

ON MONEY AND THE MEMORY OF LOSS ¹

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Under what conditions can loss, or its memory, be transvalued? This paper explores “genres of accountability,” specifically the relation between loss and three possible modes of redress (restitution and monetary compensation, legal retribution, and commemoration). Comparing two German autobiographies with a history of the fault, debt and guilt (*Schuld*) ascribed to the collective unit “German,” it analyzes the changing of the relation of memory of loss to money in Germany over the last half-century. Money it concludes, speaks to loss but around the memory of loss. By being the memory of nothing, money can speak a language without specific content or relation to the past. This means that money can in fact bring about a transvaluation of loss, providing a means by which one can indulge in memory or a means to obtain freedom from memory.

How do we explain the uncanny intransigence of our individual and collective ability to settle accounts following severe losses of life and property? Contrary to a popular wisdom, time does not heal all wounds. In fact, only with the passing of time is it possible to register some losses and to recognize the language of a wound. Healing the wound, the memory of loss, is a process about which we know little. Such memory appears to act like gravity, pulling us, indebted and guilty, toward an inescapable fault. We appear to have an obligation or duty to address the memory of loss and to seek redress. But while memory can often speak eloquently, it rarely listens well. Memory’s instability and inflexibility makes it difficult to address directly. Hence we conjure up spirits, ghosts, djinns, therapists, even anthropologists – interlocutors who might provide access to memory’s speech, a speech about our duty to address loss. We expect these mediators to talk with memory and absolve us of our individual and collective fault, debt, guilt – what is bundled together in the German concept “*Schuld*”. Even in those rare cases where legal remedy exists, where the apparatus of the state (or states) offers a fair legal accounting and an indemnity for the loss, the wound resists final “closure” and continues to speak from a seemingly inaccessible and secure position.

¹ This paper was initially presented a conference, “Gedächtnis und Restitution: Über historische Erinnerung und materielle Wiederherstellung in Europa,” organized by Dan Diner and Gotthart Wunberg, Internationales Forschungszentrum der Kulturwissenschaften, June 21-23, 2001, in Vienna, Austria, and in the Department of German Studies at the University of Lisbon, Portugal. I thank both audiences for the opportunity to engage with them on the topic.

It is this insoluble problem, of addressing and redressing memory of loss, that I want to examine, specifically in its relation to money as a form of redress. Under what conditions does money contribute to the transvaluation of the memory of loss? My argument follows in three parts: a theoretical discussion checked against cases of acceptance and rejection of monetary compensation for loss, a historical sketch at the collective level of fault, guilt, and debt as it relates to money in Germany, and a comparison of the relation of money and memory in the lives of two German individuals.

Memory, money, and compensation for loss

The offer of money to compensate for a loss, wound, or injury is widely practiced, but it is not always accepted. Because of its liquidity, money distinguishes itself as a form of indemnification from restitution of material goods, such as land. Often property called "land" is given a special value. Land that is stolen or lost cannot be replaced by a substitute object; it cannot be transvalued. An eye for an eye, so to speak, only land can replace land. This form of restitution is similar to what in anthropology is called "restricted exchange," a theory developed out of a consideration of wife exchange between two groups where only a woman can replace another woman. Valued goods of another order – such as pigs, or cowry shells, or even money – are never adequate recompense for giving up a "wife."

Restricted exchange is in fact rare, as is actual restitution. The more common form of recompense is called "generalized exchange," and the use of money as compensation or reparation, as a substitute for loss, is of this type. Most lost or stolen or confiscated objects change over time and therefore can never be returned in their original form; one must propose and accept a substitute, that is, compensation. Today, most transvaluation of loss involves the substitute of money. When is money an appropriate or adequate substitute for severe loss?

The possibility of restricted exchange was posed recently following the collapse of Communist governments in 1989-90. Should the successor states return property expropriated and redistributed after 1945, or should they compensate former owners? Only in Germany, with the policy of "*Rückgabe vor Entschädigung*" (return/restitution before monetary compensation), did the state make restricted exchange official policy in the former GDR. Other East-Central European states practiced generalized exchange: returning property only on a case-by-case basis, favoring compensation and taking into consideration the experiences and needs of present owners and users. In Germany, the guiding principle was that the original land and the original real estate should be returned to prior owners as if there had been no subsequent

history of other occupations and ownerships since 1933. This did not of course prove workable, for practical and political reasons, and in most cases instead monetary compensation was paid as recompense in a generalized exchange. In what way here did “money talk” to this prior injury? Let us examine more closely exactly how and from where money speaks.

Two of the most recent highly public refusals to accept a monetary transvaluation of loss have been those of the “comfort girls” who were coerced into working as sex slaves for the Japanese in World War II, and of Argentinian “Mothers of the Plaza de Mayo” whose children and relatives were “disappeared” during the government’s “dirty war” against its civilians suspected of opposition between 1976 and 1983. In both cases, the wounded refuse to let go of their memories of having been harmed. And they refuse to accept the monetary (in legal jargon, “punitive”) damages from the perpetrators (represented by successor governments) – unless those damages are accompanied by other, qualitative forms of rectification, such as punishment, acts of atonement, apology, or memorialization. Sometimes victims may accept money only if it is camouflaged or hidden and not seen as a direct substitute for the loss. Other times victims desire to see the “punitive” aspect of damages, where the perpetrator is punished in some way, and where the source of the money is seen as coming directly from the perpetrator.

When money, as a substance, is offered to address the memory of injury, or when additional conditions are stipulated before agreeing to accept it as remedy for an injury, we often say that money “cheapens memory,” and we disparage money’s value even as we accept it by calling it “bitter money,” “poison money,” or “blood money.” In this sense, money never really compensates adequately for loss but may instead devalue or trivialize the harm and actually increase the sense of injury. When confronted with this situation, we often say, “It’s like adding insult to injury.” In both of the “refusals” to accept money, of Japanese sex slaves and Argentinian “mothers” of the approximately 30,000 “disappeared”, there is no possibility of restricted exchange or substitute redress. The losses are permanent and irrecoverable.² May it not be, then, that the money offered is not to compensate for the loss, but for the *memory* of the loss?

