, if at all. This should cause us to seriously question the belief that culturally-specific interpretations of a text are transmitted with that text as it travels. As the examples in this chapter have illustrated, atrocity testimonies such as the *Diary of Anne Frank* simply cannot “speak for themselves.” As such, these testimonies reveal the limits of the testimonial act itself. Merely pushing certain texts into the world in an effort to educate or prevent atrocity rarely produces what we expect. Our desire to share certain accounts often conceals the fact that what we

really want to disseminate is our specific interpretation of those texts—the “real message” behind the text. Yet, when a narrative leaves the confines of a community with shared collective memories, the results are to be unexpected.

How are we to respond to such diverse interpretations as texts travel around the world? As readers, we control neither the text, nor the interpretations of readerships outside of our cultural context. The point of exploring the surprising and disconcerting transnational movement of a text such as Anne Frank’s *Diary* lies in its ability to cause us to reflect on the manner in which our own culture has appropriated the *Diary*. We remain, in the end, only responsible for our own response, and when taken seriously, we are given an opportunity to become more conscious of our expectations. To be attentive as readers to the specificities of a particular narrative is to resist the kind of silencing that occurs when texts become for us merely generic.

That texts such as *The Diary of Anne Frank* have proven remarkably influential around the world does not imply that such works have the power to control their own interpretation. To assume we know how a single testimony educates about the Holocaust is to conflate the text itself with the consecrating authorities who attempt to set the ethical standards for reading and interpretation of that text. Granted, there is an influential contingent who has declared the *Diary* a canonical text and wants to use it institutionally. But a text itself is never an institution. When texts circulate, anything can happen. It is a mistake, therefore, to think that a canonical text has hegemonic force itself, the power to control how its readers interpret it. This is merely to recognize that *The Diary of Anne Frank*, like all world atrocity literature, operates in the way that texts operate, which is to

say that readers are capable of doing very different things with them. That is part of what travelling means.

Bibliography

- Adichie, Chimamanda. "The Danger of a Single Story." *TED (Technology, Entertainment, Design)*. July 2009. Web. 14 Aug. 2010. <http://www.ted.com/talks/chimamanda_adichie_the_danger_of_a_single_story.html>
- Adorno, Theodor. "Cultural Criticism and Society." *Prisms*. Trans. Samuel and Sherry Weber. Cambridge: MIT Press, 1981. 64.
- Agamben, Giorgio. *Remnants of Auschwitz: The Witness and the Archive*. Trans. Daniel Heller-Roazen. New York: Zone Books, 1999.
- Androff, David K. "Can Civil Society Reclaim Truth? Results from a Community-Based Truth and Reconciliation Commission." *International Journal of Transitional Justice* 6.2 (2012): 296-317.
- Arendt, Hannah. *Eichmann in Jerusalem: A Report on the Banality of Evil*. Revised and Enlarged Ed. New York: Penguin Books, 1997.
- . *The Origins of Totalitarianism*. New York: Harcourt Brace Jovanovich, 1973.
- Assmann, Aleida. "History, Memory, and the Genre of Testimony." *Poetics Today* 27:2 (Summer 2006): 261-273.
- Attafuah, Ken Agyemang. "An Overview of Ghana's National Reconciliation Commission and its Relationship with the Courts." *Criminal Law Forum* 15.1-2 (2004): 125-34.
- Auslander, Shalom. *Hope: A Tragedy*. New York: Penguin, 2012.
- Bachmann, Michael. "Life, Writing, and Problems of Genre in Elie Wiesel and Imre Kertész." *Rocky Mountain Review* (Spring 2009): 79-88.
- Badiou, Alain. *Ethics: An Essay on the Understanding of Evil*. London: Verso, 2002.

Badiou, Alain. *Ethics: An Essay on the Understanding of Evil*. London: Verso, 2002.

Barack, Lauren. "Iraqigirl: The Modern-Day Anne Frank." *School Library Journal* 24 March 2010. <<http://www.schoollibraryjournal.com/article/CA6723657.html>>

Basen, Ira. "Memory Becomes a Minefield at Canada's Museum for Human Rights." *Globe and Mail*. 20 August 2011. <<http://www.theglobeandmail.com/news/national/memory-becomes-a-minefield-at-canadas-museum-for-human-rights/article2135961/>>

Bass, Gary. *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals*. Princeton: Princeton University Press, 2000.

Beah, Ishmael. *A Long Way Gone: Memoirs of a Boy Soldier*. New York: Farrar, Straus and Giroux, 2007.

Beavers, Anthony. "Introducing Levinas to Undergraduate Philosophers." Undergraduate Philosophy Association. University of Texas at Austin, 1990. Colloquy Paper. <<http://faculty.evansville.edu/tb2/PDFs/UndergradPhil.pdf>>

Becker, Elizabeth. "Minor Characters." *New York Times*. 28 August 2005. <http://www.nytimes.com/2005/08/28/books/review/28BECKERL.html?pagewanted=print&_r=0>

---. *When the War Was Over: Cambodia And The Khmer Rouge Revolution, Revised Edition*. New York: PublicAffairs, 1998.

Beverley, John. "The Margin at the Center: On *Testimonio* (Testimonial Narrative)." *Modern Fiction Studies* 35.1 (Spring 1989): 11-28.

Blayton, Jayne. "Human Rights Reporting on Darfur: A Genre the Redefines Tragedy."

African Arguments. 21 August 2009. <<http://africanarguments.org>>

Bloom, Harold. *Literature of the Holocaust*. Broomall, PA: Chelsea House Publishers, 2004.

Bloxham, Donald. "Organized Mass Murder: Structure, Participation, and Motivation in Comparative Perspective." *Holocaust and Genocide Studies*. 22.2 (Fall 2008): 203-245.

Bohlander, Michael. "International Criminal Tribunals and their Power to Punish Contempt and False Testimony." *Criminal Law Forum* 12 (2001): 91-118.

Boltanski, Luc. *Distant Suffering: Morality, Media and Politics*. Trans. Graham Burchell. Cambridge: Cambridge University Press, 1999.

Bolton-Fasman, Judith. "Witness for the Prosecution." *Tikkun* 17.5 (2002): 75-76.

