Memory, History, Forgetting

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Dans la mémoire de Simone Ricoeur

He who has been, from then on cannot not have been:
henceforth this mysterious and profoundly obscure fact of
having been is his viaticum for all eternity.

§ Vladimir Jankélévitch

In a special place in the library of the monastery there stands a superb baroque sculpture. It is the dual figure of history. In the foreground, Kronos, the winged god. An old man with wreathed brow: his left hand grips a large book, his right hand attempts to tear out a page. Behind and above, stands history itself. The gaze is grave and searching; one foot topples a horn of plenty from which spills a cascade of gold and silver, sign of instability; the left hand checks the act of the god, while the right displays history's instruments: the book, the inkpot, and the stylus.

§ Wiblingen Monastery, Ulm

Entre la DÉCHIRURE par le temps vécu
et l'ÉCRITURE de l'histoire, et son stylet

Paul Ricœur

CONTENTS

PRELUDE

The Burden of History and the Nonhistorical

I wanted to set apart, in the margins of the epistemology and the ontology of history, Nietzsche's contribution to the discussion. The second in the series of *Unfashionable Observations* (*Unzeitgemässe Betrachtungen*), published in 1872 by Nietzsche, then professor of classical philology at the University of Basel, contributes nothing to the critical examination of the historical operation; nothing, as well, to the examination of pre- or post-Hegelian philosophy of history. It is unfashionable (*intempestive*, untimely) in the sense that, in the face of the difficulties of an overwhelmingly historical culture, it offers an exit from the historical only under the enigmatic sign of the nonhistorical. On the flag of this fireship waves the programmatic emblem: "On the Utility and Liability of History [*Historie*] for Life."[1] The reading I propose of the second of Nietzsche's *Unfashionable Observations* is based upon the very style of this essay: excessive in its tone, suited as it is to the theme of excess, the excess of history. For this reason, at the threshold of part 3, it deserves to parallel and to echo the myth of the *Phaedrus*, which was placed in prelude to part 2. A loop is thus formed: the reading of the Platonic myth that I proposed itself already constituted an excess, to the extent that it overtly placed historiography on the same side as the *grammata* literally intended by the myth. The free interpretation I now offer of Nietzsche's text ventures to situate the excess of historical culture on the same side as the incriminated *grammata*, and to treat the plea on behalf of the nonhistorical as a post-historiographical and post-historicizing equivalent, so to speak, placing it on the same side as the praise offered by Plato on behalf of a memory that would precede the entry into writing. Everything, including Nietzsche's hesitation regarding the cure of the "historical malady," echoes the ambiguity of the *pharmakon*, oscillating between poison and remedy in

the text of the *Phaedrus*. I hope the reader will allow me license regarding the same sort of "play" that Plato requested, not only for his own fable but for the highly serious dialectic that marks the exit from the myth through the great gate of philosophical discourse.

Two remarks before entering into the quick of interpretation: on the one hand, we must not lose sight of the fact that the abuse Plato was protesting was that of written discourse, extending across the entire expanse of rhetoric. In Nietzsche's essay it is the historical culture established in writing of we moderns that occupies a place comparable to that of rhetoric for the ancients. The two contexts, to be sure, are considerably different, so that it would be unreasonable to superimpose term-by-term *anamnēsis* confounded by *grammata* and the protean life-force that the Nietzschean essay wishes to protect from the damage caused by historical culture. My interpretation contains, therefore, the customary limits of an analogical reading. On the other hand, Nietzsche's target is not the historical-critical method, historiography properly speaking, but historical culture. And, what this culture confronts, in terms of utility and liability, is life and not memory. A second reason, then, not to confuse analogy and equivalence.

The question raised by Nietzsche's unfashionable temperament is simple: how to survive a triumphant historical culture? The essay does not come up with a univocal answer. But neither did Plato say in the *Phaedrus* what *anamnēsis* would consist of beyond the crisis of written rhetoric, even if he does say what argumentative dialectic should be. The plea for the ahistorical and the suprahistorical is in this respect in the same programmatic situation as the dialectic celebrated at the end of the *Phaedrus*. The principal thrust of both texts is denunciation: in Nietzsche, the denunciatory tone is already evident in the title: the observations are termed *Unzeitgemässe*—untimely, unmodern, unfashionable, in line with *Unhistorisches* and *Suprahistorisches* summoned to save German culture from historical sickness.[2] The theme of "infirmity" is also planted as early as the preface.[3] And, from the outset, it is an equally unfashionable medication that is sought from classical philology.[4]

I leave for a later discussion the commentary relating to the provocative comparison proposed at the start of the essay between the forgetting of bovines living "*ahistorically*" (88) and the "power to forget" (89) necessary to all action, that very power that allows the one possessing memory and history "to heal wounds, to replace what has been lost, to recreate broken forms out of itself alone" (89). I wish instead to stress here the connection maintained throughout the essay between historical culture and modernity. This

connection, firmly underscored in the text by Koselleck discussed earlier, is so strong that it makes the untimely observation a plea at one and the same time antihistoricist and antimodern. The "Second Unfashionable Observation" is also categorically antihistoricist and antimodern in its theme as well as in its tone. From the first section, a suspense is created, an ambiguity preserved: "*The ahistorical and the historical are equally necessary for the health of an individual, a people, and a culture*" (90). The main accent, to be sure, is placed on the ahistorical:[5] "in an excess of history the human being ceases once again" (91). Alone, the "ahistorical, antihistorical through and through—is not only the womb of the unjust deed, but of every just act as well" (92). The no speaks the loudest: in this, the "Second Unfashionable Observation" is, as we have said, excessive. And the author recognizes and admits it: "that life requires the service of history must be comprehended, however, just as clearly as the proposition that will subsequently be proved—that an excess of history is harmful to life" (96).

I propose to illustrate the ambiguity that compensates for the vehemence of the attack by means of the treatment at the beginning of the essay of the "three kinds of history," frequently remarked upon by commentators, and which I will investigate through the lens of poison and remedy. Measured analyses are in fact devoted, in turn, to monumental history, antiquarian history, and critical history. It is important, first, to specify the level of reflection on which these three categories are established: these are not epistemological categories, like those we set in place above—documentary proof, explanation, representation. Neither, however, do they belong to the level of complete reflexivity where the concept of "process," the preferred target of the blows directed against the historicist illusion, is located: "These historical beings," as Nietzsche proposes calling them, "believe that the meaning of existence will come ever more to light in the course of a *process*; they look backward only to understand the present by observation of the prior process and to learn to desire the future even more keenly; they have no idea how ahistorically they think and act despite all their history, nor that their concern with history stands in the service, not of pure knowledge, but of life" (93). The level on which this preliminary investigation is situated is expressly pragmatic, to the extent that what is expressed there is basically the relation of *Historie* to life and not to knowledge: in each case it is the "active and powerful" (96) human being who is the measure of utility for life.

Having said this, it is worthwhile to focus on the work of discrimination applied to each of the three levels distinguished by Nietzsche, as it concerns the equivocation planted at the heart of the essay.

Thus, monumental or exemplary history is not defined in the first instance in terms of excess, but by the usefulness of models to "emulate and improve" (96); through this history, "great moments . . . form links in one single chain" (97). Now, it is precisely greatness that historical sickness levels into insignificance. It is therefore onto utility that the excess is grafted: it consists in the abuse of analogies that result in "entire large parts of [history being] forgotten, scorned, and washed away as if by a gray, unremitting tide, and only a few embellished facts arise as islands above it" (100). This is how the past is damaged. But the present is as well: the unbounded admiration of the great and powerful figures of the past becomes the travesty behind which the hatred of the great and powerful of the present is concealed.

There is no less ambiguity in traditionalist or antiquarian history. Conserving and venerating customs and traditions is useful to life: without roots, there would be neither flowers nor fruit; but, once again, the past itself suffers, all past things end up covered by a uniform veil of venerability, and "whatever is new and in the process of becoming . . . is met with hostility and rejected" (105). This history knows only how to conserve, not how to create.

As for critical history, it is not identified with the historicist illusion. It constitutes only one moment, that of judgment, inasmuch as "every past deserves to be condemned" (102); in this sense, critical history indicates the moment of deserved forgetting. Here, the danger for life coincides with its usefulness.

There is, then, a genuine need for history, be it exemplary, antiquarian, or critical. The residual ambiguity, which I compare to that of the *pharmakon* of the *Phaedrus*, results from the fact that history contains non-excess at each of the three levels considered; in short, in the fact of the uncontested usefulness of history for life in terms of the imitation of greatness, the veneration of past traditions, and the critical exercise of judgment. In truth, Nietzsche has not really formed a balance in this text between the utility and the liabilities, inasmuch as excess is posited at the very heart of the historical. The point of equilibrium itself remains problematical: "Insofar as it stands in the service of life," Nietzsche suggests, "history also stands in the service of an ahistorical power; and because of this subordinate position, it neither could nor should become a pure science on the order of mathematics, for example. But the question about the degree to which life needs the service of history at all is one of the supreme questions and worries that impinges on the health of a human being, a people, or a culture. For at the point of a certain excess of history, life crumbles and degenerates—as does, ultimately, as a result of this degeneration, history itself, as well" (95–96). But can the scorecard

demanded by the title be drawn up? This is the question that is still posed at the end of the essay.