² There are, of course, strategic disagreements among the parties to both cases. The Argentinean group, for example, has consistently worked in the spirit of “truth, justice, and memory,” claiming that to accept money would invalidate truth and destroy memory. Nonetheless, the group has recently split into two factions, with one working with forensic anthropologists who employ DNA evidence to uncover the actual identities of victims; the wish is to confirm deaths and enable them to “move beyond” the traumatic losses. The other faction has refused to cooperate in the search for such evidence, since it would close the books on their losses and force them to acknowledge that their children or loved ones were actually dead. A group of mostly grandchildren of “disappeared,” called “HUIJOS” (combining history and justice), works to keep memories alive by performing mock kidnappings and murders at or near the homes where they suspect the events had actually occurred, and informing neighbors of who had done what (conversation with Billie Jean Isbell, who has kindly provided me with this information).

One of the major reasons why injured parties reject this monetary compensation is because they demand other, nonmaterial forms of redress of memory before accepting money. As the actual injured parties making demands for redress, memory of the loss seems to have a direct hold on them that money cannot address. Money appears inadequate to the task of absolution from guilt and release from debt. Memory's grip is too strong. Money cannot speak to this memory of loss directly or it would in fact "cheapen memory."

Alternatively, money often seems to possess curative powers that enable it to act as compensation and to transform one's past harm or loss into future opportunity. Here, it seems as if no demands are placed on the wrongdoer other than payment, and payment appears to substitute for the memory of the injury. There is the sense that loss can be adequately quantified and that memory itself can be redressed by money. Two of the most recent highly public "acceptances", both still not fully completed, are the \$5 billion German reparations fund set up this year (2001) to compensate the million or more people who were forced to work in concentration camps, ghettos, and German businesses in the Nazi era; the other a settlement reached on April 12 of this year by New York Life, one of the largest life insurance companies in the United States, to pay up to \$10 million to heirs of the victims of the Armenian genocide in Ottoman Turkey. Both of the "acceptances," of money for Nazi forced labor and of life insurance payments to Armenians victims of the Ottoman massacre, appear to be monetary substitutes for the injury or death. They appear to be examples of a monetization of the memory of loss. Let us examine this transvaluation more closely.

Many factors enter into explaining why the German government and industry settled the case of slave laborers under the Nazis now. Above all, the end of the Cold War made it possible to unify victims across borders, and in the face of reunification the German state had to re-legitimize itself internationally. Also, two recent precedents were decisive with regard to government restitution, leading also to a change in the private sector's sense of responsibility for past human rights violations: the Swiss government initiative establishing a five billion dollar Holocaust fund (Barkan 2000), and the willing and continuous intervention of U.S. American courts in hearing restitution claims against foreign governments and companies (Bazyler 2001).

Here I want to focus theoretically rather than historically on three factors that make a monetary substitute for loss acceptable, the conditions under which money can speak to memory. There were many previous efforts by the German state to rectify losses inflicted under the Nazi regime. These include historiographical work and apologies and memorials and commemorative events and treaties and, most prominently, the policy of *Wiedergutmachung* (a direct exchange of money for loss), which initially addressed

Jews and the state of Israel but later was extended to other victim groups.³ In short, more than a half-century after the war, most of the Nazi era claims had already in fact been addressed if not adequately settled. Money, then, has not been asked to speak alone, but always as a supplement to other means of addressing memory of injury or loss. And this is the first factor: Money is acceptable as a supplement to other remedies.

For slave laborers, the critical element missing in the initial constitution of loss was in fact money; if the workers had been paid at the time of their labor, there would be at most a demand for non-material indemnification for coerced labor as a foreign national under the conditions of war (a demand unlikely to be heard on a world stage). A second factor is temporal: the advanced age of those injured: the surviving forced laborers were nearing the end of their lives, meaning they had little to gain from holding out, and the delay in compensation has made the payments more affordable for German industry and government. A third factor is the growth and prominence of a primarily American legal industry, itself driven by profits, active in a type of indemnification called “class action” lawsuits where the remedy is money for loss.

In other words, the first factor is that of money as supplement: Other nonquantifiable measures were already taken to address the memory of injury or loss, which allows the payment of money to appear as a direct and restricted exchange, not as a substitute for memory; money is owed for past labor and money is paid.⁴ The second factor is a temporal delay that makes the monetization of loss more acceptable. The third factor is the contemporary proliferation and power of institutions, like legal firms, that use the “cash nexus” and the idea of “more money,” as well as the form of the class action lawsuit, as a logic and mode of response to problems generally. Some U.S. American law firms, for example, have created entire departments solely to investigate “war crimes practices,” involving primarily restitution claims in countries wealthy enough to present the possibility of a monetization of loss (Bazyler 2001). I’ll return to these factors later.

My second example, of life insurance to be paid to Armenian survivors of the Ottoman genocide, is an extreme case of the association of money with the ultimate loss, death. Life insurance establishes an equivalence between death and its monetary value. The insurance payment is a reimbursement to pre-specified survivors, which, according to the insurance industry’s “indem-

³ *Wiedergutmachung* was initially used by Nazi ideologues to justify their entitlement to Jewish assets because of their alleged suffering at the hands of the Jews (Feldman 2001: 4).

⁴ Bazyler (2001: 3) quotes an interview with Holocaust survivor and head of the Anti-Defamation League, Abraham Foxman: ““But there’s another reason that we didn’t deal with this issue for 50 years – because the trauma of the human tragedy was so tremendous, so enormous, so gargantuan, that nobody wanted to talk about material loss for fear that it will lessen the human tragedy. Because when you begin talking about property, then what about life?”

nity principle,” is “limited to losses actually sustained by the policyholder.” The benefits must be “no larger than the loss sustained (though it may be smaller)” (Heimer 1985: 43). Here there is not a restricted but a generalized exchange, involving a substitution and transvaluation, of money for death. Like the Nazi slave laborers, there is a temporal delay and reliance on an institutional mediator, life insurance, which is premised on the monetization of loss.⁵ This settlement comes 85 years after the events, between 1915 and 1922, in which Turks slaughtered up to 1.5 million people. According to New York Life, 8,000 policies, including 3,600 by Armenians, had been sold in Turkey before the outbreak of World War I, when sales were stopped. New York Life settled 300 policies before the massacres, and another 1,100 after, leaving 2,200 unresolved. Integral to this deal was New York Life’s agreement to a non-quantifiable form of rectification: to publish the names of the policyholders in major American as well as ethnic newspapers.⁶

On the surface, this case appears to be about money substituting for the memory of loss. A life insurance company agrees to pay monetary compensation for deaths that occurred in a genocide. The company pays designated heirs of the victims, most likely of a third generation removed. But given the rather large amount of money and time required to pursue the claims over 85 years, and the rather paltry sum in dispute (approximately \$10,000 per person), the pursuit of money or profit cannot be the primary drive behind the desire for rectification. Rather, it appears that the primary reason for the persistence of the memory of death would be the desire for historical recognition, a fuller account and an accounting, of the injury – the massacre, the genocide – by others, any others, Americans, Europeans, or Turks. This was indeed part of the settlement, in the agreement to publish names of the victims in newspapers.