Bos, Maarten. "Prolegomena to the Identification of Custom in International Law." In *Essays on International & Comparative Law in Honour of Judge Erades Presented by the Board of the Netherlands International Law Review*. The Hague: Martinus Nijhoff Publishers, 1983.

Bradley, Mark Philip and Patrice Petro ed. *Truth Claims: Representation and Human Rights*. New Brunswick: Rutgers U Press, 2002.

Brazier, Jana Evans. *Caribbean Genesis: Jamaica Kincaid and the Writing of New Worlds*. Albany: State University of New York Press, 2009.

Buckingham, David. "Sorting Out TV: Categorization and Genre." In *Children Talking Television: The Making of Television Literacy*. London: Falmer Press, 1993. 135-155.

Burgess, Patrick. "Justice and Reconciliation in East Timor. the Relationship between the Commission for Reception, Truth and Reconciliation and the Courts." *Criminal Law Forum* 15.1-2 (2004): 135-58.

Caruth, Cathy, ed. *Trauma: Explorations in Memory*. Baltimore: Johns Hopkins University Press, 1995.

---. *Unclaimed Experience: Trauma, Narrative and History*. Baltimore: Johns Hopkins University Press, 1996.

Casanova, Pascale. *The World Republic of Letters*. Trans. M.B. DeBevoise. Cambridge: President and Fellows of Harvard College, 2004.

Cesarani, David. "Challenging the 'Myth of Silence': Postwar Responses to the Destruction of European Jewry." In *After the Holocaust: Challenging the Myth of Silence*. London: Routledge, 2012.

Champion, Edward. "Why Yann Martel's *Beatrice and Virgil* is the Worst Book of the Decade." Rev. of *Beatrice and Virgil*, by Yann Martel. 12 April 2010.
<<http://www.edrants.com/why-yann-martels-beatrice-and-virgil-is-the-worst-book-of-the-decade/>>

Chandler, David. "Ideological (Mis)Use of Human Rights." In *Human Rights: Politics and Practice*. Ed. Michael Goodhart. Oxford: Oxford University Press, 2009. 109-125.

Cheadle, Don and John Prendergast. *Not on Our Watch: A Mission to End Genocide in Darfur and Beyond*. New York: Hyperion Pub., 2007.

- Chega! The Report of the Commission for Reception, Truth, and Reconciliation Timor-Leste*. Timor-Leste: Commission for Reception, Truth, and Reconciliation Timor-Leste (CAVR), 2005.
- Chesterman, Simon. "Never Again – and Again: Law, Order, and the Gender of War Crimes in Bosnia and Beyond." *Yale Journal of International Law* 22.2 (1997): 299-345.
- Chorbajian, Levon and George Shirinian ed. *Studies in Comparative Genocide*. London: Macmillan/St. Martin's Press, 1999.
- Cliff, Michelle. *Abeng*. New York: Plume, 1984.
- . "Notes on Speechlessness." *Feminist Poetics: A Consideration of the Female Construction of Language*. Ed. Kathleen Fraser. San Francisco: San Francisco State University, 1984. 103-7.
- Cohen, Ralph. "History and Genre." *New Literary History* 17.2 (Winter 1986): 203-218.
- Colás, Santiago. "Toward an Ethics of Close Reading in the Age of Neo-Liberalism." *CR: The New Centennial Review* 7.3 (Winter 2007): 171-211.
- Combs, Nancy Amoury. "Testimonial Deficiencies and Evidentiary Uncertainties in International Criminal Trials." *UCLA Journal of International Law & Foreign Affairs* 14 (2009): 235-273.
- . *Fact-finding Without Facts: The Uncertain Evidentiary Foundations of International Criminal Convictions*. Cambridge: Cambridge University Press, 2010.
- Cook, Susan E., ed. *Genocide in Cambodia and Rwanda: New Perspectives*. New Haven, CT: Yale Center for International and Area Studies, 2004.

Cover, Robert. "The Folktales of Justice: Tales of Jurisdiction." In *Narrative, Violence and the Law: The Essays of Robert Cover*. Ann Arbor: University of Michigan Press, 1995.

Courtemanche, Gil. *A Sunday at a Pool in Kigali*. Edinburgh: Canongate Books, 2003.

Crimmins, Jonathan. "Gender, Genre, and the Near Future in Derrida's 'The Law of Genre.'" *diacritics* 39.1 (Spring 2009): 45-60.

Damrosch, David. *How to Read World Literature*. Oxford: Wiley, John & Sons, Incorporated, 2009.

---. *What is World Literature?* Princeton: Princeton University Press, 2003.

Dawes, James. *That the World May Know: Bearing Witness to Atrocity*. Cambridge: Harvard University Press, 2007.

The Declaration of Basic Principles of Justice for Victims of Crimes and Abuse of Power. Nov. 1985. Office of the United Nations High Commissioner of Human Rights. <<http://www2.ohchr.org/english/law/victims.htm>>

Defonseca, Misha. *Surviving with Wolves: The Most Extraordinary Story of World War II*. Trans. Sue Rose. London: Portrait, 2005.

Delbo, Charlotte. *Auschwitz and After*. New Haven: Yale University Press, 1997.

Derrida, Jacques and Avital Ronell. "The Law of Genre." *Critical Inquiry* 7.1 (Autumn 1980): 55-81.

The Diary of Anne Frank. Dir. Mark Clements. The Milwaukee Repertory Theatre. 23 October 2012. <<http://www.milwaukeeerep.com/season/diary.html>>

The Diary of Anne Frank: A Song to Life. Dir. Rafael Alvero. Perf. Isabella Castillo, Alberto Vazquez, Silvia de Esteban, Juan Carlos Barona, Marta Valverde, Patricia