The attack against modernity, stripped of the preceding nuances, is introduced by the idea of an interpolation between history and life of a "powerfully hostile star," namely, "*the demand that history be a science*" (109). This demand characterizes the "modern human being" (109). And it consists in violence done to memory, amounting to an inundation, an invasion. The first symptom of the sickness is "the remarkable antithesis between an interior that corresponds to no exterior and exterior that corresponds to no interior—an antithesis unknown to the peoples of the ancient world" (109). We are not far from the stigmatized "external marks" of the *Phaedrus*, which alienate memory. But the reproach takes on a modern allure insofar as the distinction between the categories of interior and exterior is itself a modern conquest, one made above all by the Germans: "a people notorious for its inwardness" (113). And yet we have become "walking encyclopedias," on each of which is stamped the title "Handbook of Inward Cultivation for Outward Barbarians" (111).

This all-out attack, as it proceeds, sweeps away the embankments within which Nietzsche planned to direct its flow (the five viewpoints at the beginning of section 5!): eradication of instincts, concealment behind masks, chattering of gray, old men (did not the *Phaedrus* reserve the pleasure of *grammata* for the old?), the neutrality of eunuchs, the incessant reduplication of critique by critique, and the loss of the thirst for justice,[6] to the benefit of an indifferent benevolence regarding "objectivity,"[7] a lazy effacement before the onward march of things, and taking refuge in melancholic indifference.[8] Then sounds the major declaration of the essay ("*Only from the highest power of the present can you interpret the past*" [129]) and the final prophecy ("only those who build the future have a right to sit in judgment of the past" [130]). The path is cleared for the idea of "historical justice" whose judgment "always undermines and destroys living things" (131). Such is the price to pay for the rebirth of the constructive urge destined to release the celebration of art and even religious devotion from the grip of pure scientific knowledge. Then, without any safety net, the praise of illusion is uttered, in strict opposition to the self-realization of the concept in accordance with the grand Hegelian philosophy of history.[9] Plato himself, in book 3 of the *Republic* sided with the "powerful necessary lie" (161), at the expense of the alleged necessary truth. The contradiction is thus carried to the very heart of the idea of modernity: the new times it invokes are placed by historical culture under the sign of old age.

At the end of this all-out attack, it is difficult indeed to say what the ahistorical and the suprahistorical are. One theme, however, connects these limit concepts and makes a plea on behalf of life: the theme of youth. It resonates at the end of the essay, just as the theme of natality will at the end of Hannah Arendt's *The Human Condition*. The exclamation—"Thinking of *youth* at this point I cry out, 'Land ho!'" (158)—may seem a little like pandering, but it takes its meaning in the context of the pair youth/old age, which forms the underlying organization of the essay, to the benefit of a general reflection on aging that the meditation on the historical condition cannot escape. Youth is not an age of life but a metaphor for the plastic force of life.

It is within the aura of the invocation to youth that the recurrent term of historical sickness is re-situated *in fine*; this term evokes, in its turn, the notion of remedy, regarding which we still do not know whether it is actually a poison, by reason of its secret alliance with the justice that condemns. Everything indeed comes together in the final pages of the essay which, until then, seemed to drag on and on: "Well, don't be surprised that [these remedies] are the names of poisons [*Giften*]: the antidotes to history are—*the ahistorical and the suprahistorical*" (163). In truth, Nietzsche is stingy with language in distinguishing between the ahistorical and the suprahistorical. "Ahistorical" is associated with "the art and power to be able to *forget*" and the ability "to enclose oneself in a limited *horizon*" (163). A bridge is cast back toward the considerations regarding the two kinds of forgetting with which the essay opens, that of the ruminant and that of historical man. We now know that this forgetting is not historical but unhistorical. As for the "suprahistorical," it directs the gaze away from the future and carries it toward the eternity-dispensing powers of art and religion. Henceforth, science will speak of poison in this connection, its hatred for these powers matched by its hatred of forgetting in which its sees only the death of knowledge.[10] The ahistorical and the suprahistorical thus constitute the natural antidote (*Gegenmittel*) to the stifling of life by history, to the historical sickness. "It is likely that we, the historically sick, will also have to suffer from these antidotes. But the fact that we suffer from them provides no evidence that could call the correctness of the chosen therapy [*Heilverfahren*] in question" (164).

Youth is the herald of this therapy: it "will suffer simultaneously from the illness and the cure [*Gegenmittel*]" (164).

Youth confronting graying epigone: "This is a parable [*Gleichnis*] for every individual among us" (167).

CHAPTER 1

The Critical Philosophy of History

READING GUIDELINES

With the critical philosophy of history, we set out along the hermeneutical route. It would be a mistake to think that for lack of a speculative philosophy of history, there is room only for an epistemology of the historiographical operation. There still remains a space of meaning for metahistorical concepts relating to a philosophical critique resembling that conducted by Kant in the *Critique of Judgment*, and which would be worthy of the name of a "critique of historical judgment." I consider it to be the first branch of hermeneutics, in the sense that it asks about the nature of the understanding that passes through the three moments of the historiographical operation. This first hermeneutics approaches a second-order reflection from the perspective of critique, in the twofold sense of a delegitimation of claims made on behalf of the self-knowledge of history, setting itself up as absolute knowledge, and of the legitimation of historical knowledge striving for objectivity.

The epistemology of part 2 began to appeal to this sort of reflection, primarily with respect to the examination of the chronological models the discipline has developed. It lacked, however, a distinct elaboration of the conditions of the possibility of temporal conditions meriting the designation of the time of history. The vocabulary of models—the famous "temporal models" of history of the *Annales*—was not up to the task of this critical enterprise. I owe the identification of the gap between the models employed in the historiographical operation and the temporal categories of history to Reinhart Koselleck. The "history of concepts"—*Begriffsgeschichte*—to which a large part of his work is devoted, concerns the categories governing the historical treatment of time and the generalized "historicizing" of the forms of knowledge relating to the entire practical field. The following chapter

will show that this analysis in turn points in the direction of an ontological hermeneutics of the historical condition, to the extent that this historicizing is related to an experience in the full sense of the term, to an "experience of history," following the title of a collection of Koselleck's essays. The present chapter will be confined to the limits of a critique directed to the claim of the self-knowledge of history to be constituted as absolute knowledge, as total reflection.

The two principal meanings of history will be explored in turn. In the first two sections, the negative thrust of critique will be highlighted; in the last two, we shall consider the external and internal dialectics of the self-knowledge of history that attest positively to the presumed self-limitation of this knowledge. We shall then measure the highest ambition assigned to the self-knowledge of history by Romantic and post-Romantic German philosophy. I will conduct this investigation under the guidance of Koselleck's great article "Geschichte," devoted to the constitution of history as a collective singular, binding together the set of special histories. The semantics of historical concepts will serve to bring to our attention the dream of self-sufficiency expressed by the formula "history itself" (*Geschichte selber*) claimed by the authors concerned. This dream will be pursued to the point where it turns the arm of "total history" against itself (section 1: "*Die Geschichte Selber*," "History Itself").

This critique applied to the most extreme and the most widely uttered ambition of the self-knowledge of history will then be applied to the claim, in appearance diametrically opposed to the preceding one, that the present age is considered not only different but preferable to any other. This self-celebration, joined to self-designation, is characteristic of the apology of modernity. In my opinion, the expression "our" modernity leads to an aporia similar to that contained in the expression "history itself." It is first of all the "historical recurrence" of the plea for modernity, from the Renaissance and the Enlightenment up to today, that sows the confusion. But it is most obviously the competition between several pleas mixing values and chronology, coming, for example, from Condorcet and from Baudelaire, that most effectively destablizes the self-preference assumed by a period. It is then a question of knowing whether an argumentation purely in terms of values can avoid the equivocation of a discourse that claims at one and the same time to be universal and to be situated in the historical present. And it is another question to know whether the discourse of postmodernity escapes this internal contradiction. In one way or other, historical singularity reflecting

on itself gives rise to an aporia symmetrical to that of the historical totality knowing itself absolutely (section 2: "'Our' Modernity").

The resources of critical hermeneutics are not exhausted in denouncing the open or hidden forms of the claim to total reflection coming from the self-knowledge of history. It is attentive to the tensions, to the dialectics by reason of which this knowledge takes the positive measure of its limitations.