Here, as with Nazi slave labor, money is supplementary though also necessary to complete the indemnification of the memory of loss. The unwillingness of Turkey and the rest of the international community to recognize Armenian deaths is most probably the primary reason why several generations of survivors have vigorously held onto their memory of loss, or, put another way, why memory’s obligation to the dead, the *Schuld* (debt and

⁵ Vivienne Zelizer (1979: 33) has found that, while life insurance in early 19th century United States was condemned as a sacrilegious, speculative venture, by the end of the century, it had become acceptable and widespread. She attributes this to the fact that a voluntaristic religious outlook replaced an obligatory confessional standpoint, and to the rise of a dominant entrepreneurial economic morality. In Europe, life insurance was banned in the 16th and 17th century – Belgium in 1570, Amsterdam 1598, Rotterdam 1604, Sweden 1666, France 1681 – and only fully legalized after 1860. In Japan, life insurance spread after 1881. Islamic law still prohibits “speculation on human life.”

⁶ Coverage averaged less than \$1,000 each, and heirs are now to receive 10 times the amount stated on their policies. Interestingly, claims against European insurers remain unsettled, as they have yet to produce a list of policyholders (Joseph B. Treaster, “Insurer to Pay Armenian Massacre Claims,” *New York Times*, April 12, 2001, www.nytimes.com/2001/04/12/national/12ARME.html).

guilt), seems to speak without listening.⁷ Yet the monetary compensation promised in the life insurance contract also speaks in some way to this memory of loss.

How and from where does money speak to loss? Pierre Nora (1996) comments in his ambitious project on “Realms of Memory,” that gold is the memory of money. If that is so, and we have now eliminated the gold standard, then what is money the memory of? Now, we do attribute to money many social meanings – calling it old money, new money, allowance, wage, salary, and dole, for example – all suggesting the social origin of the initial transaction that created value, which creates a possible memory stored in specific “special monies” (cf. Zelizer 1989: 342-77). But there is a way in which money can become cleansed of memory of its origin over time, which is expressed in the distinction “old money” and “new money.” Old money is what the Fords and Rockefellers and Mellons give to us in grants, we no longer inquire into its origin; new money is what media moguls like Sylvio Berlusconi or junk bond kings like Michael Milken or computer innovators like Bill Gates accumulate. Old money is more proper and acceptable than new money largely because we have “forgotten” its origin.

In the case of money as remedy for the memory of loss, I want to turn to the utilitarian argument of Marx and Simmel, and suggest that *money cannot transvalue memory but it can transvalue loss*. That is because money is the memory of nothing, it is an empty signifier free to be filled however one pleases. It is the means for a generalized exchange par excellence. No women for women, or land for land. Anything can substitute for money. Even a “savings account”, made by accumulating some “special monies” secured through a specific sort of past labor or inheritance, is freed over time from its past and becomes open to any imagined future. As can be seen from the way in which fortunes are legitimated over time, the longer one has a savings account, the more divorced it becomes from any specific memory of accumulation, the more released it is from the actual moment of original deposit and accumulation. Money derives its link to freedom not as a negation, for with money one can, if one wishes, afford to cultivate or indulge in memory. Rather, by not being tied to the memory of anything, by being the memory of nothing, money can speak a language without specific content or relation to the past, one of virtuality and freedom.

It is well-known that money offers the promise of universal exchangeability and translatability. I trust my contribution here is an explication of the connection of money to memory, specifically to contemporary memory. Not only did we just live through a decade, following the collapse of the Cold

⁷ On patterns of denial in reckoning with the Armenian genocide, see Hovannisian (1986: 111-34).

War, of a discourse on money and wealth that seemed to dominate if not colonize most other value domains, and not only in Europe and the U.S., but worldwide. But also, we are living through an explosion of interest in memory: Frederic Jameson (1983: 58, 65, 67) decries the “colonization of the present by the nostalgic mode” leading to a new depthlessness, a “historicism that effaces history”; Pierre Nora (1996) talks of a “crisis of social memory” and the replacement of the memory-nation with “*lieux de memoire*”; Ian Hacking (1996: 73) talks of a new “memoro-politics,” where “the sciences of memory have become surrogates for the soul” and provide access to our most essential truths.

Why, at this time, this parallel embrace of memory and money? My argument is that memory and money rely upon but have inverse relations to the same issue: accountability. Memory of loss is an account obtained through recall of something learned, experienced, or imagined in the past. Money is what Webster’s defines as an “archaic” form of accounting: “to give or receive a financial account,” involving “counting, remuneration, computation.” *Both speak the language of accounting, but while memory over time seeks accountability, money over time evades accountability.* And since money is the memory of nothing, it speaks orthogonal to or *around* memory as does nothing else. Other symbolic means to address loss – rituals of mourning, commemoration, therapy, and legal justice – can in fact, with proper mediation and under certain circumstances, affect memory by enabling a social displacement of the loss. But they are all themselves caught up within memory, establishing a relationship of accountability to it, trying to access and speak to something that rarely and only under the most unusual circumstance listens. Money, by contrast, does not rely on access to memory in order to relate to loss. It speaks to loss directly. But as to the memory of loss, money always enters into a relationship with this memory as supplementary, perhaps necessary for a full accounting as part of a generalized exchange, but secondary to the mediation of retribution and commemoration as forms of restricted exchange.

In the next part, I pursue the relationship between the modes of redress to loss (what I am calling “genres of accountability”): restitution and monetary compensation, legal retribution, and commemoration.⁸ What is the specific way in which money speaks to loss but around memory of loss in Germany over the last half-century?