- Arizmendi, Rocio Leon, Andres Navarro. Teatro Haagen Dazs, Madrid. 28 Feb. 2008. Performance.
- Din, Tasmin. Personal Interview. 15 May 2012.
- Donahue, William Collins. "The Popular Culture Alibi: Bernhard Schlink's Detective Novels and the Culture of Politically Correct Holocaust Literature." *The German Quarterly* 77.4 (Autumn, 2004): 462-481.
- Drumbl, Mark A. *Atrocity, Punishment, and International Law*. Cambridge: Cambridge University Press, 2007.
- "Duch" Testimony. Extraordinary Chamber in the Courts of Cambodia. 12 August 2009. <www.cambodiatribunal.org/trial-proceedings/transcripts>
- Duff, David ed. *Modern Genre Theory*. London: Longman, 2000.
- Dukalskis, Alexander. "Interactions in Transition: How Truth Commissions and Trials Complement or Constrain Each Other." *International Studies Review* 13 (2011): 1-20.
- Eaglestone, Robert. *The Holocaust and the Postmodern*. Oxford: Oxford University Press, 2004.
- . "'You would not add to my suffering if you knew what I have seen': Holocaust Testimony and Contemporary African Trauma Literature." *Studies in the Novel* 40:1/2 (Spring & Summer 2008): 72-85.
- Eduardo González Cueva. "The Contribution of the Peruvian Truth and Reconciliation Commission to Prosecutions." *Criminal Law Forum* 15.1-2 (2004): 55-66.
- Eggers, David. *What is the What: The Autobiography of Valentino Achak Deng. A Novel by Dave Eggers*. New York: Vintage, 2007.

- Elster, Jon. *Closing the Books: Transitional Justice in Historical Perspective*.
Cambridge: Harvard University Press, 2004.
- Encyclopedia of Genocide and Crimes Against Humanity*. Vol. 1. Ed. Dinah L. Shelton.
Independence, KY: Cengage Learning, 2005.
- Engdahl, Horace. "Philomela's Tongue: Introductory Remarks on Witness Literature."
Witness Literature. Proceedings of the Nobel Centennial Symposium. Ed. Horace
Engdahl. Singapore: World Scientific Publishing, 2002. 1-14.
- Eskin, Blake. *A Life in Pieces*. London: Aurum, 2002.
- Felman, Shoshana and Dori Laub. *Testimony: Crisis of Witnessing in Literature,
Psychoanalysis, and History*. New York: Routledge, 1992.
- Felman, Shoshana. *The Juridical Unconscious: Trials and Traumas in the Twentieth
Century*. Cambridge: Harvard University Press, 2002.
- Filipović, Zlata. *Zlata's Diary: A Child's Life in Sarajevo*. New York: Penguin, 1995.
- Flanzbaum, Hilene. "'But Wasn't it Terrific?': A Defense of Liking Life is Beautiful."
The Yale Journal of Criticism 14.1 (Spring 2001): 273-286.
- Foley, Barbara. "Fact, Fiction, Fascism: Testimony and Mimesis in Holocaust
Narratives." *Comparative Literature* 34.4 (Autumn 1982): 330-360.
- Foucault, Michel. *The Archaeology of Knowledge and the Discourse on Language*.
Trans. A. M. Sheridan. New York: Pantheon, 1972.
- Fowler, Alastair. *Kinds of Literature: An Introduction to the Theory of Genres and
Modes*. Cambridge: Harvard University Press, 1982.
- Foxman, Abraham. *Never Again?: The Threat of a New Anti-Semitism*. New York:
HarperCollins, 2003.

- Frank, Anne. *Anne Frank: The Diary of the Young Girl*. New York: Doubleday, 1993.
- . *Anne Frank Tagebuch*. Trans. Mirjam Pressler. Frankfurt am Main: Fischer, 1992.
- . *Die Tagebücher der Anne Frank*. Ed. Rijksinstituut voor Oorlogsdocumentatie, Trans. Mirjam Pressler. Frankfurt am Main: Fischer, 1988.
- Franklin, Ruth. "Art Spiegelman's Genre-Defying Holocaust Work, Revisited." *The New Republic*. 5 October 2011. <<http://www.tnr.com/article/the-read/95758/art-spiegelman-metamaus-holocaust-memoir-graphic-novel#>>
- Fridman, Lea Wernick. *Words and Witness: Narrative and Aesthetic Strategies in the Representation of the Holocaust*. Albany: State University of New York Press, 2000.
- Friedlander, Saul. *When Memory Comes*. Trans. Helen R. Lane. New York: Farrar, Strauss, and Giroux, 1979.
- . "Im Angesicht der 'Endlösung': Die Entwicklung des öffentlichen Gedächtnisses und die Verantwortung des Historikers." In *Das Judentum im Spiegel seiner kulturellen Umwelten. Symposium zu Ehren von Saul Friedländer*. Eds. Dieter Borchmeyer and Helmut Kiesel. Neckargemund, Germany: Edition Mnemosyne, 2002. 207-223.
- Frow, John. *Genre*. New York: Routledge, 2006.
- Fry, Leanna. "'Never Again': International Children's Genocide Literature." *Bookbird: A Journal of International Children's Literature* 47.1 (2009): 6-9.
- Galchinsky, Michael. "The Problem with Human Rights Culture." *South Atlantic Review* 75.2 (Spring 2010): 5-18.

- Gallop, Jane. "The Ethics of Reading: Close Encounters." *Journal of Curriculum Theorizing* 16.3 (Fall 2000): 7-17.
- . *The Deaths of the Author: Reading and Writing in Time*. Durham: Duke University Press, 2011.
- Geller, Jay. "The Wilkomirski Case: Fragments or Figments?" *American Imago* 59.3 (Fall 2002): 343-365.
- Godwin, Peter. *The Fear: Robert Mugabe and the Martyrdom of Zimbabwe*. New York: Little, Brown and Company, 2011.
- Goldberg, John C, Anthony J. Sebok, and Benjamin C. Zipursky. *Torts Law: Responsibilities and Redress*. New York: Aspen Publishers, 2004.
- Goodrich, Peter. "Justice and the Trauma of Law: A Response to George Pavlich." *Studies in Law, Politics, and Society* 18 (1998): 271.
- Gourevich, Philip. *We Wish to Inform You that Tomorrow We Will be Killed with Our Families: Stories from Rwanda*. New York: Farrar, Straus & Giroux, 1998.
- Gouri, Haim. *Facing the Glass Booth: The Jerusalem Trial of Adolf Eichmann*. Trans. Michael Swirsky. Detroit: Wayne State University Press, 2004.
- Gray, Martin. *For Those I Loved*. Trans. Anthony White. New York: Little, Brown, 1984.
- Greenspan, Henry. *On Listening to Holocaust Survivors: Recounting and Life History*. Westport, Connecticut: Praeger Publishers, 1998.
- Hadiya. "HNK's blog is a diary of IraqiGirl." <<http://iraqigirl.blogspot.com/>>
- Hammer, Joshua. "The Girl in the Attic." *The New York Times*. 8 October 2009. <http://www.nytimes.com/2009/10/11/books/review/Hammer-t.html?_r=0>

Hampl, Patricia. "The Whole Anne Frank." *New York Times*. 5 March 1995.