The polarity between judicial judgment and historical judgment forms one of these remarkable dialectics, while, at the same time, remaining an external limitation on history: the vow of impartiality common to both forms of judgment is subjected in its actual exercise to opposite constraints. The impossibility of occupying the position of a third party is already evident in the comparison between the two paths of decision-making: trials, on the one hand, archives, on the other. A particular use of testimony and of proof in one instance and in the other; a particular finality in the final sentence on one side and on the other. The main emphasis falls on the focus in judicial judgment on individual responsibility in opposition to the expansion of historical judgment to contexts more open to collective actions. These considerations regarding the professions of historian and judge serve to introduce the test offered by the example of the great crimes of the twentieth century, subject in turn to the penal justice of the great trials and to the judgment of historians. One of the theoretical stakes of the comparison concerns the status of singularity, at once moral and historical, assigned to the crimes of the last century. On the practical level, the public exercise of both forms of judgment is the occasion to underscore the therapeutic and pedagogical role of *civis dissensus* raised by controversies animating the public space of discussion at the points of interference of history in the arena of collective memory. The citizen is also himself or herself a third party between the judge and the historian (section 3: "The Historian and the Judge").

One last polarity underscores the internal limitation to which the self-knowledge of history is subjected. It is no longer the polarity between history and its other, as in the case of judicial judgment; it lies at the very heart of the historiographical operation, in the form of the types of correlation between the project of truth and the interpretive component belonging to the historiographical operation itself. This concerns much more than the subjective involvement of the historian in the formation of historical objectivity: the set of options that arise at every phase of the operation, from the archive to the representation of the historian. The interpretation proves in this way to possess the same scope as the project of truth. This consideration justifies

its placement at the end of the path of reflection traversed in this chapter (section 4: "Interpretation in History").

§

"*DIE GESCHICHTE SELBER*," "HISTORY ITSELF"

Along with Reinhart Koselleck, we retrace the journey back to the sources of the grandiose ambition of historical self-knowledge to arrive at total reflection, the eminent form of absolute knowledge. To him, we owe the acknowledgment of the gap between the temporal models employed in the historiographical operation and the temporal categories of history.

To be sure, in volume 3 of *Time and Narrative* I had taken into account Koselleck's celebrated essay, "'Space of Experience' and 'Horizon of Expectation': Two Historical Categories," reprinted in *Futures Past*;[1] but I had not perceived the tie between this essay and the set of investigations belonging to a type of discourse hierarchically superior to the epistemology of the historiographical operation.[2] In the case of notions such as space of experience and horizon of expectation, we are concerned, Koselleck notes, with "epistemological categories which assist in the foundation of the possibility of a history" (*Futures Past*, 269). More radically, it is a matter of defining "historical time," a task characterized in the preface as one of "those questions which historical science has the most difficulty answering" (xxi). In fact, if it is a question of the contents of history, a trustworthy system of dating is enough; as for the temporal rhythms of the ensembles that are sectioned off by historical discourse, they stand out against the backdrop of a "historical time" that punctuates history pure and simple, history as such.

Koselleck has good reason to characterize these categories as metahistorical. This evaluation of their status is confirmed by the homologous constitution linking the categories of historical time in Koselleck and those of internal time in Augustine's *Confessions*. The parallel is striking between the pair: horizon of expectation and space of experience, and the pair: present of the future and present of the past. The two pairs belong to the same level of discourse. What is more, they lend mutual assistance to each other: the structures of historical time are not limited to providing a greater scope to the structures of mnemonic time; they open a critical space in which history can exercise its corrective function with regard to memory. In turn, the Augustinian dialectic of the threefold present opens the past of history onto a present of initiative

and a future of expectation, which, when the time comes, must be shown to leave its mark at the heart of the historian's enterprise. Koselleck, however, is justified in holding that neither Augustine nor Heidegger directed their interrogation to the time of history—which is less true of Gadamer, as I admit in *Time and Narrative*. The contribution of Koselleck's analyses consists in his treatment of these categories as conditions for discerning the changes affecting historical time itself, and, in particular, the differential traits of the vision of the moderns regarding historical change.[3] Modernity is itself—we will return to this later—a global historical phenomenon, to the extent that it apprehends modern times as new times; this apprehension can be reflected only in terms of the ever-increasing distancing of expectations with respect to all experiences up to today. This was not the case with the eschatological expectations of historical Christianity, which, given their ultra-worldly status, could not be coordinated with common experience within a single historical process. The opening of a horizon of expectation designated by the term "progress" is the prior condition for the conception of modern times as new, which constitutes the tautological definition of modernity, at least in German. In this regard, one can speak of the "temporalization of the experience of history" as the process of continual and increasing perfection. A variety of experiences can be enumerated both in the order of expectation and in that of remembered experience; unequal rates of progress can even be distinguished, but a global newness widens the distance between the space of experience and the horizon of expectation.[4] Notions such as the acceleration and the open-endedness of history belong to the same cycle. Acceleration is the unfailing indication that the gap is maintained only by continually being modified; acceleration is a metacategory of the temporal rhythms that tie improvement to the shortening of intervals; it gives a historical touch to the notion of speed; it permits *a contrario* speaking of delay, advance, marching in place, regressing. As for the availability of history, its makeability, this designates a capacity that belongs at once to the agents of history and to the historians who make history available by writing it up.[5] That someone makes history is a modern expression unthinkable before the end of the eighteenth century, one ratified, so to speak, by the French Revolution and Napoleon. The metahistorical level of the concept is evident in the fact that it was able to survive the belief in progress, as is attested, outside of the German sphere,[6] by the proud motto borrowed from Michel de Certeau, under the banner of which Jacques Le Goff and Pierre Nora assembled French historians in the 1960s.[7] If the notion of the makeability of history is so tenacious, this is doubtless because it aims at aligning our twofold relation to history—making

history and the making of histories (*faire l'histoire et faire de l'histoire*)—with the competence constitutive of the practical field belonging to the one I designate by the inclusive term "capable being."

Nothing better underscores the unilateral character of the concept of the makeability of history than its close tie with the metacategory par excellence formed by the very concept of history as a collective singular. This is the master category, the condition under which the time of history can be thought. There is a time of history insofar as there is one single history. This is Koselleck's master concept, in a seminal article published in the historical lexicon of political-social language in Germany under the simple title, "Geschichte."[8] In this regard, it would be an illusion to think that the noisy repudiation of the Hegelian philosophy of history and, less costly, the high-minded elimination of the risky speculations of a Spengler or a Toynbee, or even of more recent emulators with planetary ambitions, exonerates historians from the task of explaining why the same word "history" designates, without easily deniable amphibology, the collective singular comprising a series of events and the ensemble of discourses pronounced regarding this collective singular. The question belongs to the transcendental level of a critical discourse on history. Koselleck places in its service the remarkable tool of conceptual semantics, a sort of selective lexicography of the basic vocabulary of the historical sciences. However, in contrast to a lexicographical work limited to an examination of concepts under the condition of bracketing the referent, the metacategories brought to light by this undertaking are, like Kantian categories, the conditions of the possibility of a specific experience. The lexicon thus rests on a triangular relation: guiding concept, linguistic functioning, and experience. The field of application of these guiding concepts is constituted by what Koselleck calls the "experience of history,"[9] namely, something more than an epistemological territory, an authentic relation to the world, comparable to that which underlies physical experience. Now this experience is peculiar to the modern period. He speaks of a "new space of experience." This reference to modernity, to which we will return at greater length later, marks from the outset the epochal character of conceptual semantics itself. This epochal mark unavoidably places the enterprise under the heading of historicism, a result it did not seek but to which its own course has led it.

At the start of this history a naïve expectation is affirmed, whose subsequent course will reveal its growing complexity. Koselleck attaches this expectation to "two long-range events that will end by merging together and, through this, will open a space of experience that formerly could not have been formulated" ("Geschichte," 10). This concerns, on the one hand,

the birth of the concept of history as a *collective singular* linking together the special histories under a common concept; and, on the other hand, this involves "the mutual contamination" of the concepts *Geschichte*, considered a complex of events, and *Historie*, considered as knowledge, narrative, and historical science, a contamination that ends with the absorption of the latter by the former. The two conceptual events, so to speak, finally amount to only one, namely, the production of the concept of "history as such," of "history itself" (*Geschichte selber*).

The birth of the concept of history as a collective singular, under which the collection of particular histories is placed, marks the bridging of the greatest gap imaginable between unitary history and the unlimited multiplicity of individual memories and the plurality of collective memories underscored by Halbwachs. This conquest is sanctioned by the idea that history itself becomes its own subject. If there is a new experience, it is surely that of the self-designation of a new subject of attribution named "history."