⁸ I formally elaborate these genres in “The Trajectory of Collective Liability and Social Accountability after Defeat: Initial Comparisons of Germany, Israel, and Lebanon,” in Sally Falk Moore, ed., *Law and Cultures of Control*, manuscript under review.)

Relating the collective to money and memory

First, one should note that Germany and the people who live in that country have been positioned not primarily to receive money as compensation for injuries suffered or for death, but to pay money to compensate for injuries inflicted. Internationally – and a nation make sense only as part of a community of nations – Germany and Germans have been on the perpetrator not the victim side of the question of Schuld. They are collectively positioned as guilty and in debt to the memory of loss.

One should undoubtedly begin not with 1945 but 1918 and the “war guilt clause” of the Versailles Treaty that Germans were forced to sign, and with the crippling reparations – calculated at \$33 billion in gold-based exchange in 1921 – they were obligated to pay for losing the war. Even though Germans were, arguably, the aggressors in World War I, the reason they had to pay reparations was merely because they had lost. My interest is precisely in how this “loss” has become a “memory of loss,” a German memory of the issue of WWI reparations. Germans did collectively pay money to indemnify other nations, primarily the French, for losses they inflicted. It was not the French losses, however, that were assigned weight in memory, but the German losses during the war and the postwar reparations were locally emplotted as memory of loss. Immediately after the war, the issue of “*Vergeltung*” (revenge/retribution) for this unjust settlement was employed to identify internal traitors – Jews, Jewish capitalists, communists and the like, and by the Nazi era it contributed to a discourse of German innocence, or blamelessness, with respect to others as Germany pursued victory in World War II.

This narrative of national *ressentiment* following WWI contrasts starkly with the narrative of coming-to-terms with defeat following World War II. Two difficult-to-translate and awkward concepts were even coined for this new kind of reflexivity: *Aufarbeitung der Geschichte* (working off of history) and *Bewältigung der Vergangenheit* (reckoning with history). Within two decades of WWII, Germans had largely internalized the narrative of the victors (which also became a global narrative): that Germans collectively were responsible for the harm they had inflicted, which required active redress, and that Germany itself required an external remedy (the presence of Western Allies). Germany’s brutal “war crimes” against its neighbors were the legal basis for initial retribution by the Allies, specifically in the Nuremberg Trials, but later responsibility was extended to “human rights violations,” specifically the Nazi crime of the “Final Solution” and the annihilation of European Jewry, including its own citizenry.⁹

⁹ Falk (2001: 9-10) argues that political elites strongly resisted an international human rights regime after WWII, and that the “nominal regime” instituted came about only because of pressure from “civil society ...reinforced by guilty

Already in 1944, the Allied military authorities in Germany passed laws allowing them to seize and control property and assets of the Nazis, including that acquired wrongfully, and in 1947, they passed a law mandating restitution or compensation of property acquired under duress (Feldman 2001). In 1952, the West German state, in an attempt to redress these wrongs and in its search for international recognition and legitimation, signed an agreement with the state of Israel regarding the return of Jewish property and reparations, called *Wiedergutmachung*. This “making-good-again” was a reiteration of the assumption of collective responsibility and it functioned primarily by transforming claims of symbolic debt into *Entschädigung* (monetary compensation), *Schuld* (guilt/fault) into *Schulden* (monetary debt). Many Jewish groups in Israel vehemently opposed the transvaluation of loss in to a numerical figure, calling it “blood money,” “sacrilege,” and “betrayal [of] the memory of six million Jews who had perished in the Holocaust by negotiating the forgiveness of their blood” (Barkan 2000: 24). This payment from national collective to national collective was followed by other forms of redress (e.g. from state to harmed individuals or state to harmed groups such as Jewish organizations), most of which similarly turned moral rectification into monetary remuneration (Pross 1988).¹⁰

Restitution and compensation did not, however, alleviate Germans from what they refer to as the “*Last der Vergangenheit*” (burden of history) or the “*Last der Verantwortung*” (burden of responsibility), for there is in fact no way to calculate the costs of a genocide. If we agree with Saul Friedlander (1993), in a position first suggested by Hannah Arendt, that the Jewish Holocaust is an ungraspable event, an event that continually points to all limits of possibility, then any proposed understanding or remedy, for that matter, is always too little.¹¹ No restricted exchange of redress for memory of loss is possible, as there is always symbolic excess from the Holocaust, something which escapes all accounting, all calculations of injury and remedy. This symbolic excess complicates what Karl Jaspers in 1946 (1947) appropriately called the “*Schuldfrage*.”¹²

consciences of governmental leaders about such official accommodations of the Hitler challenge as amicable participation in the Berlin Olympics of 1936, the diplomacy of appeasement, the rejection of refugees, and the failure to bomb the railroad tracks leading to Auschwitz during the latter stages of the war.”

¹⁰ By 1978, West Germany reparations totalled DM 56.5 billion; by 2000, DM 102.6 billion (Pross 1998: 40-1).

¹¹ In her correspondence with Karl Jaspers, Arendt argues, “For these crimes, no punishment is severe enough. It may well be essential to hang Göering, but it is totally inadequate. That is, this guilt, in contrast to all criminal guilt, oversteps and shatters any and all legal systems” (Lotte and Saner, eds. 1992: 121-122).

¹² Jaspers distinguishes between four kinds of guilt: criminal, political, moral, and metaphysical. Criminal guilt (liability or “*Haftung*”) refers to judgment and punishment in courts of justice. Political guilt (“*Schuld*”) applies to all citizens of a modern state insofar as they did not speak and act openly against that state’s criminality. Moral guilt concerns those actions and defaults of the German citizen that implied his support of the criminal regime. Metaphysical guilt, the concept which has provoked the most debate, implies the failure of “solidarity among men as human beings that makes each co-responsible for every wrong and every injustice in the world, especially for crimes committed in his

Over the course of the last fifty-five years, this “*Schuldfrage*” – -the question of fault, guilt, and debt – has been addressed in all of the ways Jaspers defined guilt: criminal, political, moral, and metaphysical. The country was divided into two states. Fault was addressed in many non-material ways, particularly thorough legal rites of retribution. Initially in the Nuremberg Trials, but followed by a series of trials of concentration camp administrators between 1963-65, many individuals were tried and executed or sentenced to long prison terms.¹³ And the Allies, in their de-nazification efforts, disqualified large numbers of civil servants from working for the government, using a controversial index of individual fault: Nazi Party affiliation (Volnhals 1991: 227-236).¹⁴ That is, they used a *sign of collective liability* to assess individual fault independent of the individual’s actions vis-à-vis the crime.¹⁵ Admittedly, all of this collective compensation, restitution, and retribution was not only *Schuld* for the Holocaust but also for the war generally. But without the Holocaust as exceptional and unique crime, it is doubtful that the claims would have been so extensive and enduring.