<<http://www.nytimes.com/1995/03/05/books/the-whole-anne-frank.html?pagewanted=all&src=pm>>

Hanks, Robert. "Where Naughty Children Get Murdered." *The Independent*. 8 December 1996: 31.

Hausner, Gideon. *Justice in Jerusalem*. New York: Harper and Row, 1966.

Hayner, Priscilla B. "Fifteen Truth Commissions—1974-1994: A Comparative Study." *Human Rights Quarterly* 16.4 (November 1994): 597-655.

---. *Unspeakable Truths: Confronting State Terror and Atrocity*. London: Routledge, 2000.

Hayot, Eric. *On Literary Worlds*. Oxford: Oxford University Press, 2012.

Hemley, Robin. "In Praise of the Fake Memoir." *English Language Notes* 49.2 (2011): 119-124.

Hesford, Wendy. "Documenting Violations: Rhetorical Witnessing and the Spectacle of Distant Suffering." *Biography* 27.1 (Winter 2004): 104-144.

Hilberg, Raul. *Sources of Holocaust Research*. Chicago: Ivan R Dee, 2001.

Hill, Gerald and Kathleen. *The People's Law Dictionary*. New York: MJF, 2002.

Him, Chanrithy. *When Broken Glass Floats: Growing Up Under the Khmer Rouge*. New York: W.W. Norton and Company, 2000.

Hirsch, Marianne. *The Generation of Postmemory: Writing and Visual Culture After the Holocaust*. New York: Columbia University Press, 2012.

Hoffman, Eva. *After Such Knowledge: Memory, History, and the Legacy of the Holocaust*. New York: Public Affairs-Perseus Books Group, 2004.

Holland, Jonathan. "The Diary of Anne Frank: A Song to Life." Review. *Variety*. 14

March 2008. <<http://www.variety.com/review/VE1117936499/>>

Holstein, Bernard. *Stolen Soul: A True Story of Courage and Survival*, Crawley, WA:

University of Western Australia Press, 2004.

Hungerford, Amy. *The Holocaust of Texts: Genocide, Literature, and Personification*.

Chicago: University Of Chicago Press, 2003.

---. "Memorizing Memory." *The Yale Journal of Criticism* 14.1 (Spring 2001): 67-92.

Hunt, Lynn. *Inventing Human Rights*. New York: W.W. Norton & Co., 2007.

Ignatieff, Michael. "Lemkin's Word" *New Republic* 224.9 (2001): 25-28.

Imbleau, Martin. "Initial Truth Establishment by Transitional Bodies and the Fight

Against Denial." *Criminal Law Forum* 15 (2004): 159-192.

Ishay, Micheline. *The History of Human Rights: From Ancient Times to the Globalization*

Era. Berkeley: University of California Press, 2004.

James, William. "A World of Pure Experience." In *Pragmatism and Other Writings*. Ed.

Giles Gunn. New York: Penguin, 2000. 314-36.

Jay, Philip. "What's Jewish About Cambodia?" *Jewish Times Asia*. February 2009.

<<http://www.jewishtimesasia.org/community-spotlight-topmenu-43/cambodia>>

Joncey. "Why is Anne Frank Famous?" Wiki Answers. <[http://wiki.answers.com/Q/](http://wiki.answers.com/Q/Why_is_Anne_Frank_famous)

[Why_is_Anne_Frank_famous](http://wiki.answers.com/Q/Why_is_Anne_Frank_famous)>

K-Zetnik 135633. *House of Dolls*. New York: Simon and Schuster, 1955.

Kacandes, Irene. *Daddy's War: Greek American Stories*. Lincoln: University of Nebraska

Press, 2012.

Kapur, Ratna. "The Tragedy of Victimization Rhetoric: Resurrecting the 'Native' Subject in International/Post-Colonial Feminist Legal Politics." *Harvard Human Rights Journal* 15 (Spring 2002): 1-28.

Katz, Steven. *The Holocaust in Historical Context: Volume 1: The Holocaust and Mass Death before the Modern Age*. Oxford: Oxford University Press, 1994.

---. "The 'Unique' Intentionality of the Holocaust." *Modern Judaism* 1.2 (Sept. 1981): 161-183.

Kemp, Susan. "The Inter-Relationship between the Guatemalan Commission for Historical Clarification and the Search for Justice in National Courts." *Criminal Law Forum* 15.1-2 (2004): 67-103.

Keneally, Thomas. *Schindler's List*. New York: Simon and Schuster, 1982.

Kertész, Imre. "Who Owns Auschwitz?" Trans. John MacKay. *Yale Journal of Criticism* 14 (Spring 2001): 267-272.

Kiernan, Ben. *Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur*. New Haven: Yale University Press, 2007.

Krausz, Tibor. "Anne Frank Diary Resonates with Cambodians." *Jewish Times Asia*. 6 October 2008. < <http://www.jta.org/news/article/2008/10/06/110552/AnneFrankCambodia10062008>>

LaCapra, Dominick. *Writing History, Writing Trauma*. Baltimore: Johns Hopkins University Press, 2000.

Lang, Berel. *Holocaust Representation: Art within the Limits of History and Ethics*. London: Johns Hopkins University Press, 2000.