It is understandable that the second "event" signaled by Koselleck—namely, the absorption of *Historie* by *Geschichte*—might have been confused with the formation of the concept of history as a collective singular. The autonomy of history as its own subject ultimately directs the organization of its representation. In producing itself, history articulates its own discourse. This absorption has occurred despite the sporadic resistance of authors, such as Niebuhr, enamored of methodological precision. The old definition harkening back to Cicero ("History is a true account of past things") as well as the assignment to *historia* in antiquity of the role of instruction (*historia magistra vitae*) are seen to be reappropriated by the new experience of history, reflecting upon itself as it comes to pass. Out of the reflexivity of history derives a specific concept of historical time, a properly historical temporalization.[10]

At this stage, which can be called one of naïveté or innocence, the term "history" displays a realist tenor that assures for history as such its own claim to truth.[11]

Before proceeding further, the expression "experience of history," given by Koselleck as the title of the work as a whole, within which the article in question is placed, deserves some thought. "A new space of experience," he says has been opened up, which "has nourished the historical school ever since" (51). This space of experience coincides with modernity. One can then speak, in short, of the modern experience of history. In this regard, the reader will note an important change in Koselleck's vocabulary after *Futures Past*, in which the space of experience was opposed to the horizon of expectation (cf. *Time and Narrative* 3:208–16). Henceforth applied to history as such,

the concept of experience, defined by modernity, now covers the three forms of time. It links together the past that has occurred, the anticipated future, and the present as it is being lived and acted. What is held to be modern par excellence is this omnitemporal character of history. In the same stroke, the concept of history includes, in addition to its renewed temporal meaning, a new anthropological meaning: history is the history of humanity, and in this worldwide sense, the world history of peoples. Humanity becomes both the total object and the unique subject of history, at the same time as history becomes a collective singular.

The appearance of notions such as the "philosophy of history" with Voltaire, the "Idea of universal history from a cosmopolitan point of view" with Kant, the "philosophy of the history of humanity" with Herder, and "world philosophy" (*Weltgeschichte*) erected by Schiller as "world tribunal" must be placed back against this backdrop of presuppositions. With this final development, a moralizing reflection on the very meaning of history, universal in scope, is added to the expansion of the narrative territory of history.[12]

All that is lacking is the speculative dimension announced by Novalis, proclaiming that "history produces itself" (quoted in "Geschichte," 48). Hegel's text on "Reason in History" (the introduction to his lectures on the *Philosophy of History*) crowns this conceptual epic. It is under the aegis of the dialectic of the objective spirit that the pact between the rational and the real is sealed, the pact that is said to be an expression of the highest idea of philosophy.[13] The connection in which this identity is manifested is history itself. At the same time, a certain distance is taken with respect to the ordinary historical discipline, which is reproached for dwelling in the house of the dead. In this, we must recognize our debt to Hegel for his critique of the abstract idea of a world that is no longer the power of life carried by the Spirit into the heart of the present. Something is announced here that will find a vehement outcome in Nietzsche's praise of life, and also in Heidegger's opposition between the having-been of the authentic past and the elapsed past that escapes our grasp. But neither can we allow to pass in silence, under the cover of Hegelian philosophy (in this, heir to the antitheological orientation of the Enlightenment thinkers rather than to the Romantics), the birth of a secular religion resulting from the equation between history and reason. History *is* the development of spirit at the heart of humanity. If Koselleck can speak of the experience of history, this is also to the extent that the concept of history can claim to fill the space previously occupied by religion. It is by virtue of this kinship, and this substitution, that

the idealist philosophy of history was able to rise above simple causal analyses, integrate multiple temporalities, open itself to the future, or better, open a new future, and in this way reinterpret the ancient *topos* of history, teacher of life, following the promises of redemption spilling out upon humanity to come by the French Revolution, the mother of all ruptures.

But with the word "rupture" a finger is pointed in the direction of a fault-line fissuring from within the presumed encompassing, totalizing idea of world history.

We can follow the trace of the more and more devastating effects of this fault-line.

The first slight crack in the idea of a unified history of humanity is to be ascribed to the various resistances of what in a broad sense can be termed, following Hannah Arendt, *human plurality*. This plurality chips away from within the very concept of history as a collective singular. It is always the special histories that universal history or world history claims to encompass. Now these histories can be listed according to a variety of criteria: be it geographical distribution, periodization of the course of history, thematic distinctions (political and diplomatic history, economic and social history, history of cultures and *mentalités*). These diverse figures of human plurality cannot be reduced to an effect of professional specialization within the profession of historian. They belong to a primary fact, the fragmentation, even the dispersal, of the human phenomenon. There is such a thing as humanity, but there are also peoples (many nineteenth-century philosophers spoke, in this way, of the "spirit of peoples"), that is to say, languages, mores, cultures, religions, and, on the properly political level, nations framed by states. Reference to the nation has been so strong that representatives of the great German historical school continually wrote history from the viewpoint of the German nation. Things were no different in France, with Michelet in particular. The paradox is great: history is proclaimed to be a world phenomenon by historian-patriots. It is then a point of discussion to determine whether history can be *written* from a cosmopolitan point of view.

The resistance of special histories to globalization is not the most threatening aspect: it can be seen to be related either to the limitations of competence belonging to the profession of historian, the historical-critical method requiring an ever narrower specialization regarding research, or to a feature of the condition of the historian, which makes the historian as a person both a scholar and a citizen, a scholar who makes history in writing it, a citizen who makes history in association with the other actors on the public stage. There is nevertheless a certain ambiguity that results concerning the epistemological

status of the idea of world or universal history. Is it a *regulative* idea in the Kantian sense, requiring the unification of multiple forms of knowledge on the theoretical plane and proposing on the practical and political plane a task that could be termed cosmopolitan, aiming at establishing peace among the nation-states and at the worldwide dissemination of democratic ideals?[14] Or is it a constitutive, *determinant* idea, after the manner of the Hegelian *Idea* in which the rational and the real coincide? According to the first acceptation, history *has to* become universal, worldwide; according to the second, it *is* worldwide, universal, as the actual becoming of its own production. In both cases, the resistance of human plurality constitutes a paradox and, ultimately, even a scandal. The concept of collective singular would truly be honored only if one managed to renew the Leibnizian principle of sufficient reason, for which the diversity, variety, and complexity of phenomena constitute welcome components of the idea of the whole. This interpretation midway between regulative and constitutive ideas does not seem to me to be beyond the reach of a properly dialectical conception of history.

The idea of universal or world history seems to me to be more severely tested on the very plane of the *temporalization* of the march of history. Modernity makes apparent new and unseen diachronic features that give a new physiognomy to the old tripartite Augustinian division into past, present, and future, and above all to the idea related to a "distention of the soul." In *Futures Past*, Koselleck had already underscored the effects of the *topos* of progress on the representation of the time of history. But the idea of progress is not confined to suggesting an a priori superiority of the future—or, more precisely, of things to come—over things of the past. The idea of *novelty* attached to that of modernity (modernity in German is "new time"—*neuen Zeit,* then *Neuzeit*) implies at the minimum a depreciation of earlier times struck with obsolescence, at the maximum a denial amounting to a rupture. We have already mentioned the rupture effect ascribed to the French Revolution by the European intelligentsia of the nineteenth century. Even then, the lights of reason made Medieval times appear shadowy, dark; following them, the revolutionary impulse made past times appear dead. The paradox is formidable with regard to the idea of universal, world history: can the unity of history be produced by the very thing that ruptures it?[15] To surmount this paradox, the force of integration set free by the energy of novelty would have to be greater than the force of rupture emanating from the event held to found new times. The most recent course of history far from satisfies this wish. The growth of multiculturalism is a source of great puzzlement in this regard.

The phenomenon of depreciation with regard to the past presents several remarkable corollaries. Let us note first the increase in the feeling of distantiation which, on the scale of several successive generations, tends to obliterate the feeling of the debt owed by contemporaries to predecessors, to borrow the language of Alfred Schutz; what is worse, contemporaries, who themselves belong to several generations living simultaneously, suffer the experience of the noncontemporaneousness of contemporaries. Next, one notes the feeling of the acceleration of history, which Koselleck interprets as an effect of the dissolution of the tie between expectation and experience, a large number of phenomena perceived as significant changes occurring in the same lapse of time.

These profound alterations in the unity of history on the plane of its temporalization signal a victory of Augustine's *distentio animi* as it imperils the unity of the *intentio* of the historical process. On the plane of memory, however, there was still a possible recourse, in the form of repetition consisting in the recognition of a remembered past within the present. What could history offer equivalent to this recognition, if it were condemned by the newness of the times to reconstruct a dead past, without affording us the hope of recognizing it as ours? Here we see the emergence of a theme which will take shape only at the end of the following chapter, the theme of the "uncanniness" of history.

