Table of Contents

Ruth HaCohen
Preface 1

Acknowledgments 5

Taha Muhammad Ali
Revenge
A Poem
Translated by Peter Cole, Yahya Hijazi, and Gabriel Levin 9

Laura Jockusch, Andreas Kraft, and Kim Wünschmann
Introduction 12

Revenge

David P. Barash and Judith Eve Lipton
The Three Rs:
Retaliation, Revenge, and Redirected Aggression 31

Kim Wünschmann
Revenge and Justice in the Concentration Camps:
Social Dynamics in the “Jewish Blocks” 51

Mark Roseman
“No, Herr Führer!” Jewish Revenge after the Holocaust:
Between Fantasy and Reality 69
Andreas Kraft
_Narratives of Jewish Revenge after the Holocaust_ 91

Retribution

Ron Dudai
_Retribution in the Underground:
The IRA’s Campaign against Informers_ 111

Laura Jockusch
_In Search of Retribution:
Nazi Collaborators Trials in Jewish Courts in Postwar Germany_ 127

Alon Harel
_Why Only the State Can Punish:
The Moral Case against Privatization of Criminal Sanctions_ 146

Reconciliation

José María Sánchez de León Serrano
_The Spectacle of the World:
Oneness and Reconciliation in Modern Thought_ 165

Yotam Benziman
_The Morality of Dialogic Forgiveness_ 196

Günther Pallaver
_Terrorism and Reconciliation in South Tyrol:
Negotiations, Consociational Democracy, and Power-Sharing_ 212
Zohar Kampf
Appeasing Truth:
How Historical Facts are Discursively (Re)constructed in Processes of Reconciliation 237

Valerie Hébert
“Truth Heals” and Other Myths:
Reconciliation as False Promise in Post-Atrocity Justice Processes 250

Contributors 266
Preface

Ruth HaCohen

The articles gathered in this volume are the fruit of an interdisciplinary workshop that took place in the framework of the Martin Buber Society of Fellows in the Humanities and Social Sciences at the Hebrew University in June 2013. The workshop was organized by the three editors of this volume, Laura Jockusch, Andreas Kraft, and Kim Wünschmann, who were all research fellows of the program at the time. The rich and well-structured conception of that intellectual endeavor is now beautifully revealed in the individual contributions as well as in the book as a whole. It is indeed a product of a continuous German-Israeli dialogue, the strength of which emerges both from the force of the chosen concepts and their thoughtful deployment and elaboration in the various studies. Additional strength is gained from the serious and often passionate personal engagement of the writers with the subject they are exploring. The triangle of revenge, retribution, and reconciliation, resonant of Jewish-German postwar sensibilities, are soberly examined through various disciplinary and historical contexts, mostly modern and postmodern. The steady focus is on the human condition that they involve – whether defined in historical, literary, biological, psychological, sociological, legal, cultural, or philosophical terms – along with their motley complicated configurations in each of the studied cases, including recent conflict zones and their aftershocks. Modernism, as the philosopher tells us, is in the present contexts a Godforsaken universe, consigned to the self-governance of humans endowed with free will, who are more responsible than ever before for the just and proper direction of
human society. Aware of inevitable wrongs and of the limits of justice, this volume attests to various attempts of individuals and communities to rationally seek for and realize possibilities to channel reactions to wrongdoings beyond revenge or indirect retaliation. Such efforts, we learn, were sometimes spontaneous, and admirably so, even within the most extreme conditions of concentration camps or in their aftermath. When reactive measures are not so directed, violence persists and injustice reigns supreme.

Nonetheless, we should not assume that the better options end conflict or pain. Whatever the author’s perspective in this volume and the subject s/he examines is, there is a story or stories to tell, which always begin “in medias res” and never actually come to an end. The three R’s here engaged refer to conditions “after the misdeed” or deeds; even in the most benevolent scenarios, their imprint can never be erased or entirely forgotten. The stories are about affronting justice, doing evil, committing crimes and betrayal, undermining stable social, political, or cultural regimes, sometimes reaching colossal dimensions of destruction. Society and individuals wish to recover equilibrium, dignity, sanity, and these are hard won gains. Emotions are always involved; in the first place, they are the triggers of revenge. But even with retributive acts against perpetrators, or when reconciliation is apparently achieved, hard emotions do not easily leave the stage, if ever. They persist in various modes, overt and covert, individually and collectively. Sometimes we call these traces trauma, and the question of the price of their resurfacing – even in the reconciliatory cases – could be too high to pay on the level of the individual actor and even on that of wider circles.

