

BERLIN DECLARATION



Memory work for social justice

However, not to know what befell before you were born is always to be a child. For what is the age of a human if it is not woven together with the age of one's ancestors by means of a memory of old things? (Cicero, Orator, 120)

berlin declaration

THE PROCESS

Over the nine months between November 2013 and July 2014 the Nelson Mandela Foundation and GIZ Global Leadership Academy brought together 26 participants from ten countries¹ to engage in a three-part dialogue series on memory work in contexts where oppression, conflict or human rights abuses have taken place. The dialogues offered an international forum to discuss the complex personal, collective and professional challenges facing those engaged in reckoning with the past. Through different layers and modes of engagement the process sought to reinvigorate debates about memory work; and offer new approaches, new questions and challenges to existing paradigms.

The participants were activists, analysts and functionaries, with many straddling (over time or at the moment) these somewhat artificial categories. Despite their different national contexts, experiences and professions, many shared the experience of wrestling with structures of power resistant to meaningful societal transformation, with discourses that feel worn out, and with a weariness at personal levels that is the product of long periods of exposure to pain and stress.

This Declaration represents what participants have agreed are objectives of memory work, and the fundamental principles for the practice of that work.

MEMORY WORK AND TRANSITIONAL JUSTICE

The term 'memory work' is often used together with or alongside the term 'transitional justice' when speaking about dealing with past human rights violations, injustices and/or war. While formal transitional justice practices and processes may be considered elements of memory work, they tend to be driven by structures and instruments of the state, are often time-bound and involve formal, often judicial, proceedings. Memory work refers to a broader category of processes, practices and activities that are the responsibility of all sectors of polity and society.

The United Nation Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, described transitional justice thus:

“TRANSITIONAL JUSTICE IS NOT THE NAME FOR A DISTINCT FORM OF JUSTICE, BUT OF A STRATEGY FOR ACHIEVING JUSTICE FOR REDRESSING MASSIVE RIGHTS VIOLATIONS IN TIMES OF TRANSITION. REDRESS CANNOT BE ACHIEVED WITHOUT TRUTH, JUSTICE, REPARATIONS AND GUARANTEES OF NON-RECURRENCE.”²

¹ The participants came from Argentina, Bosnia and Herzegovina, Cambodia, Canada, Croatia, Germany, Kenya, Serbia, South Africa and Uruguay.

² United Nations Office of the High Commissioner for Human Rights, “‘Transitional justice is not a ‘soft’ form of justice,’ says new UN Special Rapporteur Pablo de Greiff,” *Statements - Display News*, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12496&LangID=E> (accessed May 19, 2014)

The pillars of transitional justice are: truth-recovery, prosecution, reparation³ and reconciliation. While all four pillars are regarded as indispensable, the specifics of place and time determine how they are best implemented. There is no universal blueprint.

By invoking the term 'constructive memory work' we recognise the need for social justice beyond the immediate need for redress in response to particular events. Constructive memory work is about building a just and sustainable peace, and securing social justice. It requires commitment to a long journey if needs be, it demands a transformation in ways of knowing and doing, and in most cases it requires a restructuring of the state and of the economy to redress inherited inequalities. It is thus a long-term project, reaches beyond the confines of formal transitional justice interventions and often involves the less obvious labours of artists and community storytellers.

THE PURPOSE OF CONSTRUCTIVE MEMORY WORK

Our global realities are marked by use of narratives about the past that serve the interests of a few. In some instances transitional justice is, and has been, used as a means by which to secure a transfer of power between elites. Memory work too can be destructive and invite recurrence of past injustice. Yet, depending on the intention and use, memory work and transitional justice processes can foster constructive remembering and healthy forgetting.⁴ But the outcome cannot be guaranteed nor controlled.

Reckoning with the past may intentionally or unintentionally have destructive outcomes. It may widen the gap between people, spread hatred or prejudice, exploit wounds from the past to mobilize and instigate for violence, or it may support peacebuilding, the healing of wounds, a forgetting of immediate pain and trauma, and a preventing of the recurrence of injustice. The purpose of what we refer to as 'constructive memory work' is to achieve the latter. It recognizes the need to work with the past, acknowledge the pain and trauma, and reveal hidden dimensions of human rights violations - these are key to preventing a recurrence.

The powerful will tend to use memory resources to fulfill the end of remaining powerful. Memory work dominated by particular interests – whether of the state, of the private sector or of civil society – is unavoidably elitist and creates metanarratives that drown out voices that cause discomfort, voices that are marginalized. Constructive memory work is about troubling such metanarratives and making space for 'other' voices. It may be about dealing with uncomfortable pasts that trouble structures of power, even in a democracy. As such it may be seen to be in opposition to the state, it may be underfunded, and it may be lonely.

The aim of constructive memory work is to release societies from cycles of violence, prejudice and hatred and instead to create vibrant and conscious societies that strive to achieve a just balance of individual and collective rights. Ultimately this work is about building a just and inclusive future that transforms the

³ Reparation may include, but is not limited to, financial compensation for those harmed by injustice, oppression or conflict. Reparation may also include symbolic memorialization. Reference here to reparation does not imply a belief that material compensation can repair the damage of the past.