The depreciation of the past would not be enough to undermine from within the affirmation of history as a self-sufficient totality if a more devastating effect had not also been added, namely, the *historicization* of all human experience. The value accorded to the future would have remained a source of certainty if it had not been accompanied by the relativizing of the contents of belief held to be immutable. Perhaps the two effects are potentially antagonistic to one another, inasmuch as the second—relativization—contributes to undermining the first—historicization, up until then paired with a self-assured expectation. It is at this point that the concept of history results in an ambiguity which the crisis of historicism will carry to the forefront, but which appears as a perverse effect of what Koselleck calls the historicization of time.

Its devastating effect was particularly apparent in the theological version of the *topos* of progress, namely, the idea of *Heilsgeschichte*—"salvation history"—stemming from Christian eschatology. In truth, the *topos* of progress had first benefited from an impetus coming from theology and the schema of the "promise" and its "realization," which had formed the original matrix of the *Heilgeschichte* within the Göttingen school as early as

the eighteenth century. Now this schema continued to nourish the theology of history up to the middle of the twentieth century. The rebound effect of the theme of historical relativism on the *Heilgeschichte* was severe indeed. If Revelation is itself progressive, then the reciprocal truth imposes itself: the advent of the Kingdom of God is itself a historical development, and Christian eschatology is dissolved into a process. The very idea of eternal salvation loses its immutable referent. In this way, the concept of *Heilgeschichte*, first proposed as an alternative to historization only to function as a theological double for the profane concept of progress, is inverted into a factor of complete historicization.

One by one, all domains of experience are affected by historical relativism. The triumph of the ideas of point of view and perspective attests to this. To be sure, one can assign a Leibnizian origin to this idea, but this is at the price of abandoning the strong reference to an integral of viewpoints. The idea of a plurality of viewpoints, once stripped of any overview, is proposed as the antidogmatic view par excellence. But the question then arises whether the thesis affirming the relativity of every assertion does not self-destruct through self-reference. Stated in the radical form given to it by skepticism—"Every affirmation, every estimation is relative to the historical conditions of its utterance"—it is in danger of falling prey to the charge of "performative contradiction" addressed by Karl-Otto Apel to the partisans of skepticism in the face of the ethical-juridical notion of validity.[16] One can wonder if the idea of truth, but also the ideas of the good and the just, can be radically historicized without disappearing. The relativity resulting from the temporalization of history can nourish for a while the charge of ideology addressed by a protagonist to an adversary—in the form of the peremptory question, "Where are you speaking from?"—but it finally turns against the one making it and becomes internalized as paralyzing suspicion.[17]

At the end of this remarkable essay, "Geschichte," Koselleck freely admits his qualms. After presenting Ranke's scruples concerning the historian's suspension of judgment regarding taking a position on the combats of the present, he notes: "In the same way as these positions tied to the former controversy (and perhaps even more to the point), the ambivalence of the expression 'history itself' [*Geschichte selber*] has the characteristic of delivering all at once all the objections that can be formulated against it" (80). The contradictions undermining the notion have revealed the untenable nature of this claim to absolute knowledge and of the *hubris* that inspired it. It will be another question to determine whether what Koselleck calls "the experience of history"

goes beyond the limits of a conceptual history, which I assign to the level of a critical hermeneutics, and whether it involves categories that can be termed existential, belonging to an ontological hermeneutics. This is what the twofold sense of the word "history," considered as the set of events that have occurred and the set of reports on these events, leads us to understand.

"OUR" MODERNITY

The main task of critical philosophy applied to history is, as we have said, to reflect upon the limits that a self-knowledge of history, taking itself to be absolute, would attempt to transgress. The treatment of history as a collective singular erected as its own subject—History—is the most obvious expression of this claim. But this manifestation is not the only one. A second, more hidden form of the same claim is symmetrically opposed to it: this consists in elevating as an absolute the historical present established as an observation point, even a tribunal, for all the formations, especially cultural formations, that have preceded it. This claim is concealed under the seductive features of a concept that at first sight seems free of any tendency to transgress limits: the concept of modernity. The impossible claim attaching to this concept is laid bare only when its full and precise formulation has been restored to it, when one says and writes "our" modernity. This involves nothing less than "the idea that our time has of itself, in its difference, its 'novelty' in relation to the past."[18] "Our," "our" time, "our" epoch, "our" present—are so many equivalent expressions for the idea of modernity. The question is this: how could "our" time think itself absolutely? The question is rigorously symmetrical to the one that concerned us above: it was then a matter of the whole of History considered a collective singular, attempting to posit itself absolutely as its own subject: "history itself." Dislodged from this untenable position, the claim to absolute reflection switches to the exact opposite of this collective singular, namely, the singular historical moment, the now of this historical present. This claim is thriving today, while the opposite claim has mostly been abandoned. Doubtless, the demand it conveys is unavoidable, as is, most probably, despite criticism, the stubborn reference to total History, under the vocables of world history or universal history, forming the backdrop against which the historical eras marked out by historians stand out. A rigorous agnosticism in relation to the idea of modernity is perhaps impracticable. How indeed could we not be tempted to say in what times we live? Or to express our difference and novelty in relation to every other time? The only result expected from critique would then be an admission

of the controversial, polemical, inconclusive nature of all discussions on the "true" sense of "our" modernity.

I will begin by tracing out the argument of what Hans Robert Jauss calls the "historical recurrences" of the word, in contrast to the claim of "our" modernity to stand as the exception to this recurrence and to think itself absolutely.[19] This "historical recurrence" is attested by a discourse that is contained perfectly within a theory of representation belonging, as is shown in the second part of this work, to the historiographical operation. The sole difference that can be noted, although a considerable one, is that this is not one representation among others but the representation that this operation gives of itself, in which both figures—the object-representation and the operation-representation—coincide with one another. This self-representation claims to testify for the entire epoch in which its own discourse is inscribed. Several epochs have defined themselves as modern. Out of this repetition arises the paradox attaching to the very theme "*our* epoch."

We can follow the narrative of the historian retracing the successive occurrences of the terms relating to the same semantic field and repeating the terminological choices that have led to "our" own modernity, we the agents of present history. And we can identify the moment when the implicit or explicit ascription of value confers a normative sense on the expression.

Jacques Le Goff traces this path in *History and Memory*.[20] He links these distinctions in the following way. First, on what is still a formal level, he proposes the distinction between before and after, implied in the related notions of simultaneity and succession. Upon this he constructs the opposition between past and present governing the distinctions that follow, which the historian develops on the level of the "historical social consciousness" (2). The decisive distinction leading up to the idea of modernity is constituted by the opposition "ancient" versus "modern."[21] This distinction, it is stated, "developed in an equivocal and complex context" (21). The term "modern" has indeed changed partners several times (ancient, but also old, traditional), while at the same time binding its fate to different synonyms (recent, new). What is more, the paired terms continue to be accompanied by favorable, pejorative, or neutral connotations. The original use of "modern" in low Latin (the adverb *modo* signifying "recently") and of "ancient" (in the sense of what belongs to the past) was neutral. Less neutral were subsequent usages, when "ancient" designated the earlier Greco-Roman world preceding the triumph of Christianity, a world henceforth designated by the word "Antiquity."[22] Neutrality is out of place when the term "modern" adds to itself the epithet "new," the praiseworthy term par excellence, beginning

in the sixteenth century, when it will no longer have as its opposite simply the ancient, but also the medieval, in accordance with the division of history into three periods: ancient, medieval, and modern (*neuere* in German). The ambiguity grows when Antiquity, after being chronologically superseded, becomes once again exemplary during the great Renaissance of the sixteenth century.[23]

This is the period when historical narration intersects with the pejorative or favorable evaluations that have been superimposed on one another at the decline of periods in the style of the chronosophies studied by Pomian (reign, age, era, period, even century, as in the expressions Great Century, century of Louis XIV, century of the Enlightenment). The historian is a witness to this surplus of meaning that makes the superiority of "our epoch" fighting words. This threshold is crossed when the contrary of the idea of novelty is the idea of tradition, which, from the simple transmission of a heritage, becomes synonymous with the resistance to new ideas and mores. Things become even more complicated with the cyclical conception of the Renaissance, in which praise is directed to a rediscovered past—pagan Greco-Roman antiquity—beyond the rupture-effect produced by the eruption of novelty. It is at this crossroads of the linear and the cyclical that the fate of the concept of imitation was played out, a concept itself inherited from the *mimēsis* of the Greeks: is imitating repeating in the sense of copying, or repeating in the sense of calling back to life? The famous quarrel of the Ancients and the Moderns in the French and English seventeenth century revolved around these ascriptions of opposing values to the alleged exemplarity of ancient models.[24] Linearity will definitively prevail in the idea of progress, which merits the title of *topos*, as in this "commonplace" the alliance between the modern and the new is concluded, in contrast to the decrepitude of tradition.