Indeed, if Aristotle, whose presence is felt in the spirit of this collection, conceives in his Poetics the traumatic drama that the Greek brand tragedy as a staged action evoking fear and compassion, which in turn resolves in the totality of the cathartic effect, in history, at least the histories here engaged, even if catharsis is achieved (as some authors claim) emotions will never be entirely purged. The question that then arises is how to work through them so that retaliation, or transferred aggression, will not return, leading to further injustices and wrongs,
whether in relation to the original parties or elsewhere digressed.

Art and literature can indeed help us think on the micro level, whether as condensed realities or as allegories of sorts. Sensing this potential, the editors poignantly open the volume with Homer and Aeschylus and further invite us to reflect on the moving and thought-provoking poem “Revenge” by the late Taha Muhammad Ali, a Palestinian poet from Nazareth. Moving in similar lines, one can think of the biblical Joseph, or for that matter of Shakespeare’s Prospero. Both heroes could revenge, retaliate, or at least punish their wrongdoers – close kin in their cases, who hatefully exposed them to a cruel fate. They chose not to. Both had enough time to reflect on the horrendous events, living many years in exile. Both had the power, enormous power, to bring about their offenders’ ruin. Instead they staged a virtual crisis, similar to the initial traumatic event, whereby they witnessed the regret and remorse of those who were involved in the first crime of envy and resentment. Thus they achieved, though to a different degree in each case, disarming moments of recognition, of candid repentance, leading to a gradual though never full appeasement. Catharsis is nonetheless attained both in their own fictional world and, to a different degree, in that of their readers/spectators.

Music makes such processes audible, to paraphrase a well-known formulation by the American philosopher Susanne Langer. In the happy moments of its comic manifestations, it ridicules vengeance and slights the aggressor. Music, moreover, has the capacity to sonically embody the moment of recognition, when the aggressor stands bare in front of the entire community, unable to hide any longer his hypocrisy, lust, and unfounded jealousy. Mozart’s The Marriage of Figaro (1786) performs all of these miracles, and more: it exposes this activity as the stagecraft of emotionally mature and cunningly playful women friends, who like their peers in the aforementioned fictional universes understand something about how such moral-psychological processes work. As it turns out, their target, a stubborn and rather infantile male chauvinist, Count Almaviva (the husband of one and the sexual harasser of the other), does not easily
relinquish his narcissistic self-centered positions. When such a man falls at last on his knees and begs for candid forgiveness (in the most exquisite tones) the women forgive – they cannot do otherwise – while the whole community witnesses the transformation. How deep and persistent is such a reconciliation? We will never know. The transition from that sublime spectacle to the stormy, albeit music of contenti and allegria, of the closing ensemble, discloses relief but also anxiety; the caprici and tormenti can always return. All such awe-inspiring moments are fragile and transitory, Mozart admonishes, and the effort to maintain the state of mind they brought about never ceases. The work of forgiveness, as the other philosopher in this volume tells us, is never complete, and should dialogically engage both partners over and over again.

In the final analysis, reconciliatory processes move beyond rational procedures, calling for imagination, openness, and compassion. Not all of these avenues are always open to us, especially when we return to collective crimes: victims are often no longer around, and the perpetrators have also disappeared. Who will forgive and whom? And what could replace forgiveness in the attempt to open new historical pages between adversarial communities? That is indeed where dialogue enters, a dialogue of search and research, between those who bear the memory of the atrocities, whomever their ancestors were, and the various responsibilities they undertake as such. In the second decade of the twenty-first century, in the year in which we celebrate the fiftieth anniversary of Germany-Israel relations, both diplomatic and scientific, for us, in the Martin Buber Society of Fellows, consisting of Germans, Europeans from other countries, Israelis and Palestinians, such informed dialogue becomes a daily engagement, that should contribute not only to a better understanding of the past but no less to the improvement of the present and the future.