- Langer, Lawrence. *Art from the Ashes: A Holocaust Anthology*. Oxford: Oxford University Press, 1995.
- . *The Holocaust and the Literary Imagination*. New Haven: Yale University Press, 1975.
- . *Holocaust Testimonies: The Ruins of Memory*. New Haven: Yale University Press, 1991.
- . *Using and Abusing the Holocaust*. Bloomington: Indiana University Press, 2006.
- Laredj, Waciny. *Shurufat Bahr al Shimal* (ال شمال ب حر شرفات) Alger: Espace Libre, 2002. Trans. Catherine Charruau as *Les Balcons de la mer du Nord*. Paris: Actes Sud, 2003.
- Levi, Primo. *The Drowned and the Saved*. Trans. Raymond Rosenthal. New York: Vintage International, 1989.
- . *Survival in Auschwitz*. New York : Simon & Schuster, 1996.
- Levinas, Emmanuel. *Difficult Freedom: Essays on Judaism* (1990);
- . *Entre Nous: On Thinking-of-the-Other*. Trans. Michael B. Smith and Barbara Harshav. New York: Columbia University Press, 1998.
- . *Ethics and Infinity: Conversations with Phillipe Nemo*. Trans. Richard Cohen. Pittsburgh: Duquesne University Press, 1985.
- . *Humanism of the Other*. Trans. Nidra Poller. Chicago: Univeristy of Illinois Press, 2003.
- . *The Levinas Reader*. Ed. Seán Hand. Oxford: Basil Blackwell, 1989.
- . *New Talmudic Readings*. Pittsburgh: Duquesne University Press, 1999.
- . *Nine Talmudic Readings*. Bloomington: Indiana University Press, 1990.

- . *Otherwise than Being or Beyond Essence*. Trans. Alphonso Lingis. Boston: Martinus Nijhoff Publishers, 1981.
- . *Time and the Other*. Trans. Richard A. Cohen. Pittsburgh: Duquesne University Press, 1987.
- . *Totality and Infinity*. Pittsburgh: Duquesne University Press, 1969.
- Leys, Ruth. *Trauma: A Genealogy*. Chicago: University of Chicago Press, 2000.
- Lothe, Jakob, Susan Rubin Suleiman, and James Phelan, eds. "Introduction: 'After' Testimony: Holocaust Representation and Narrative Theory." In *After Testimony: The Ethics and Aesthetics of Holocaust Narrative for the Future*. Columbus: Ohio University Press, 2012.
- Lyon, Elizabeth. *Non-Fiction Book Proposals Anyone Can Write: How to Get a Contract and Advance Before Writing Your Book* (Revised Edition). New York: Berkley Publishing Group, 2000.
- Ma, Sheng-mei. "The Great Dictator and Maus: 'The Comical' Before and After the Holocaust." *Proteus* 12.2 (1995): 47-50.
- MacCormick, Neil. *Institutions of Law: An Essay on Legal Theory*. Oxford: Oxford University Press, 2007.
- Maechler, Stefan. *The Wilkomirski Affair: A Study in Biographical Truth*. Trans. John E. Woods. London: Picador, 2001.
- Mandel, Naomi. Rev. of *Traumatic Realism: The Demands of Holocaust Representation*. *Cultural Critique* 51 (Spring 2002): 241-245.
- Martell, Yann. *Beatrice and Virgil*. New York: Spiegel and Grau, 2010.

Maslin, Janet. "Anne Frank, Still Writing in the Attic." *New York Times* 17 January 2012: C1.

McElroy, Damian. "N Korea Twists Diary of Anne Frank to Attack US as 'Nazis'." *The Telegraph*. March 7, 2004. <<http://www.telegraph.co.uk/news/worldnews/asia/northkorea/1456269/N-Korea-twists-Diary-of-Anne-Frank-to-attack-US-as-Nazis.html>>

Mehta, Suketu. "Annals of Immigration: The Asylum Seeker." *The New Yorker*. 1 August 2011 <http://www.newyorker.com/reporting/2011/08/01/110801fa_fact_mehta>

Melnick, Ralph. *The Stolen Legacy of Anne Frank: Meyer Levin, Lillian Hellman, and the Staging of the Diary*. New Haven: Yale University Press, 1997.

Menchú, Rigoberta and Elisabeth Burgos-Debray. *I, Rigoberta Menchú: An Indian Woman in Guatemala*. New York: Verso, 1999.

Metz, Walter C. "'Show Me the Shoah!': Generic Experience and Spectatorship in Popular Representations of the Holocaust." *Shofar: An Interdisciplinary Journal of Jewish Studies* 27.1 (Fall 2008) 16-35.

Middleton, Peter and Tim Woods. *Literatures of Memory: History, Time and Space in Postwar Writing*. Manchester: Manchester University Press, 2000.

Minow, Martha. *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*. Boston: Beacon Press, 1998.

Montgomery, Lane. *Never Again, Again, Again... Genocide: Armenia, The Holocaust, Cambodia, Rwanda, Bosnia, Darfur*. New York: Ruder Finn Press, 2008.

Moses, A. Dirk. "The Holocaust and Genocide." in *The Historiography of the Holocaust*. Ed. D. Stone. Houndmills: Palgrave, 533-555.

Moss, Stephen. "Yann Martel: 'Jewish People Don't Own the Holocaust.'" Rev. of

Beatrice and Virgil, by Yann Martel. *Guardian* 22 June 2010.

<<http://www.guardian.co.uk/books/2010/jun/22/yann-martel-life-of-pi-holocaust>>

Nizkor Project. "The Trial of Adolf Eichmann" Session 68 transcripts.

<www.nizkor.org>

Nunca Mas: The Report of the Argentine National Commission on the Disappeared.

Intro. Ronald Dworkin. New York: Farrar Straus Giroux, 1986.

Osiel, Mark. *Mass Atrocity, Collective Memory, and the Law*. New Brunswick:

Transaction Publishers, 1997.

Panh, Rithy. "Bophana: A Cambodian Tragedy." *Manoa* 16.1 (Summer 2004): 108-126.

Peschel, Lisa. "The Law of What Can Be Said: The Archive and Theatrical Performance

in the Terezin Ghetto." In *The Camp Narratives of Internment and Exclusion*.

Eds. Colman Hogan and Marta Marín Dòmine. Newcastle: Cambridge Scholars

Publishing, 2007. 366-383.

---. Personal interview. 17 December 2010.

Petrig, Anna. "Negotiated Justice and the Goals of International Criminal Tribunals with

a Focus on the Plea-Bargaining Practice of the ICTY and the Legal Framework of

the ICC." *Chi-Kent J. Int'l & Comp. L.* 1-31.

Phelps, Teresa Godwin. *Shattered Voices: Language, Violence, and the Work of Truth*

Commissions. Philadelphia: University of Pennsylvania Press, 2004.