The sequence "modern," "novelty," "progress" functions like a syntagma in two revered texts, which will serve to orient what follows in our discussion: Turgot's *Réfléxions sur l'histoire des progrès de l'esprit humain* (1749), and Condorcet's *Esquisse d'un tableau des progrès de l'esprit humain* (1794). History or tableau, this is the balance sheet of the accomplishment of Western consciousness, presented as a guide for humanity as a whole. On the metahistorical plane, the praise of the modern fuses together the presumed total reflection of history upon itself and the reflection of the privileged historical moment. What matters is that the projection of the future is, henceforth, of a piece with the retrospection on past times. From then on, the century can be seen with the eyes of the future. It is in this sense that the future of past generations, with regard to which our own modernity distinguishes itself,

appears as an outmoded future, to borrow Koselleck's beautiful title, *Die vergangene Zukunft* (*Futures Past*), which evokes the future such as it is no longer, understanding in this expression: such as it is no longer ours. But the history of the idea of modernity continues beyond the European Enlightenment, and the hesitations in the vocabulary continue to accumulate. Replacing "old" by "ancient" has already marked the historical distance between modern times and antiquity. The substitution of "modern" by "romantic" is accompanied by the symmetrical substitution of "ancient" by "classical" in the sense of ineffaceable, exemplary, even perfect. With Romanticism, the modern rediscovers a twofold past, "Gothic" and "ancient," while the superiority of our time is tempered by the idea dear to Montesquieu that every epoch and every nation has its own genius. The most surprising element of this history is perhaps the fortune of the words *roman* (novel, romance) and "romanticism":[25] as in the novels of chivalry—those poems in popular language—fiction permeates the image of the world, the fantastic capturing the poetry of life beyond the picturesque, confirming what Aristotle suggested in the famous text of the *Poetics* when he pronounced the superior nature of the epic and the tragic over mere history in the order of truth. But then it is no longer the agreement with the ideas of time that predominates in the idea of modernity, but dissatisfaction and disagreement with the present time. Modernity has gone a long way in defining itself in opposition to itself. Along this trajectory, Germany and France occupy very different positions, the great break occasioned by the French Revolution prolonging itself in a rupture on the level of mores and taste. Stendhal, without whom Baudelaire would be incomprehensible, no longer requires a contrast with antiquity to ascribe an incomparable prestige to the very actuality of the present.[26]

At this point, our discourse on modernity makes an abrupt change of register. Leaving aside the history of the past uses of the term "modern," conducted along the lines of a history of representations, the discussion turns toward the meanings attaching to "our" modernity, we who speak of it today. We are thus attempting to distinguish "our" modernity from that of "others," from that of those who, before us, declared themselves to be modern. From a repetitive, iterative concept, the concept of modernity now becomes the indicator within our discourse of a singularity comparable to that of the here and the now of our corporeal condition. In other words, the possessive adjective "our" functions as a deictic extended to the dimension of an entire period: it is a matter of "our" time. This time is distinguished from other times just as the "here" and the "now" of actual experience are opposed to "long ago" and "elsewhere." An absolute in a nonrelative sense is thereby

posited and designated. Vincent Descombes begins an essay dealing with the contemporary uses of the term "modern" with these words: "In other times, words as charged as those of 'present time,' 'modern world,' 'modernity' would have evoked phenomena of innovation and rupture."[27] "In other times"? The expression no longer belongs to an objective history of representations; it signifies times that are no longer ours. The essay continues this way: "For the last twenty years [counted from the present of the writing of the essay], these same themes of the modern and the present are an occasion for philosophers to turn toward their own past. What is designated as modern seems to be behind us" (43). We are no longer speaking as mere observers, as simple chroniclers of past representations. We are speaking as their heirs. It is indeed the heritage of the Enlightenment that is at stake, for we who speak of it today. The tone of controversy is quickly engaged: "The presupposition is then that there is a single heritage of the Enlightenment" (44). Presupposed by whom? They are not named, those who, in the words of the author of the essay, summon us in the second person: "You cannot divide this heritage" (44). The reflection has cast off the tone of retrospection and has become combative. At the same time, it has become more local: "The French Enlightenment thinkers are, for us, inseparable from the French Revolution and its historical sequels. Our reflection on the philosophy of the Enlightenment cannot be exactly the same as the reflection of those who have the American Revolution as a point of reference, or those for whom the Enlightenment is an *Aufklärung* without a direct political translation" (44–45). This is why we do not even know how to translate into French the English "modernity," used, for example, by Leo Strauss, who ascribed to Jean-Jacques Rousseau "the first crisis of modernity," playing at once upon chronology and upon the argument opposing reactionary to radical. In truth, the modernity that is not ours is inscribed in a chronology that has ceased to be neutral, indifferent to what it orders: "Now it is not an indifferent chronology drawn up by the philosophers [of the past twenty years], but a chronology in which the date of thoughts and of facts corresponds to their signification, not to the calendar" (48). This qualified chronology, this "philosophical chronology" (50), is itself a matter of dispute, inasmuch as the thinkers of the Enlightenment pinned their own claims to the superiority of a philosophy of history, worthy of the chronosophies of the past studied by Pomian. This was the case with the "epochs" of Condorcet's tableau, mentioned above, in the register of objective historiography. They satisfy the concept of philosophical chronology proposed here: the modern epoch does not designate only the present epoch, but also the epoch of the triumph of reason. The periodization is

philosophical. Can one still call it a chronology? In fact, modernity is at one and the same time self-valorizing and self-referential. It characterizes itself as a superior epoch by designating itself as present and by this quality alone. In the same stroke, notes Descombes, other uses of the term "modernity" remain foreign to Condorcet, for example, the use that would take into account the gap between abstraction and practice, with its cortège of traditions and prejudices, and, even more so, a use of the term that would bring out the historical relativity of the models proposed to people and that would, as a result, see in the masterpieces of Antiquity not failures but masterpieces of another epoch.[28] Has the relativity signaled by the historian suddenly become the modernity of today? In any case, the modern according to Condorcet can no longer be ours.

And why not? Because of Baudelaire, he through whom the word "modernity" entered into the French language with a different accent than the word "modern," inasmuch as "modern" continues to be marked by a normative conception of abstract reason. Modernity now designates "a historical self-consciousness." "Modernity does not exist, *our* modernity exists" (62). At the root of a purely temporal indication that determines the difference of position in time of the modern and the ancient, there is the act of extracting from the present what is worthy of being retained and of becoming ancient, namely, the vitality, individuality, and variety of the world—the "beauty of life," according to the expression we can read in *The Painter of Modern Life*. It is from social mores, more precisely from this new social space of the street and the salon, that the painter will draw his subjects. This reference to mores, echoing Montesquieu by way of Stendhal—and perhaps even more so by way of Herder, for whom all cultures are on an equal footing—permits this admission on the part of the critic: "Every century and every people has had its beauty, we inevitably have our own" (quoted by Descombes, 69). And again: "There are as many forms of beauty as there are customary ways to seek happiness" (69). One can speak of the "morality of the century" (69) in a non-chronological sense of the term, Descombes insists, following a chronology drawn from the contents of what is arranged in accordance with the Ancient and the Modern. A time, an epoch, means "a manner of understanding morality, love, religion, etc." (72). One can well see how a certain cosmopolitanism can result from this, since all the uses are legitimate and even possess a peculiar coherence that articulates "the reasons of usages" (73), which are as diverse as languages. But what is signified by Baudelaire's reference to an "ineffable transcendence" (74), which can be read in his essay on "The Universal Exposition of 1855" dealing with cosmopolitanism?

The critic, presenting "the comparison of nations and their respective products," asserts "their equal utility in the eyes of Him who is indefinable." Can diversity be celebrated without the recourse to an indefinable present?

At the end of this route, we see why Baudelaire's modernity is already no longer that of the moderns of the Enlightenment.[29] But is it still our modernity? Or instead has the latter taken its distances with respect to the former modernity too?

If, then, the concept of modernity is for the history of representations a repetitive concept, what we call "our time" distinguishes itself from other times, to the point that we are able to distinguish our modernity from earlier modernities. There is then a competition between two uses of the term "modernity," depending on whether it designates the iterative phenomenon covered by a history of representations or the self-understanding of our difference, our own, as such and such, under the sway of the deictic "us" which henceforth stands out against the descriptive "them."