⁴ By 'healthy forgetting' we do not mean erasure. Rather, we mean a process of remembering which enables a forgetting of immediate pain and trauma.

norms, attitudes and ideals which informed the oppression of the past. Constructive memory work is about making a liberatory future.

PRINCIPLES OF CONSTRUCTIVE MEMORY WORK

- Memory work is about redefining, rebuilding or creating afresh relationships between individuals, communities and peoples and breaking cycles of harm and violence.
- Memory work is about remembering what happened and honouring lives lost or damaged without fear or favour.
- Memory work must be inclusive. It should not use 'us' and 'them' distinctions.
- Memory work must be respectful towards all human suffering. At the same time, it should resist the temptation to produce hierarchies of 'victims'. It should be aware of the dimensions of power at play in the role of 'victim' - this includes the danger of 're-victimizing' those who choose or are assigned such labels; and the danger inherent in the creation of a collectivity of 'righteous victims' who may act with impunity to replicate harms of the past.
- Memory work should not be dominated by the 'righteous'. It should be critical and dialogue-oriented.
- Memory work requires many different disciplines and skills. It should involve people from different sectors of society and should not be owned by 'heroes' and 'victims'/'survivors' only. It is the whole society that may benefit or suffer from the outcomes of memory work.
- A just and sustainable peace can be achieved only with broad and participative processes to reckon with the past, including the assuming of responsibility.
- Memory work should provide the foundation for sustainable cross-generational action that leads to societal change and transformation.

PRACTICE OF CONSTRUCTIVE MEMORY WORK

The imperatives

Our work is about supporting people, individuals and collectivities to re-engage with spaces, places and dimensions they don't want to return to – in order to bring healing.⁵ We must:

- Provide space for engagement with narratives from different perspectives.
- Deconstruct human rights violations committed in the name of 'just wars', 'justified torture' and 'preventive human-rights abuses'.⁶
- Deconstruct individual and collective narratives which justify violence on the basis of hatred as natural to the human condition.

⁵ By 'healing' we do not refer to the repairing of damage or the finding of 'closure', although healing for many doubtless involves both. Here we use the term to describe: the processes whereby those who are traumatised work with their trauma successfully; and the processes whereby those who have been violated find ways of narrating and befriending the selves they were before their violation.

⁶ By 'deconstruct' we mean: examine critically, explain and expose.

- Initiate transnational projects that aim to overcome psychological boundaries, prejudices and stereotypes among and between people.
- Seek ways to re-humanize ourselves and those who are/were considered 'enemies'.
- Enable people to take responsibility for what was done in their name and take responsibility for the 'other', the stranger.
- Decline to point at any group or collectivity as an 'enemy'.

Timing

There is no formula for a successful transition to democracy from authoritarianism. (Indeed, there is no guarantee that formal democracy will diminish, if not end, levels of inequality and scales of human suffering.) Recent history shows that at some stage, sooner or later, societies need to dedicate resources to memory work, accountability, justice and redress. There are many ways to do this and it could take time to find the right way for a wide variety of reasons (usually related to the history of the country/region, the form of the transition, the performance of the new leaders, international involvement, the strength of activism, and social networks, among others factors). So there may need to be a pause before reckoning with the past. This may be misread as denial, amnesia, or willful forgetting. Yet, it is never too late to do memory work, to deal with crimes against humanity, to offer redress to victims, and to strengthen the rule of law.

The next generation

All generations have responsibilities to the ones that precede and succeed them. But the generation that comes after one that has been directly affected by past oppression or conflict has a particular responsibility for building a just society as a guarantee of non-recurrence. It also faces a direct imperative to acknowledge what happened in the past, in all its complexity.

Finding ways to engage constructively with future generations without making the past a burden for them is an essential component of constructive memory work.

Self-care

How do we keep going when the weight of responsibility seems so great and the work is so lonely? How do we retain emotional openness and work from the heart in face of both the coldness of a bureaucratic response to human suffering and the immensity of pain? How do we overcome the constant sense of not achieving enough?

Answers to these questions, unavoidably, are subjective and personal. They challenge every memory worker. Keeping the senses open, allowing closeness to pain and suffering, without getting stuck there, is a necessary and inevitable part of being a constructive memory worker. Consequently memory workers

require self-care, consciousness of the effect of vicarious trauma and the support that comes from solidarity. The labours of artists and community storytellers are a significant potential resource.

Art

Art has been found to be an important tool for memory work in a range of national contexts, because we work with strong feelings (deep in our 'self' and in the furthest reaches of the 'other'). When we work with younger generations, art or artistic expression can produce powerful experiences and engages all the senses. It can overcome the barriers created by time, illiteracy and painful hidden emotion. And, more fundamentally, the work of memory practitioners is an art - an art requiring at once inspiration, passion, skill and endurance.

ULTIMATELY CONSTRUCTIVE MEMORY WORK IS ABOUT BUILDING A JUST AND INCLUSIVE FUTURE. IT IS ABOUT MAKING A LIBERATORY FUTURE.