Poeuv, Socheata, dir. *New Year Baby*. Documentary film. Broken English Productions,

2006.

Popkin, Margaret. "The Salvadoran Truth Commission and the Search for Justice."

Criminal Law Forum 15.1-2 (2004): 105-24.

Porges, Felix, Vitěslav Horpátek and Pavel Weisskopf. *II. český cabaret [Laugh With*

Us: Second Czech Cabaret]. Unpublished manuscript, 1944 (?).

Powell, Christopher. *Barbaric Civilization: A Critical Sociology of Genocide*. Montreal:

McGill-Queen's University Press, 2011.

Power, Samantha. *"A Problem from Hell": America and the Age of Genocide*. New

York: Harper, 2002.

Prose, Francine. *Anne Frank: The Book, The Life, The Afterlife*. New York: Harper, 2009.

Raiskin, Judith. "Art of History: An Interview with Michelle Cliff." *Kenyon Review* 15.1

(1993): 57-71.

Ramras-Rauch, Gilas. "Introduction." In *Facing the Holocaust: Selected Israeli Fiction*.

Eds. Gila Ramras-Rauch and Joseph Michman-Melkman. Philadelphia: The Jewish Publication Society, 1985.

Resnais, Alain. *Night and Fog*. Sandy Hook: Video Images, 1996. Film.

Richardson, Anna. "The Ethical Limitations to Holocaust Literary Representation."

eSharp 5 (Summer 2005): 1-19.

Richter, David. "Literature of the Holocaust." *Contemporary Literature* 18.4 (Autumn

1977): 552-556.

Riddick, John. Review of *First They Killed My Father: A Daughter of Cambodia*

Remembers, by Loung Ung. In *Library Journal*. 15 September 1999.

<<http://www.syndetics.com/index.aspx?isbn=occasional/2005-04-01/paper.pdf>>

Rittner, Carol ed. *Anne Frank in the World: Essays and Reflections*. New York: M.E. Sharpe, 1998.

Rogers, John. "Stories of Holocaust Survivors Retold by Holograms." *AP: The Big Story*. 2 February 2013. <<http://bigstory.ap.org/article/stories-holocaust-survivors-retold-holograms>>

Rollins, Peter. *The Fidelity of Betrayal*. Brewster, MA: Paraclete Press, 2008.

Rome Statute of the International Criminal Court. The Hague: The International Criminal Court, 2011.

Rosenbaum, Alan S. ed. *Is the Holocaust Unique? Perspectives on Comparative Genocide*. Boulder: Westview Press, 1996.

Rosenfeld, Alvin H. "Popularization and Memory: The Case of Anne Frank." In *Lessons and Legacies: The Meaning of the Holocaust in a Changing World*. Ed. Peter Hayes. Evanston: Northwestern University Press, 1991. 243-278.

---. "Anne Frank and the Future of Holocaust Memory." *United States Center for Advanced Holocaust Studies*. March 2005. <<http://www.ushmm.org/research/center/publications/0060193328/LJREVIEW.html&client=anarp>>

Roskies, David. *The Literature of Destruction: Jewish Responses to Catastrophe*. Philadelphia: Jewish Publication Society, 1989.

Rostan, Kimberly. "Reading Traumatically and Representing the Real in Collective Suffering." *College Literature* 33.2 (Spring 2006): 172-183.

Roth, John. "If God was Silent, Absent, Dead, or Nonexistent, What About Philosophy and Theology?" In *After the Holocaust: Challenging the Myth of Silence*. London: Routledge, 2012. 139-151.

Roth, Philip. *Deception*. New York: Simon and Schuster, 1990.

---. *Exit Ghost*. Boston: Houghton Mifflin, 2007.

---. *The Ghost Writer*. New York: Farrar, Straus, and Giroux, 1979.

---. *My Life as a Man*. New York: Holt, Rinehart and Winston, 1974.

---. *Operation Shylock: A Confession*. New York: Simon & Schuster, 1993.

---. *The Prague Orgy*. New York: Vintage Books, 1996.

---. *Zuckerman Unbound*. New York: Farrar, Straus and Giroux, 1981.

Rothberg, Michael. *Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization*. Stanford: Stanford University Press, 2009.

---. *Traumatic Realism: The Demands of Holocaust Representation*. Minneapolis: University of Minnesota Press, 2000.

Sandvik, Kristin Bergtora. "The Physicality of Legal Consciousness: Suffering and the Production of Credibility in Refugee Resettlement." In *Humanitarianism and Suffering: The Mobilization of Empathy*. Eds. Richard Ashby Wilson and Richard D. Brown. Cambridge: Cambridge U Press, 2009. 223-244.

Schabas, William A. "A Synergistic Relationship: The Sierra Leone Truth and Reconciliation Commission and the Special Court for Sierra Leone." *Criminal Law Forum* 15.1-2 (2004): 3-54.

Schaffer, Kay and Sidonie Smith. "Conjunctions: Life Narratives in the Field of Human Rights." *Biography* 27.1 (2004): 1-24.

---. *Human Rights and Narrated Lives: The Ethics of Recognition*. New York: Palgrave MacMillan, 2004.

- Secher, Benjamin. Rev. of *Beatrice and Virgil*, by Yann Martel. *The Telegraph*. 8 June 2010. <<http://www.telegraph.co.uk/culture/books/bookreviews/7801166/Beatrice-and-Virgil-by-Yann-Martel-review.html>>
- Seng, Theary. *Daughter of the Killing Fields: Asrei's Story*. London: Vision, 2005.
- Ser, Sayana. Interview by Aleisa Fishman. *Voices on Antisemitism—A Podcast Series*. 9 April 2009. <<http://www.ushmm.org/museum/exhibit/focus/antisemitism/voices/transcript/?content=20090409>>
- Shik, Na'ama. "Infinite Loneliness: Some Aspects of the Lives of Jewish Women in the Auschwitz Camps According to Testimonies and Autobiographies Written Between 1945 and 1948." In *Lessons and Legacies VIII: From Generation to Generation*. Ed. Doris L. Bergen. Evanston: Northwestern University Press, 2008.
- Simpson, Gerry. *Law, War & Crime*. London: Polity Press, 2007.
- Slaughter, Joseph. *Human Rights Inc.: The World Novel, Narrative Form and International Law*. Bronx: Fordham University Press, 2007.
- Smith, Sidonie. "Memory, Narrative, and the Discourses of Identity in *Abeng* and *No Telephone to Heaven*." In *Postcolonialism & Autobiography*. Ed. Alfred Hornung and Ernstpeter Ruhe. Amsterdam: Rodopi, 1998. 37-59.
- . [conference paper] American Comparative Literature Association, 2012.
- Spiegelman, Art. *Maus*. New York: Pantheon, 1993.
- Spivak, Gayatri Chakravorty. "Can the Subaltern Speak?" In *Colonial Discourse and Post-Colonial Theory: A Reader*, ed. Patrick Williams and Laura Chrisman. Hertfordshire: Harvester Wheatsheaf, 1994.