The discourse of modernity changes registers once again when it loses sight of the paradox inherent in the claim that our epoch is characterized by its difference with respect to every other, and directs itself instead to values that our modernity is supposed to defend and illustrate. Absent any prior reflection on the conditions of an evaluation such as this, praise and blame are left to alternate in endless controversy. Nor is there any concern with distinguishing, as Vincent Descombes does, between a chronology in terms of content and a chronology in terms of dates. The possibility of characterizing our epoch in a meaningful way in terms of its difference with regard to every other epoch is taken for granted as self-evident. Its merits and defects are directly pointed out. And if this discussion is conducted well, as is the case, in my opinion, in Charles Taylor's small book, *The Malaise of Modernity*, republished as *The Ethics of Authenticity*,[30] the strangeness of a discourse on "our" modernity is avoided by the prudent decision to identify the modern with the contemporary. Taylor's work begins with these words: "I want to write here about some of the malaises of modernity. I mean by this features of our contemporary culture and society that people experience as a loss or a decline, even as our civilization 'develops'" (1). It is understood, and probably legitimately so, that the quarrel would not be taking place if the evolution of mores, ideas, practices, feelings were not irreversible. And it is despite this irreversibility that the question of advancing or falling behind, of improvement or decline, held to mark our epoch is posed. What has to be brought into the discussion are the "features" which are not determined

by their temporal situation—today—but by their place on a moral scale. The neutralization of all chronology is quickly made. If "the whole modern era from the seventeenth century is frequently seen as the time frame of decline," "although the time scale can vary greatly, there is a certain convergence on the themes of decline," which "are often variations around a few central melodies" (1). It is the theme of decline that matters. Who then are the operators of this evaluation? Those who, throughout the book, are simply called "people." It is not surprising, then, that the controversy has no identifiable advocates. But, at the same time, it moves outside of the field of reflection concerning the limits set regarding considerations of the meaning of the current epoch as it constitutes the *now* of history. In fact, the three themes discussed by Taylor stem from a moral evaluation, which, at first, has no particular temporal characterization, although it is constantly punctuated by features that can be said to be marked by the epoch. This is true of the three "malaises" examined by Taylor. The first concerns the "finest achievement of modern civilization" (2), which is individualism. The stakes of the discussion are clearly moral: the malaise "is about what we might call a loss of meaning, the fading of moral horizons" (10). The second malaise, resulting from technological domination, involves the threats to our freedom from the realm of instrumental reason. The third concerns the "soft" despotism, in Tocqueville's expression, imposed by the modern state on the citizens placed under its tutelage. The examination of these three malaises sets the detractors of modernity in confrontation with its defenders. But the protagonists' position in the present in this confrontation has lost its relevance. In this way, the first malaise, the only one examined in any detail, gives rise to a discussion on "the moral force of the ideal of authenticity" (17). The interest of Taylor's position is that it attempts to avoid the alternative of despising or apologizing—including even the temptation of a compromise—except by means of "a work of retrieval, through which this ideal can help us restore our practice" (23). His examination of the "sources of authenticity" (25ff.) constantly oscillates between historical and antihistorical considerations. He affirms from the outset that "the ethic of authenticity is something relatively new and peculiar to modern culture" (25). In this sense, it is dated: it has its "source" in Romanticism. Here, "source" means "origin" in the historical sense; but the word also means "ground." Moreover, the accent shifts progressively from the question of origins toward a "horizon of important questions" (40), such as the "need for recognition" (43). This extensive discussion of the individualist ideal of self-realization serves as a model for the other two discussions. Nothing is said in all of this regarding the position in

the present of the protagonists of the discussion. If what is left unsaid were to be addressed, this would facilitate an elucidation of the relation between the universal and the present. On the one hand, an ethico-political universal is presupposed by the defense and illustration of certain themes attributed to modernity. On the other, the advocate who maintains this discourse recognizes himself or herself at the heart of considerable social changes. If the historical present can claim to think itself by itself, this can only be as a nodal point of the universal and the historical. It is in this direction that a reasonable discussion of the benefits and harms of "modernity" should be oriented.

A fourth stage of the discussion on modernity is reached with the appearance of the term "postmodern," frequently employed by English-language authors as a synonym for modernist. It implies, in its negative form, the denial of any acceptable meaning of modern and of modernity. To the extent that the still recent use of the concept of modernity contains a degree of legitimation not only regarding its difference but also concerning its preference for itself, the rejection of any normative thesis unavoidably strips the positions that claim to be postmodern of any plausible or probable justification.

This situation is lucidly assumed and analyzed by Jean-François Lyotard in *The Postmodern Condition*: "Our working hypothesis is that the status of knowledge is altered as societies enter what is known as the postindustrial age and cultures enter what is known as the postmodern age."[31] But what is the status of the discourse in which this hypothesis is announced? The postindustrial age has its sociological points of reference and lends itself to a precise enumeration of its distinctive features: "The facts speak for themselves (and this list is not exhaustive)" (4). The hegemony of computers and the logic it imposes also fall under an assignable criterion, as do the commodification of knowledge and the computerization of society following from it.

According to Lyotard, the discourses of legitimation have failed, whether the discourse of positivism, whose expression in history was seen in the school whose method preceded the *Annales*, or of hermeneutics with Gadamer and his German and French disciples. The original idea is then to discern, under these discourses of legitimation, the rhetorical force invested in the "grand narratives," such as those proposed by the secularized forms of Christian theology, in twentieth century Marxism in particular. It is these grand narratives that have lost all credibility. We are engaged, whether we like it or not, in a discourse of delegitimation.[32] To Jürgen Habermas, for whom modernity remains an incomplete project,[33] Lyotard opposes a sharp sense of the irreconcilability of the discourses proffered and the powerlessness of the desire for consensus to arbitrate the debates.[34] The only bright spot: the exercise of

justice on the basis of local forms of agreement, interlaced with insurmountable differences and sustained by little narratives.

But how can a debate like the one pursued with Habermas be resolved, if the idea of a criterion for agreement is itself a matter of dispute? More fundamentally, how can one even enter into a debate that avoids the preliminary question of the very possibility of characterizing the epoch in which one lives? This difficulty is common to the claim on behalf of "our" modernity and to the self-designation of our epoch—or at least of a contemporary current within it—as postmodern. This concept—if it is one—assuredly contains a strong polemical charge and an incontestable rhetorical force of denunciation. But a hidden form of the performative contradiction mentioned above no doubt condemns it to declare itself to be unthought and unthinkable.[35]

THE HISTORIAN AND THE JUDGE

A comparison between the task of historian and the task of judge is no doubt indicated. Why bring it in at this point of our investigation, in the framework of a critical reflection on the limits of historical knowledge? The reason is that the respective roles of historian and judge, characterized by their aims of truth and justice, invite them to occupy the position of a third party with respect to the places occupied in the public space by the protagonists of social action. A vow of impartiality is attached to this third-party position. This ambition is no doubt more modest than the two preceding objectives discussed above. Moreover, the fact that this vow is affirmed by two protagonists as different as the historian and the judge already attests to the internal limitation of this shared commitment. In addition, we must consider the fact that other actors besides the historian and the judge can also claim this position of impartiality: the educator who transmits knowledge and values in a democratic state, the state and its administration placed in the role of arbitrator, and, finally and most especially, the citizen who finds himself or herself in a condition similar to that of Rousseau's *Social Contract* and to John Rawls's "veil of ignorance" in his *Theory of Justice*. This vow of impartiality belonging to the third-party position in all of these versions stems from a critical philosophy of history, inasmuch as the aims of truth and justice must be vigilantly protected along the borders marking the limits of legitimacy. The vow of impartiality must thus be considered in light of the impossibility of an absolute third party.

First, a word regarding impartiality as an intellectual and moral virtue common to all those who would claim the function of a third party. Thomas Nagel covers this well in *Equality and Partiality*.[36] In the chapter "Two

Standpoints," he defines the general conditions for impartial judgment in these terms: "Most of our experience of the world, and most of our desires, belong to our individual points of view: We see things *from here*, so to speak. But we are also able to think about the world in abstraction from our particular position in it—in abstraction from who we are. It is possible to abstract much more radically than that from the contingencies of the self. . . . Each of us begins with a set of concerns, desires, and interests of his own, and each of us can recognize that the same is true of others. We can then remove ourselves in thought from our particular position in the world and think simply of all those people, without singling out the *I* as the one we happen to be" (10). This viewpoint, which is a sort of non-viewpoint, can be termed impersonal. It is indivisibly epistemic and moral. It can be termed an instance of intellectual virtue. The epistemic aspect has to do with the internal split in viewpoint, the moral aspect with the implicit assertion of the equal value and dignity of viewpoints, once the other viewpoint is seen to be the viewpoint of the other: "At the first stage, the basic insight that appears from the impersonal standpoint is that everyone's life matters, and no one is more important than anyone else" (11). And again: Nagel refers to the tradition according to which we should live "in effect, as if we were under the direction of an impartial benevolent spectator of the world in which we appear as one among billions" (15). What follows in Nagel's work concerns the contribution of the idea of impartiality to a theory of justice, through the idea of equality. We will echo him in weighing the respective merits of impartiality invoked in turn by the judge and the historian. Both of them share the same professional deontology summed up in the famous adage *nec studio, nec ira*—neither favor, nor anger. Neither complaisance, nor spirit of vengeance.