Even after the fault and debt aspects of the *Schuldfrage* of individual Germans were addressed through monetary compensation and the military and criminal courts, the question of guilt remains. To what extent were Germans individually responsible – guilty – for wrongdoing done in the name of the collective that was not or could not be addressed in criminal courts or through reparations? Since the 1960s, this dimension of guilt has been addressed in the civil or cultural domain, by public apologies, the setting aside of days of mourning, investigatory commissions, support for historiography, and constructing memorials (*Denkmäler* and *Mahnmahe*) and museums – sites of memory intended primarily as provocations to further thought or as admonitions.¹⁶ Most of these cultural responses are what we call “rites of com-

presence or with his knowledge” (1947: 32). For Jaspers, all four kinds of guilt (criminal, political, moral and metaphysical) were restricted, individually and collectively, in a temporal sense, to those who were living at the time of the genocide.

¹³ Of the eighteen Nazi leaders indicted in the Nuremberg Trials, sixteen were convicted. The Allies then prosecuted or oversaw German prosecution of other Nazi leaders in their respective zones. American courts were reported to be the most zealous, convicting hundreds of Nazi soldiers and officials. Individual European states conducted further trials in the 1950s (with several famous trials in the 1990s in France) (Ratner and Abrams 1997: 46-47). West German courts ended up sentencing 5,288 people for Nazi crimes, and East German courts also a large number (Müller 1991: 274).

¹⁴ Critics of “denazification” make the claim that it was extremely limited due to the growing Cold War threat, and the U.S. need to quickly rebuild Western Europe as a bulwark against communism. In West Germany, an estimated 1,600 persons were convicted as “major offenders”, and 150,000 Nazis were disqualified from holding public office (Volnhals 1991: 236).

¹⁵ In 1948, Hanna Arendt, for one, harshly criticized the tendency by the Allies to abandon the distinction between Germans and Nazis, declaring these tactics “a victory for the Nazis.” The “vast machine of administrative mass murder” worked to co-opt ordinary Germans, she wrote, and thus compelled them to be complicitous in its criminality. This totalitarianism of the everyday made it become impossible to distinguish between the innocent and those to be held responsible (1991: 274, 277).

¹⁶ This second reckoning is sometimes even referred to colloquially as a “*zweiter Schuld*,” meaning collective responsibility for the debt or guilt that remains after monetary restitution (see Giordano 1987).

memoration.” Commemorations are public and they are collective. And unlike monetary compensation and legal trials, rites of commemoration are to operate *ad infinitum*, after the perpetrators are dead and the question of individual fault and debt are no longer relevant.

Commemorative acts initiate a repetition, they institutionalize the memory of loss by making visible and permanent a representation of that loss. Most of the commemorative sites in Germany are part of a memoro-politics that deal with the excess of the Holocaust. Many attempt a figurative representation of the horror, but others, perhaps the most disturbing, insist on the presence of the real thing – actual suitcases or cable cars used in transport, actual cannisters of cyclon B, actual clothing or shoes or hair of death camp victims. What was lost permits no substitution. Such commemorations attempt to speak directly to the memory of loss, to bring into the symbolic order that which resists symbolization through a confrontation with the materiality of loss. They intend to go beyond rational understanding, to enter into the emotion, and they tend to provoke questions of collective guilt.

These commemorative sites are always conflictual, as the state and other social groups never fully agree on how to appropriate losses and the dead; each actor tends to have a different purpose in mind. The effect of commemorative sites is not to restrict the damage of loss, however, but to generalize its memory and make it permanent. And since no particular cultural form can enclose or contain or perfectly represent memory of loss, there is a dynamic of proliferating memorials and commemorative events, each intended to give expression to those inassimilable memory traces that speak the language of the memory of loss. This dynamic coincides with and is inseparable from a social process of generational differentiation and the transmission of generational accounting.

A first postwar generation addressed collective liability through restitution, monetary compensation, and later legal retribution. Or to be more specific, this address was done for them, with taxpayer’s money, in the name of Germany. The generation presently in positions of power in Germany, a postwar generation called the “68ers” (“*Achtundsechziger*”), is the most active in pursuing commemoration. I am trying to explain why the “68ers” have been so active in redressing the memory of a loss inflicted by their parents in the name-of-Germany as a “restricted guilt” over the Holocaust. Along these lines, the sociologist Bernhard Giesen (1993) has even called the postwar Germans a “Holocaust-nation.”

Something remains of the *Schuldfrage* after restitution, monetary reparations, and the assessment of individual criminal liability. And what remains is something more ineffable than either individual fault or a numerically calculable debt. Many Germans draw on the distinction between *Schuld* (guilt) and *Scham* (shame) to address the fact that legal guilt (“*Haftung*”) cannot be

inherited but shame can and usually is. But *Schuld*, of course, is not only produced by the legal system. One major difference is that *Schuld* (guilt) tends to be externally applied and projected onto Germans, whereas *Scham* (shame) tends to describe an inner psychological state. One says, “*Ich habe Schuld*” (I am guilty), or “*Ich habe Schuldgefühl*” (I feel guilty), but one speaks reflexively with shame: “*Ich schäme mich*” (I am ashamed of myself). Yet both shame and guilt share two problems inherent in representations: First, to what extent are they generalizable (i.e., do they hold for all Germans?) Second, to what extent are they mere projections or do they actually correspond to the internal states of the actors?

Of the two states, *Schuld* may in fact function foremost as an ascription. Therein also is the source of its significance and durability – it keeps returning to individual Germans, regardless of their inner state, as an external projection. Shame may come and go, but only through repression and denial may Germans free their inner states of a relation to *Schuld*. As part of the symbolic excess of the Holocaust, it continues to weigh heavily on the collective psychology for this first postwar generation of Germans. Much like we talk about language or culture, *Schuld* is a “social fact” – coercive, external, enduring – that cannot be chosen or rejected but is itself part of the conditions of articulation.