---. "Righting Wrongs." *The South Atlantic Quarterly* 103:2/3 (Spring/Summer 2004): 523-581.

Steiner, George. *Language and Silence: Essays on Language, Literature, and the Inhuman*. New Haven: Yale University Press, 1998.

Stoll, David. *Rigoberta Menchú and the Story of All Poor Guatemalans*. Boulder: Westview Press, 1999.

Stover, Eric. *The Witnesses: War Crimes and the Promise of Justice in The Hague*. Philadelphia: University of Pennsylvania Press, 2005.

Stryron, William. *Sophie's Choice*. New York: Random House, 1979.

Suleiman, Susan. "Problems of Memory and Factuality in Recent Holocaust Memoirs: Wilkomirski/Wiesel." *Poetics Today* 21.3 (2000): 543-599.

Sundquist, Eric J. "Witness without End?" *American Literary History* 19.1 (Spring 2007): 65-85.

Swales, John M. "Worlds of Genre—Metaphors of Genre." In *Genre in a Changing World*. Eds. Charles Bazerman et. al. Fort Collins, Colorado: The WAC Clearinghouse and Parlor Press, 2009. 1-16.

Teitel, Ruti. *Transitional Justice*. Oxford: Oxford University Press, 2000.

Thomas, D.M. *The White Hotel*. New York: The Viking Press, 1981.

Tiktin, Miriam. *Casualties of Care: Immigration and the Politics of Humanitarianism*. Berkeley: University of California Press, 2011.

Todorov, Tzvetan. *Genres in Discourse*. Cambridge: Cambridge University Press, 1990.

Ung, Loung. *First They Killed My Father: A Daughter of Cambodia Remembers*. Edinburgh: Mainstream Publishing Company, 2001.

- Van Alphen, E. *Caught by History: Holocaust Effects in Contemporary Art, Literature, and Theory*. Stanford: Stanford University Press, 1997.
- Van Nyhuis, Alison. "Moving Beyond Black and White Issues: Jewishness and Symbols of Womanhood in *Abeng*." *Journal of West Indian Literature* (Apr. 2005): 176-195.
- Van Schaack, Beth. "In Defense of Civil Redress: The Domestic Enforcement of Human Rights Norms in the Context of the Proposed Hague Judgments Convention." *Harvard International Law Journal* 42 (Winter 2001): 141-201.
- Vice, Sue. "False Memoir Syndrome in Holocaust Testimony." Centre for the Study of Genocide and Mass Violence <<http://www.genocidecentre.dept.shef.ac.uk/>>
- . *Holocaust Fiction*. New York: Routledge, 2000.
- Walser, Martin. "Not a Ripping Read." Rev. of *Tod Eines Kritikers*. In *The Economist*. 29 August 2002. <<http://www.economist.com/node/1301667>>
- Waxman, Zoe Vania. *Writing the Holocaust: Identity, Testimony, Representation*. Oxford: Oxford University Press, 2006.
- Weissman, Gary. *Fantasies of Witnessing: Postwar Efforts to Experience the Holocaust*. Ithaca: Cornell University Press, 2004.
- West's Encyclopedia of American Law*. 2nd edition. New York: West Group Publishing, 1997.
- White, Hayden. "The Fictions of Factual Representation." In *Grasping the World: The Idea of the Museum*. Eds. Donald Preziosi and Claire Farago. Aldershot, Hants, England and Burlington, VT: Ashgate Publishing, 2004. 22-35.

- . "The Question of Narrative in Contemporary Historical Theory," *History and Theory* 23 (1984) 1-33.
- Whitehead, Anne. *Trauma Fiction*. Edinburgh: Edinburgh University Press, 2004.
- . "Telling Tales: Trauma and Testimony in Benjamin Wilkomirski's *Fragments*." *Discourse* 25.1&2 (2003): 119-137.
- Wiesel, Elie. *A Jew Today*. New York: Random House, 1978.
- . "The Holocaust as Literary Inspiration." In *Dimensions of the Holocaust: Lectures at Northwestern University*. Evanston: Northwestern University Press, 1977. 5-19.
- . *One Generation After*. New York: Random House, 1970.
- Wieviorka, Annette. *The Era of the Witness*. Trans. Jared Stark. Ithaca: Cornell University Press, 2006.
- Williams, P. *Memorial Museums: The Global Rush to Commemorate Atrocities*. New York: Berg Publishers, 2008.
- Wilkomirski, Benjamin. *Fragments: Memories of a Childhood, 1939-1948*. Trans. Carol Brown Janeway. London: Picador, 1996.
- Wolff, Janet. "The Iconic and the Allusive: The Case for Beauty in Post-Holocaust Art." In *Image and Remembrance: Representation and the Holocaust*. Eds. S. Hornstein and F. Jacobowitz, Indianapolis: Indiana University Press, 2003.
- Young, James E. *The Texture of Memory: Holocaust Memorials and Meaning*. New Haven: Yale University Press, 1993.
- . *Writing and Rewriting the Holocaust*. Bloomington: Indiana University Press, 1988.
- Zahar, Alexander. "The Problem of False Testimony at the International Criminal Tribunal for Rwanda." *Annotated Leading Cases Of International Criminal*

Tribunals, Vol. 25: International Criminal Tribunal For Rwanda, 2006-2007,

Eds. André Klip and Göran Sluiter. Antwerp: Intersentia, 2010. 509-522.