Ruth HaCohen
Director, The Martin Buber Society of Fellows
Jerusalem, August 2015
Introduction
Laura Jockusch, Andreas Kraft, and Kim Wünschmann

What happens after harm is done and injustice has to be endured? Is revenge really sweet? Should the injured claim an eye for an eye and a tooth for a tooth? Who has the right to impose sanctions and mete out punishment? Is it at all possible for perpetrator and victim to settle their scores and “make good” again? Or are there things that can never be undone?

This volume explores how individuals, groups, and societies in a variety of cultural contexts, political settings, and time periods respond to the perpetration of injustices. Approaching the concepts of revenge, retribution, and reconciliation from multi-disciplinary and cross-cultural perspectives, the contributors to this anthology offer a broad spectrum of scholarly analyses. Their expertise includes the

fields of psychology, biology, political science, communications, sociology, law, philosophy, religious studies, literature, and history, thereby enabling us to recognize the complexity of these themes, to ask new questions, and to discuss them against a wider background of observations. What emerges are findings that are deeply unsettling yet utterly relevant to anyone who – sometimes against all odds – seeks a better understanding of those perplexing, man-made phenomena that remain part and parcel of the world we live in.

“Wrath” (μῆνις = mínis) is the opening word of Homer’s *Iliad* and, according to the philosopher Peter Sloterdijk, it is also the birth pang of European culture. In this understanding, the demigod Achilles, the hero of the *Iliad*, figures as the epitome of the avenger. Easily enraged, he is the (in)famous example of an insatiable need for revenge that loses all sense of proportion. After his beloved friend Patroclus is killed by Hector, Achilles not only takes revenge by killing the assailant, he ties the corpse of his adversary to his chariot and drags it around the tomb of Patroclus three times. Further adding to the violation, he then lets the dead body lie in the dust exposed to the heat of the sun.

The man has lost all mercy;
he has no shame – that gift that hinders mortals
but helps them, too. A sane one may endure
an even dearer loss: a blood brother,
a son; and yet, by heaven, having grieved
and passed through mourning, he will let it go.\(^3\)


\(^3\) Homer, *The Iliad*, trans. Robert Fitzgerald (Garden City, NY: Anchor Press/
Achilles’ desecration of Hector’s corpse severely violates all customs and his inhumane act of almost mad furor even fills the gods with indignation. Apollo, who feels pity for Hector, intervenes and prevents the body from further debasement and decay.

Achilles’ reaction to his pain over the loss of his friend illustrates how anger-driven revenge seeks to soothe suffering by causing even greater pain to others. However human his reaction may be, the ability to feel compassion is also part of human nature. By striking back excessively, Achilles loses this quality and acts as if blinded by his frantic thirst for vengeance. He only returns to his “human senses” after Hector’s father implores him to cease and appeals to Achilles’ feelings as a son. Regaining the ability to feel empathy, Achilles grants Hector and his kin the honor of a proper funeral.

While Homer’s epic, a document of early Greek culture, illustrates the destructive side of anger and revenge, Aeschylus’ *Eumenides*, written some five hundred years later, depicts the moment in which revenge – in Francis Bacon’s words “a kind of wild justice”⁴ – is replaced by a juridical system. The vortex of revenge which plays out in the last part of Aeschylus’ trilogy, *Oresteia*, begins with Clytaemestra’s murder of her husband Agamemnon, killing him with an axe in his bath. Commanded by Apollo, their son Orestes then avenges his father by killing his mother. Thereafter the Furies, who are the deities of vengeance, “the daughters of primeval darkness,”⁵ relentlessly chase Orestes, first to Delphi and then to Athens, where he seeks the intervention of the goddess Athena. While the Furies insist that Orestes must be punished for matricide, he claims that he acted according to Apollo’s dictate and can therefore not be held responsible for the crime. Athena convenes a special court to hear the
The Furies appear as Orestes’ accusers, while Apollo speaks in his defense. But since the jurors of the court are unable to reach a verdict, Athena casts the deciding vote and Orestes is acquitted. The Furies angrily threaten vengeance on Athens. Offering them a position of honor in the cult of her city, she transforms them into benevolent spirits. Their name changes to the Eumenides, or “the kindly ones,” to symbolize their new character. Thus speaks Athena:

...the time of brute force
Is past.
The day of reasoned persuasion,
With its long vision,
With its mercy, its forgiveness,
Has arrived.
The word hurled in anger shall be caught
In a net of gentle words,
Words of quiet strength.
The angry mouth shall be given a full hearing.
I understand your fury.
But the vendetta cannot end,
The bloody weapon cannot be set aside
Till all understand it.7

The Furies, who were originally the uncompromising agents of revenge and divine retribution, are mystically converted into benevolent spirits. A new social and moral order is established by Zeus through his daughter Athena, the personification of wisdom. Justice will now be secured by an impartial and rational human court. The new justice will be tempered by mercy and understanding, as in the trial of Orestes. In the words of Sloterdijk: “What is at issue is nothing less than the complete break with the older culture of revenge and fate as well the introduction of a political concern

6 Ibid., 190–91.
7 Ibid., 189.
for justice. This form of political justice should be practiced in the future exclusively in civil courts.”

The desire for justice and fairness – arguably a part of human nature – does not only influence our individual interpretations of the world, it also shapes the ways in which societies and human relations are organized. Social institutions as well as public discourses and the media play significant roles in our quest for justice. Established legal systems and agencies of law enforcement, whether their authority is based on the rational foundations of the social contract or on the moral codes of religious laws, have the function of maintaining social order by dispensing justice. While collective life rests on the notion that individuals surrender their natural rights to an authority that pursues justice for them, violations of laws and transgressions of social norms constantly probe this agreement. Perennial questions touching upon the validity of social values, norms, and laws as well as the appropriateness of mediated punishment arise time and again and challenge social cohesion.

In complex modern societies, these essentially philosophical discourses on justice remain central themes for human interaction. Extreme reactions to offences, sometimes deliberately circumventing institutionalized forms of punishment, attest to the strong emotional side of justice. Aristotle defined revenge as an emotion deriving from anger, “as a longing, accompanied by pain, for a real or apparent revenge for a real or apparent slight.” Rage, disgust, or the urge for vengeance are emotional reactions that accompany the human

Contributors

David P. Barash is an evolutionary biologist and Professor of Psychology at the University of Washington, Seattle, WA, USA. He has written more than 200 peer-reviewed articles and 40 books, dealing with evolution, human and animal behavior, as well as one of the founding texts in Peace Studies. In addition to fellowships, grants, and other awards, he is especially proud of having been named by a well-known right-wing activist as one of the 100 most dangerous professors in the United States. Among his recent books are Buddhist Biology: Ancient Eastern Wisdom meets Modern Western Science (Oxford University Press, 2014); Peace and Conflict Studies (Sage, 2013); Approaches to Peace: A Reader in Peace Studies (Oxford University Press, 2013); Homo Mysterious: Evolutionary Puzzles of Human Nature (Oxford University Press, 2012); Payback: Why we Retaliate, Redirect Aggression and Seek Revenge (Oxford University Press, 2011).

Yotam Benziman is Senior Lecturer in Philosophy at Sapir College, Israel, and teaches in the Department of Political Science at the Hebrew University of Jerusalem. He has published several books and articles dealing with aspects of the ethics of personal relations. Among them: Forgive and Not Forget: The Ethics of Forgiveness (The Van Leer Jerusalem Institute and Hakibbutz Hameuchad, 2008).

Ron Dudai is a post doctoral researcher at the Martin Buber Society of Fellows, Hebrew University of Jerusalem, where he also teaches at the Law Faculty. His research is in the fields of human rights,
transitional justice, and criminology. His article “Informers and the Transition in Northern Ireland” (2012) was awarded the Brian Williams Prize by the British Society of Criminology. He is associate editor of the Journal of Human Rights Practice.