Ever since Willy Brandt fell to his knees and apologized in the Warsaw ghetto on December 17, 1970, every German head of state has confessed that crimes were committed “im Namen Deutschlands” for which the collective was responsible (cf. Borneman 1999). Even Chancellor of Unity Helmut Kohl, who had coined the clever phrase “*Gnade der späten Geburt*” (lucky to have been born late) to indicate his lack of individual fault by having been born too late to be complicitous with the Nazis, reiterated the phrase “im Namen Deutschlands” in a visit to Yad Vashem in Jerusalem on June 6, 1995. Is he not acknowledging that when he speaks in the name of the country, he is being interpellated as *schuldig* (guilty) for something he himself did not do? Fault for crimes can be assessed only individually, and monetary debt is calculable; payment releases one from the debt. But guilt speaks a collective or social language of memory of loss, from a seemingly inaccessible and secure position. Yet, guilt is unstable and takes many forms. In the final section, I will briefly depict this historical instability, with a focus on the relation of money to memory in the lives of two individuals.

Individual Experience of Money and Memory

It may be dangerous but it is also much easier to talk about these matters at a collective than an individual level, easier to generalize about a group when

one is not confined to the specificities of individual life histories which resist discipline and reduction to single issues. One might say that this article thus far has been anthropological but not very ethnographic. Permit me to remedy this by turning to the ethnographic present and the experiential data out of which I construct a collective history, and to trace the relation of money to memory in the lives of two individuals that I know.

During my first full year of fieldwork in 1986-87 in East Berlin, I was paid in two currencies, a monthly stipend in East German "Mark der DDR" and a small sum of U.S. dollars, which I could use in the Inter-shops that sold imported Western (mostly West German) goods. The Inter-shops would only accept Western currency, not East German Marks. During my second and third year of fieldwork in 1987-89 in West Berlin, I was paid in West German Marks, which I could also use in the East. Whenever I visited the East, after a compulsory exchange of 1:1 for my first DM 25, I could exchange as many D-Mark or dollars as I wanted on the black market for 3 or 4:1. Whatever did not get spent was either thrown away or saved to give to friends as souvenirs of the Communist East. What I want to emphasize is the way East German money, lacking convertibility, was a "special money" (at the time often compared to the play money used in the game "Monopoly"). It was for restricted exchange only. It symbolized lack of freedom, and this lack dominated the unification process.

One winter day in 1988, I was walking with a friend along Friedrichstrasse in the center of East Berlin and I saw a child of about age six discover a one coin DM on the street. He was filled with pure joy and exuberance, and began to proclaim his finding – "Look mama, look mama" – in that loud, high-pitched voice of children his age. His embarrassed mother tried, unsuccessfully, to hush him. My friend commented, "If it goes so far, that is the end of us."

We all know what happened next. A year later, the Wall came down and the first thing most East Germans did was to cue in block-long lines to collect their *Begrüßungsgeld* (welcome money) from the West German government. This welcome money was a Cold War propaganda ploy, only viable when a few East Germans were able to visit the West, not when the entire population could visit. Three months later, in March 1990, a near majority of citizens voted for a speedy dissolution of the GDR, and crowned Helmut Kohl "Chancellor of Unity", justifying this by saying, "Kohl bringt die Kohle" (Kohl brings the bucks)!¹⁷

And what followed was the setting up of the *Treuhand*, a formally independent trust with the mandate to "*sanieren*" (manage and restructure) all

¹⁷ Much of this narrative is initially and more fully developed in Borneman (1991, 1992).

collective – state- and (SED) Party-owned-property. *Sanieren* soon became “*privatisieren*.” Under the operative principle of *Rückgabe vor Entschädigung* (return before compensation) determined by the German Constitutional Court, the Treuhand was to restore property to former owners and to privatize what remained. Its work rekindled memories of the East German state’s expropriations and negated two other kinds of memory: the memory of accumulation and the memory of loss. One might even characterize the Treuhand’s work, without exaggeration, as part of a general annihilation of “communist memory.” Communist memory is a memory of the history of capitalism, of ownership, exploitation, and class relations. In the context of German unification, the restoration of property to its former owners and its distribution to new ones parallels what Marx dubbed the critical moment in capitalism of “primitive accumulation.”

One of the major fears that the GDR used in its initial fight for legitimation was that, should East unite with West, West German industrialists would come in and gobble up their land and resources. I even have hanging in my office in the States a poster to this effect, made in 1948, showing the hands of speculators reaching from uncolored territory into the colored land of the GDR, a large red and black hammer posed to crush the attempted land grab. And that is what, from 1990 to 1994, the West Germans and a few other Westerners did, through the Treuhand: obtain East German property often without paying anything – simply with the promise they would invest and modernize and make it profitable.¹⁸

Profitability was only one, and not all that frequent, effect of privatization. Most privatization resulted in a “second privatization,” as West German companies fired workers (called “rationalization”), sold off the most profitable parts, and dumped the larger parts that truly needed investment back onto the Treuhand. My West Berlin friend Claudio was hired to do a second privatization of the largest East German energy *Kombinat* (trust) – and he failed, too, for reasons that should be studied, but since all of the documents are under *Datenschutz*, the far-reaching law protecting data from public access, I doubt if any researcher will ever get close to them in my lifetime. Indeed, among West Germans there is no official support for and very little interest in the memory of either the first or second privatization – or more accurately, in this late twentieth century moment of primitive accumulation. There is, on the other hand, widespread interest in the issues of restitution and compensation, to which I will return later.

My leftist West German friends were highly critical of the East German turn to Kohl in two successive elections to save them and lead their integration into the West. They attributed this to GDR naivete and stupidity, which

¹⁸ For a balanced account of this process, see Maier (1997).

the East Germans knew and resented, contributing to an alienation of groups that should have been working in alliance – East German socialists, leftists, and workers, and the small group of environmentalists and dissidents, from West German Greens and Social democrats and “68ers.” Nothing more pointedly symbolizes the one-sidedness of unification than *die Abwicklung*, the “bringing to completion” of East German institutions through “scientific” evaluation, meaning firing of East Germans and closing of their institutions, all in the interest of renovation, renewal, modernization. Needless to say, there was no comparable evaluation of West German institutions. Some West Germans undoubtedly benefited from this, especially those in professions with replicas in the East, such as banking or academics or administration. But what most West Germans remember is the *Solidaritätsbeitrag*, the 7.5% monthly contribution to solidarity that is automatically deduced from and specially marked at the bottom of each paycheck. Ten years later, they are still paying. So went the first decade of “unification”: Two historical trajectories, unable to speak to each other, and now two fundamentally different histories of money and memory, of memories of loss and amnesia about accumulation.