Zucker, Greg. "Is There a New Anti-Semitism? A Conversation with Raul Hilberg."

Logos: A Journal of Modern Society & Culture 6.1-2 (2007): n.pag.

<http://www.logosjournal.com/issue_6.1-2/hilberg.htm>

CURRICULUM VITAE

Katherine Wilson

Place of Birth: Highland Park, IL

Education:

Ph.D., English Modern Studies, University of Wisconsin–Milwaukee, May 2013
 Dissertation: “Genocide Genres: Reading Atrocity Testimonies.”
 Advisor: Jane Gallop

M.A., Comparative Literature, University of Wisconsin–Milwaukee, 2007

B.S., English Secondary Education with a minor in ESL, UW–Oshkosh,
 Summa Cum Laude, 2004

Certificate in Mandarin Chinese, Beijing Institute of Technology, 2002

Research:

Publications

- “Anne Frank Abroad: The Emergence of World Atrocity Literature.” *World Literature Today*. Norman: University of Oklahoma Press, May 2013.
- “The Space of Salsa: Theory and Implications of a Global Dance Phenomenon.” In *From Conflict to Recognition: Moving Multiculturalism Forward*. Ed. Michael Kearney. Amsterdam: Rodopi, 2012.
- “The Civil Side of Genocide.” Review of *Barbaric Civilization*, by Christopher Powell. *Toronto Review of Books* 1.2 (April 2012): n. pag.
- “Looking At Ourselves: An Introduction.” *Looking at Ourselves: Multiculturalism, Conflict and Belonging*. Ed. Katherine Wilson. Oxford: Inter-Disciplinary Press, 2010.

Editing

Looking at Ourselves: Multiculturalism, Conflict and Belonging. Ed. Katherine Wilson. Oxford: Inter-Disciplinary Press, 2010.

Conference Papers and Panels

- “An Instrument of Ethics: (Re)Inventing Close Reading for the 21st Century.” Panel Chair, National Council of Teachers of English, Boston. November 2013. (Accepted)
- “The Violence of Genre: Close Reading Atrocity Testimonies.” National Council of Teachers of English, Boston. November 2013.

- “Generic Testimonies in Human Rights Discourse.” The Social Practice of Human Rights: Charting the Frontiers of Research and Advocacy, U of Dayton, October 2013.
- “Do Testimonies Prevent Genocide?” American Comparative Literature Association, Toronto. April, 2013.
- “Genre and the Literature of Genocide.” 3rd Global Genocide Conference by the International Network of Genocide Scholars, San Francisco State U. June, 2012.
- “Anne Frank Abroad: The Emergence of the World Literature of Atrocity.” American Comparative Literature Association, Brown U. March 2012.
- “World Literature and Atrocity.” Panel Chair, American Comparative Literature Association, Brown U. March 2012.
- “The Genre of Human Rights.” International Conference on Human Rights, Literature, the Arts, and Social Sciences, Central Michigan U. November, 2011.
- “The Literature of Atrocity as World Literature.” American Comparative Literature Association, Vancouver. March, 2011.
- “Production and Contestation: A Multigenerational Critique of Traumatic Memory in Cambodia’s Post-Genocide Literary Traditions.” American Comparative Literature Association, New Orleans. April, 2010.
- “A Space for Salsa: Theory and Implications of a Global Dance Phenomenon.” Multiculturalism, Conflict and Belonging Conference, Oxford U, England. September, 2009.
- “A Place to Call Homeland: Desiring Recognition in Exile Narrative.” American Comparative Literature Association, Harvard U. March, 2009.
- “A Place to Call Homeland: Desiring Recognition in Exile Narrative.” Midwest Interdisciplinary Graduate Conference, UWM. February, 2009.

Independent Research

Conducted research in genocide and human rights at the following locations:

Documentation Center of Cambodia, UN Khmer Rouge Tribunal at the Extraordinary Chambers in the Courts of Cambodia, Tuol Sleng Genocide Museum (Cambodia); Documentation Center for the Timor-Leste Commission for Reception, Truth and Reconciliation (East Timor); Auschwitz-Birkenau Memorial and State Museum (Poland); War Remnants Museum (Vietnam)

Teaching:

Genocide Prevention and Reconciliation Seminar Instructor, Auschwitz Institute for Peace and Reconciliation, Auschwitz-Birkenau State Museum, Poland. Beginning 2013.

Graduate Teaching Assistant, Depts of English, Comp. Literature, and French, UWM:

Introduction to English Studies. Spring 2011.

Introduction to College Writing. Spring 2011, fall 2012.

College Research and Writing. Spring 2010, fall 2010, spring 2013.

Special Topics in Holocaust Literature and History. Fall 2007, spring 2007, fall 2008.

The Da Vinci Code. Spring 2007.
Views of France (grader) Fall 2007, spring 2008.

Guest Lectures:

“American Culture.” Ahmad Dahlan U, Yogyakarta, Indonesia, 2010.
“History and Culture of Caribbean Dance Forms.” UWM, 2008.
“Hmong Culture in Thailand.” UW–Oshkosh. 2006.
“American Culture from a Comparative Perspective.” Beijing Academy of Military and Medical Sciences, China 2001.

Fellowships and Awards:

Institute for World Literature, Participant, Harvard University, 2013.
James A. Sappenfield Fellowship, UWM English Department, 2013.
Summer Institute on the Holocaust and Jewish Civilization Fellowship, Northwestern U, 2012.
Dissertation Fellowship, UWM Graduate School, Fall 2011–spring 2012.
Benjamin A. Gilman International Scholarship, 2001–2002.
Wisconsin Study Abroad Grant, 2001–2002.

Service:

Executive Director, Frank Zeidler Center for Public Discussion, Milwaukee, WI, 2013–present.
Editor, Wisconsin Alliance for Minority Participation, 2013–present.
Lead Conference Organizer: Midwest Interdisciplinary Graduate Conference, 2009–2013.
English Department Travel Committee, UWM, 2012–2013.
Elected Graduate Student Representative: English Modern Studies, 2009–2011.
Digital Humanities Graduate Assistant: Language Resource Center, UWM, 2008–2009.
Research Assistant for: Jane Gallop, Sandra Braman, Kumkum Sangari.