**Alon Harel** holds the Philip P. Mizock & Estelle Mizock Chair in Administrative and Criminal Law. He is a member of the Rationality Center at the Hebrew University. Harel is the author of *Way Law Matters* (Oxford University Press, 2014).

**Valerie Hébert** is associate professor of history and interdisciplinary studies at Lakehead University Orillia in Ontario, Canada. She is the recipient of research grants and fellowships from the Social Science and Humanities Research Council of Canada, the Holocaust Educational Foundation, The German Historical Institute, and the Jack, Joseph and Morton Mandel Center for Advanced Holocaust Studies at the United States Holocaust Memorial Museum. Hébert has published on the Nuremberg Trials and on Rwanda’s *Gacaca* Tribunals. Her book, *Hitler’s Generals on Trial: The Last War Crimes Tribunal at Nuremberg*, was published by the University Press of Kansas in 2010. She is currently researching the connection between the photography of atrocity and human-rights consciousness.

**Ruth HaCohen (Pinczower)** is the Artur Rubinstein Professor of Musicology at the Hebrew University of Jerusalem and the current Director of the Martin Buber Society of Fellows. Her research explicates the role played by music in shaping and reflecting wider cultural and political contexts and processes from historical, aesthetic, and semiotic perspective. Her publications discuss the rise of new aesthetic theories in the eighteenth century, including the development of sympathy and compassion as cultural paradigms, the creation of meaning in music, and the deep affinities between music and politics in the West and between music and religion in Jewish-Christian relations. Her book, *The Music Libel Against the Jews* (Yale University Press, 2011), won the Otto Kinkeldey Award given...
by the American Musicological Society for the most distinguished book in musicology published in 2012, and the 2012 Polonsky Prize for creativity and originality in the humanistic disciplines.

**Laura Jockusch** is Albert Abramson Assistant Professor in Holocaust Studies at Brandeis University and was Martin Buber Society Fellow in Jewish History at the Hebrew University of Jerusalem from 2012 to 2016. She studied Jewish Studies, History, and Sociology at the Freie Universität Berlin and Hebrew and Judaic Studies at New York University. Her PhD thesis on the beginnings of Holocaust research from a Jewish perspective in the immediate aftermath of the Second World War was published as *Collect and Record! Jewish Holocaust Documentation in Early Postwar Europe* (Oxford University Press, 2012). It is the winner of the 2012 National Jewish Book Award and the 2013 Sybil Halpern Milton Book Prize. She is also the co-editor (with Gabriel N. Finder) of *Jewish Honor Courts: Revenge, Retribution, and Reconciliation in Europe and Israel after the Holocaust* (Detroit: Wayne State University Press, 2015). Her research and teaching interests include twentieth-century European Jewish history, history and historiography of the Holocaust, and the history of Holocaust survivors in the postwar era. Her current research project explores Jewish conceptions of retributive justice in postwar Germany.

**Zohar Kampf** is a Senior Lecturer in the Department of Communication and Journalism at the Hebrew University. His main research interest lies in the linkage among language, media, and politics. He has published books and articles in the areas of discourse analysis, political communication, and journalism studies. Currently, he is studying the applications of speech act theory in the various disciplines of the humanities and the social sciences. The project’s goal is to develop a “mediated performative” framework for analyzing the role of the media in forming the relationship between words and political actions.
Andreas Kraft studied German, English and American Literature at Konstanz University. He completed his doctoral thesis on the German Jewish author Nelly Sachs in 2006, published as Die Identität der Dichterin Nelly Sachs und der Holocaust in 2010. A former research fellow at the SFB “Norm and Symbol” at Konstanz University, Kraft was part of an interdisciplinary project on generational identities in Germany since WWII. From 2010 until 2014 Kraft was a postdoctoral fellow at the Martin Buber Society at Hebrew University where he worked on the comparative project, “Rage, Hate and Revenge in Literature, Film, and Society.” Currently, he is preparing a publication on the Holocaust with the title: Negative Liminalität: Versuch über die psychosoziale Dimension des Zivilisationsbruchs (“Negative Liminality: An Essay on the Sociopsychological Dimension of the Rupture of Civilization”).