I sat with my friend Arnim and watched the results of the first free election of March 1990, which led to the dissolution of the GDR, from the headquarters of the old Communist Party (renamed PDS: Party of Democratic Socialism). Arnim told me he voted for the Social Democrats, but in 1995 he rejoined his old nemesis, the PDS. Feeling he must resist the dominance of the West and defend the interests of the dispossessed, he is now active in PDS public events, including anti-fascist and anti-xenophobic actions.

Now, what I want to say here – any life history takes us in many directions – is that Arnim is a citizen with a specific history of memory and money, which is then interpellated *im Namen Deutschlands*. Only through the history of this collective “Volk” can we understand Arnim’s memory of loss and money in his life. But for his conscious, adult life Arnim was an East German for 51 years, and a German for only the last decade. And Arnim’s own personal history is one of a sequence of dramatic losses, starting from the loss of his uncles in the First and Second World War, the loss of his home and flight with his mother and brother from the Soviets and his physical displacement, the attempt of his panicked mother to drown him in her fear of advancing Russian soldiers, and in 1950, the loss of his family’s elite clothing manufacturing business. Nonetheless, Arnim had a stellar career in clothing sales, as the large Kombinat which absorbed his family business retained him and members of his family, even giving them high positions. He joined the SED in 1958, but in 1974, he was kicked out of the Party. Arnim then withdrew from this career and became what in the GDR was called “*asozial*.” As rents were low, health care free, food and entertainment cheap, he could live well as long as he kept his monetary needs to a minimum. In short, Arnim

has three competing sites of memories of loss – which we might designate as the Holocaust and World War II, the GDR, and Unified Germany.

Although both states and societies engaged in legal retribution for the Holocaust and World War II during Arnim's childhood and youth, it was only the West German state that engaged in the monetary compensation part of *Wiedergutmachung* (The GDR did engage in restitution.). Hence this West German history of addressing memory of loss with money, of German money redressing losses committed *im Namen Deutschlands*, is not one that Arnim experienced but one he inherits.

Today Arnim speaks, awkwardly, the West German language of Schuld and Wiedergutmachung that he has recently inherited. Given the total dominance of West German concepts and speech in the unification process, this language is *the* mode of articulation for Germans of his generation, without which he would not be heard. Arnim grew up feeling absolved from guilt through the official GDR position of anti-fascism. As a child he had been part of the "Timur movement," based on a character in the novel *Timur and His Gang* by Soviet author Arkadi Gaidar. Timur stood for the best qualities of a young communist, a cross between a Bolshevik Boy Scout and an ideologically trained Hardy Boy, committed to selflessly serving others in the struggle to emancipate mankind. Unification processes worked relentlessly to smash whatever was left of Arnim's idealism, and the entire edifice of GDR ideology, including its commitment to anti-fascism, was delegitimated and declared myth. Arnim now assumes he shares with other Germans a Schuld for past injuries inflicted, and that these require additional redress.

I asked him what precisely this Schuld entails, and what is its relation to money. Arnim says he is aware and in fact supportive of the legal retribution done by a first generation of postwar West Germans, and of a second generation's commemorative work – public apologies, days of mourning, critical historiography. At the same time, he is uncertain about whether this redress requires further monetary compensation, or the building of the large Holocaust Memorial near the Reichstag and Brandenburg Gate. Instead, he emphasizes the need to show solidarity with other contemporary victims of violence, which may also mean that Germans make a disproportionate monetary contribution to peace-keeping efforts, as they currently do in budget politics of the European Union. This does not mean, he emphasizes, following the dominant argument of his party, the PDS, that Germans should engage in military combat outside the country proper, even if its intent is to stop genocide.

In this way, Arnim works through and against the hegemony of the West German memoro-politics, but his opposition is not total. At a macro-level, he shares with West Germans the fact that the unconditional *defeat* and then the Allied *occupation* of nearly half a century were enabling losses, as

these two conditions, defeat and occupation, enabled an individual accounting at the level of fault and debt, and some consciousness about guilt, the three dimensions of *Schuld*, and ultimately the transformation of Germany in its relation both with internal difference and with its neighbors. What he does not share with West Germans is the history of money.

These enabling losses were experienced as gains by another friend, Kolja, who worked with me from the summer of 1989 through 1995 on a project on Jewish repatriation to Germany. Kolja was born in 1954 in Kazakhstan in what his mother in 1989, before the GDR began dissolving, still called a “work camp” instead of a gulag. At the time, his father was in exile in Siberia, banned to a gulag there in 1937 in a Stalinist purge of German emigrants. Both parents, as Communists and Jews, left Germany for Paris in 1933, and then voluntarily left Paris for the Soviet Union in 1935, where they eventually picked up Soviet citizenship. They didn’t return to Germany until 1956, when Khrushchev released the last group of prisoners-of-war and German detainees. And as committed Communists, they of course returned to the East, as his mother explained to me, even though they could have gone to West Germany or to England, where Kolja’s maternal grandparents lived.

German defeat and Soviet occupation were initially emancipatory for Kolja’s family, because their experience of exile and loss meant that they were relieved of the kind of burden of *Schuld* that other Germans carried. And Kolja’s family was subject to both German as well as Jewish fates. In East Germany, the family was even rewarded in small ways – a better apartment, political agreement with the ideology of the “Worker and Farmer State.” His mother worked as translator of Russian and English newspapers for the Politburo. That Kolja’s brother escaped to the West a week before the Wall was built, and the family did not see him for another 11 years, was a real blow, especially to him since he was emotionally closest to his brother. But the family explained it as a burden of the Cold War that many German families experienced, and hence not one for which they were personally singled out.

In 1988, after a long period of unemployment, Kolja began working for the Zentrum Judaicum, a document and cultural center for Jewish activities financed by money from the American Ronald Lauder, son and heir to the Estee Lauder cosmetics empire. Lauder was interested in supporting Jewish culture and the memory of Jewish life in East-Central Europe. By 1990, after the opening of the Wall, Kolja was heavily involved in memory work: helping Jews who lived outside Germany, nearly all from the West, reconstruct their histories in and around Berlin. By 1992, he was spending a large part of his time aiding in the research of claims for restitution of Jewish property, the majority of the claims being in the Prenzlauer Berg, the district where Kolja worked and lived. Several times, Kolja took me on walking tours of the old Scheunenviertel

near Alexanderplatz, the poor and densely populated Jewish district before the war. Kolja was highly ambivalent about these restitutions.

Morally, of course it was important to return stolen property. But the legal firms often had to hunt hard to find legal heirs to much of the property, and then some of the distant relatives, once located, were unenthused about the restitution. Kolja found that it was not the loss of property with which they were primarily concerned, but the memory of this loss and the events surrounding it. Any attempt to transvalue this memory of loss threatened to “cheapen memory.” Very few of the heirs had any memory of the actual property, and those that did had not seen it for half a century. In the meantime most of the property had indeed been transformed – with new buildings and new neighborhoods – and most of the claims involved not actual victims but the inheritors of the initial dispossessed. Nearly all cases invariably seemed headed toward a monetary compensation. At bottom, then, was the fact that compensation would end up speaking not to loss but to this memory of loss, as if such memory could be transvalued into money. This was precisely the turning of *Schuld* into *Schulden*, guilt into debt, that the actual injured parties had always wanted to avoid.

Kolja observed that in practice most restitution involved simply paying intermediates – law firms and distant relatives – a fee before taking the property out of the hands of its current renters and users. In the GDR, much of this property had been administered by municipal authorities and used by non-elites. Now, it was put back onto the open market at a much higher price than if it had been merely privatized, making it unaffordable to East Germans, like Kolja himself, to buy, since East Germans had very little individual savings. Restitution meant, in effect, dispossessing current tenants and users and turning this stolen or expropriated property over to West Berlin and West German speculators who then, together with legal firms from the United States, made a profit, some of which went to legal heirs of the injured parties. Not only was this a direct negation of communism, the very antithesis of what Kolja’s family over several generations had fought and suffered for! It was also less about restitution – a form of restricted exchange where the original property is returned to the original owner – than about a form of class redistribution. That is, a generalized exchange occurs through a series of substitutions: the original stolen or expropriated property is taken out of circulation or use, turned into monetary value, and then resold in order to compensate legal firms and heirs of victims of the original theft.¹⁹

¹⁹ The argument that the Holocaust has been instrumentalized for ideological and material gain has been widely asserted, most recently by Norman Finkelstein (2001), who claims that an American-Jewish elite is debasing the Holocaust for financial gain. The evidence for this instrumentalization and appropriation of the suffering of others deserves systematic research. Certainly, the U.S. legal industry is most active in the pursuit of restitution cases, and while this litigation is often represented publicly as rectifying Jewish memory of loss, the actual motive may be more banal: profit.

All the while I worked with Kolja, rumored circulated that he was involved with the Stasi, the State Security. It was always rumored that many East German Jews were involved with the Stasi, because, first, many were ideologically committed to the socialist state, and second, they were safe recruits, for who among the non-Jewish Germans would suspect them or could rightly accuse them of complicity? Unification changed this all, as the East and West Berlin Jewish communities had to re-unite, and the personal histories of those in the East became public. By 1998, documents turned up that seemed to confirm Kolja had been a Stasi employee, part-time as had most of their employees, but this made no difference. He was fired from his job, and perhaps partly because of this, his non-Jewish wife subsequently left him. In short, Kolja's fate, like Arnim's, is linked to three particular sites of the memory of loss: the Holocaust and World War II, the GDR, and Unified Germany

Unlike Kolja, however, Arnim seems to have adjusted well to claiming either East German or German identification when it suits either his pocket-book or his memory. Arnim's history is of course not merely of expropriations or losses. This past year, he became a beneficiary of the compensation policies of the new Germany. To make a long story short, in 1997, Arnim filed a legal claim for restitution of his family business, and he was successful, but not in receiving the original property as that property had been transformed into part of an East German trust, and then twice privatized by the Treuhand. He was successful in obtaining compensation: about \$10,000, which he hopes to use as a supplement to his small pension, and to take yearly bus trips to Spain. "You wouldn't believe the beauty," he explained, "of the morning sun waking up on the bus and descend from the French mountains into Spain!"

What is clear is that Arnim understands this payment as compensation not for the memory of loss but directly for the loss itself. His parents might have had that memory, and this settlement may have been unacceptable to them. But the debt owned to Arnim by the GDR, or the Federal Republic acting in its name, is not about property loss but about an experience of confinement and lack of mobility, and money could transvalue this loss and repays this debt with freedom. Indeed, that is what this money offers Arnim, a transvaluation: not only freedom to indulge in memory but more importantly freedom from memory. By being the memory of nothing, money can speak a language without specific content or relation to the past.

As to the memory of loss of World War II and the Holocaust, both Arnim and Kolja are interpellated by the German Schuldfrage, though they are on opposite sides of this question. But since memory of loss cannot be addressed directly, the whole issue of monetary compensation is about something else, certainly about loss, but not about its memory.

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O DINHEIRO E A MEMÓRIA DA PERDA

Em que condições pode a perda, ou a sua memória, ser traduzida em valor? O artigo explora os diferentes "géneros de contabilidade", e em particular a relação entre a perda e três modos possíveis de reparação (a restituição e compensação monetária, a retribuição legal, e a celebração). São comparadas duas autobiografias alemãs com uma história da falta, da dívida e da culpa (Schuld) atribuída à unidade colectiva "alemã", e são analisadas as mudanças na relação da memória da perda com o dinheiro na Alemanha ao longo do último meio século. Conclui-se que o dinheiro responde à perda, mas em torno da memória da perda. O dinheiro, sendo a memória de coisa nenhuma, pode utilizar uma linguagem sem qualquer conteúdo específico ou relação com o passado. Isto significa que o dinheiro pode efectivamente proporcionar uma tradução da perda em valor, constituindo-se como meio pelo qual é possível ceder à memória ou como meio para se conseguir a libertação relativamente à memória.

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