Judith Eve Lipton, M.D., is a psychiatrist, author and peace activist. As a practicing physician, she specialized in psychopharmacology and psychoOncology. She has been an active member of the peace movement since 1966, when she was a member of SDS and SNCC. In 1979, she founded the Washington Chapter of Physicians for Social Responsibility. She was on the National Board of PSR, and on the Board of the International Physicians for the Prevention of Nuclear War (Nobel Peace Prize, 1985). With her husband, Professor David P. Barash of the University of Washington, Dr. Lipton has written seven books and many articles about peace and disarmament.

Günther Pallaver is Professor of Political Science, at the University of Innsbruck (Austria). Born in Bozen/Bolzano (Italy), doctor in philosophy (PhD) and doctor of civil and canon law (JUD), he studied in Innsbruck, Salzburg, Vienna, Verona, and London. He took the state examination of journalism in Rome in 1991 and worked as a journalist from 1989 to 1995. He joined the School of Political Science and Sociology in Innsbruck in 1995. He is president of the South Tyrolean Political Science Association. His main research fields include comparative politics, especially the political system of
Italy, regional political systems, ethnic minorities and ethnoregional parties, political communication, federalism. Publications can be found at http://www.uibk.ac.at/politikwissenschaft/team/homepage-mitarbeiter/webpage-guenther-pallaver/index.html.en

Mark Roseman is Pat M. Glazer Chair in Jewish Studies and Professor in History at Indiana University. He is the author or editor of many books on the Holocaust and modern German history including *Documenting Life and Destruction: Jewish Responses to Persecution, 1933–1946. Volume I. (1933–1938)* (Alta Mira, 2010) (with Jürgen Matthäus); *Conflict, Catastrophe and Continuity: Essays on Modern German History* (Berghahn Books, 2007) (edited with Frank Biess and Hanna Schissler); *German History from the Margins* (Indiana University Press, 2006) (edited with Neil Gregor and Nils Roemer); *The Villa, the Lake, the Meeting: The Wannsee Conference and the “Final Solution”* (Harmondsworth, 2002); *The Past in Hiding: Memory and Hiding in Nazi Germany* (Harmondsworth, 2000). A co-edited volume (with Devin Pendas and Richard Wetzell) on the meaning of race under Nazi rule, *Beyond the Racial State*, will appear in 2016. He is currently working on the history of rescue and resistance in Nazi Germany.

José María Sánchez de León Serrano is originally from Barcelona. He graduated from the University of Barcelona with a Master’s in Philosophy and completed his PhD at the University of Heidelberg. His dissertation, “Sign and Subject in Hegel’s Logical Discourse,” was published as a supplementary monograph in the journal *Hegel-Studien*. Currently, he is a postdoctoral fellow of the Martin Buber Society at the Hebrew University of Jerusalem. His research focuses on the development of modern philosophy from Descartes to German Idealism, with a special emphasis on epistemological and metaphysical questions.

Kim Wünschmann is DAAD Lecturer in Modern European History at the Centre for German-Jewish Studies at the University of Sussex.
From 2011 to 2015 she was a Research Fellow in History at the Martin Buber Society of Fellows at the Hebrew University of Jerusalem. She studied Jewish Studies, Political Science, and Psychology at the Freie Universität Berlin. In 2012 she received her PhD in history from the University of London’s Birkbeck College, where she worked in a research project on the Nazi concentration camps before the Second World War, funded by the Arts and Humanities Research Council. Her book *Before Auschwitz: Jewish Prisoners in the Prewar Concentration Camps* was jointly awarded the 2014 Herbert Steiner Prize of the Documentation Centre of Austrian Resistance (DÖW) and the International Conference of Labour and Social History (ITH). Her research interests center on German and German-Jewish history in modern times. She authored articles on various aspects such as Holocaust remembrance, Jews in the German labor movement, gender and masculinity, as well as intellectual migration and exile. Currently, she is working on a transnational history of “enemy aliens” during the Second World War.