In what way and to what extent do the historian and the judge satisfy this rule of impartiality inscribed in their respective professional deontologies? And what social and political, what personal and corporative forces, assist them? These questions are the continuation of those raised regarding History's claim to posit itself outside of any specific point of view and link up with the questions concerning the present epoch's claim to judge all prior forms of modernity. The comparison between the role of the historian and the role of the judge constitutes in many respects a *locus classicus*. I would nevertheless like to add to the list of considerations on which broad agreement can be observed between spokespersons of both disciplines, a more controversial presentation of the reflections prompted at the close of the twentieth century by the irruption into history of dramas of extreme violence, cruelty, and injustice. Now these events have given rise to an important malaise in

the fields of both professions, which has, in its turn, left documented traces on public opinion susceptible of enriching and renewing a discussion that an easy *consensus* among specialists would tend to curtail.

Since we are concerned with the most general and most stable constraints placed on the respective professions of judge and historian—at least in the geopolitical sphere of the West and of the epochs historians term "modern" and "contemporary," with the addition of "the history of the present day"—the starting point of the comparison is obvious: it consists in the structural difference separating the trial conducted within the confines of the court and the historiographical critique begun within the framework of the archives. In both situations the same linguistic structure is involved, that of testimony, which we examined above, from its rootedness in declarative memory to its oral phase, and continuing up to its inscription in the mass of documents preserved and codified within the institutional framework of the archive by means of which an institution preserves the trace of its past activity with a view to subsequent consultation. At the time of this examination we took account of the bifurcation of the paths followed by testimony when it passes from its use in ordinary conversation to its historical or judicial use. Before underscoring the most obvious oppositions that distinguish the use of testimony in court from its use in the archives, let us pause to examine two features common to both uses: the concern with proof and the critical examination of the credibility of witnesses—these two features going together. Carlo Ginzburg, in a brief book titled, precisely, *The Judge and the Historian*,[37] favorably quotes Luigi Ferajioli: "The trial is, so to speak, the only case of 'historiographical experimentation'—sources are set out *de vivo*, not only because they are heard directly, but also because they are made to confront one another, submitted to cross-examination, and encouraged to reproduce, as in a psychodrama, the affair being judged."[38] Truly speaking, this exemplarity in the use of proof on the judicial plane operates fully only in the phase of preliminary investigation, when, as in some judicial systems, this is distinct from the central phase of the trial. It is within this limited framework that the questions of proof and veracity are posed, primarily at the time of drafting a confession, whose credibility and, even more importantly, whose veracity are not undeniable. To be sure, applying the criteria of concordance and relying upon independent verification of the confession provide perfect illustrations of the theses offered by Ginzburg, the historiographer, on the "evidentiary paradigm": the same complementarity between the oral nature of testimony and the material nature of the evidence authenticated by expert testimony; the same relevance of "small errors," the probable sign of inauthenticity; the

same primacy accorded to questioning, to playing with possibilities in imagination; the same perspicacity in uncovering contradictions, incoherencies, unlikelihoods; the same attention to silences, to voluntary or involuntary omissions; the same familiarity, finally, with the resources for falsifying language in terms of error, lying, self-delusion, deception. In this regard, the judge and the historian are both past masters at exposing fakes and, in this sense, both masters in the manipulation of suspicion.[39]

To be sure, the time is ripe to recall, along with Ginzburg, that the word *historia* stems at one and the same time from medical language, from the rhetorical argumentation of the juridical setting, and from the art of persuasion practiced before the court. Does not the historian often behave as a lawyer pleading a case, in the manner of the French historians of the French Revolution pleading by turns, before the *Annales* period, for or against Danton, for or against the Girondins or the Jacobins? But, more than anything else, Ginzburg's quasi-exclusive insistence on evidence, the handling of which he considers to be common to judges and to historians, should be related to the struggle the author conducts against the doubt instilled in the profession of historian by authors like Hayden White, always in pursuit of the rhetorical style of historical discourse: "For me," Ginzburg insists, "as for many others, the notions of evidence and truth are, on the contrary, an integral part of the profession of historian. . . . The analysis of representations cannot abstract from the principle of reality" (23). "The profession of each of them [historian and judge] is based on the possibility of proving, in line with determined rules, that X did Y; X designating indifferently the protagonist, possibly anonymous, of a historical event or the subject implied in a penal proceeding; and Y any sort of action" (23).

However, the thesis according to which the situation of the trial would present *de vivo* the sources of judgment common to the historian and the judge has its limits on the very plane on which it establishes its arguments: on the properly inquisitory plane of the investigation. Did not the most fantastic hypotheses presiding over the trials for witchcraft long remain irrefutable, before the Roman Congregation of the Holy Office made the judges require proof, "objective confirmation"? And do not certain modern trials for treason, conspiracy, terrorism, share the same perverse spirit that reigned in olden times in the inquisitorial trials? But, in particular, our earlier reflections on the complexities of the representation of the historian should put us on our guard against an overly hasty recourse to the "reality principle."

It is important, therefore, to take up the examination of the model of the trial at its beginning and to carry it beyond the phase of preliminary

investigation—of the instruction, if this is the case—and to take it through the adversarial phase in which the trial more properly consists, carrying it to its conclusion, the pronouncement of the verdict.

Let us recall that the trial rests on a network of relations that articulate the situation-type of the trial in different ways—a situation in which interests, rights, and symbolically contested goods are set in opposition. In this regard, trials of treason, subversion, conspiracy, and terrorism are not exemplary inasmuch as they directly involve issues of security, the primary condition of living together. The dispute over the distribution of private goods is more instructive for our present discussion: here, infractions, misdemeanors, even crimes, bring together comparable, commensurable claims—which will no longer be the case with the great criminal trials discussed below. The infraction, then, is a kind of interaction, a violent one to be sure, but one in which several actors are implicated.

The trial begins by putting on stage the alleged facts with a view to representing them outside of their sheer having occurred and to making visible the infraction committed in relation to the rule of law, presumed to be known to all, by an individual perpetrator at the expense of a victim, authorized to demand that his or her plea be pursued and that the presumed damage be rectified or compensated.[40] Past acts are therefore represented solely in terms of the nature of the charges selected prior to the actual trial. They are represented in the present within the horizon of the future social effect of the verdict that will decide the case. The relation to time is particularly noteworthy here: representation in the present consists in a staging, a theatricalization that has provoked the sarcasm of a Pascal and a Molière, and a measured discourse of conscious legitimation of its second-order functionality. This living presence of the scenes replayed solely on the plane of discourse comes under the heading of visibility, which was shown above to be related to expressibility (*dicibilité*) on the plane of the literary representation of the past. It is solemnified by the social ritual governed by the criminal procedure for the purpose of providing the judicial judgment with a public structure and stature. This, in fact, is but a response to time's wearing away of all types of traces—material, affective, social—left by the misdeed. Antoine Garapon mentions the reflections of Jean Améry, who speaks in this regard of "the process of the moral inversion of time," referring to the quasi-biological time that will be more directly discussed in the chapter on forgetting below. The philosopher-judge also quotes Emmanuel Levinas's expression regarding "copresence before a third-party of justice." Along with the additional moral qualification and in direct relation to it, the representation *of* the facts is also the representation

between the opposing parties, the face-to-face contact of the protagonists, the appearance in court of all the parties, to which can be contrasted the solitude of the reader in the archives, whose muteness is broken only by the historian. In this way, the trial puts on stage a reconstructed time of the past, in which the facts that are targeted have themselves already constituted tests of memory: in addition to the physical harm inflicted on persons defined by their own history, the breaking of contracts, the disputes over the attribution of goods, positions of power and authority, and all the other infractions and crimes constitute so many wounds inflicted on memory that call for a work of memory inseparable from a work of mourning, with a view toward the reappropriation of the infraction, of the crime, by all the parties despite its essential strangeness. It is against this backdrop that we will later have to place the great criminal trials of the second half of the twentieth century and their progress along the unfamiliar paths of *dissensus*.

Such being the scene of the trial, the traits by which it lends itself to a comparison with historiographical investigation are of two sorts. The first ones have to do with the deliberative phase, the second with the concluding phase of passing judgment. In the deliberative phase the trial consists for the most part in a ceremony of language involving a number of protagonists; it rests on an assault of arguments in which the parties in opposition have equal access to speech; by its very conduct, this organized debate is intended to be a model of discussion in which the passions that fed the conflict are transferred into the arena of language. This chain of criss-crossing discourses articulates, one upon the other, the moments of argumentation containing their practical syllogisms and moments of interpretation, which bear simultaneously on the coherence of the narrative sequence of the purported acts and on the appropriateness of the rule of law called upon to define the acts in penal terms.[41] At the point of convergence of these two lines of interpretation, the verdict falls, the well-named *arrêt* (judgment); in this regard, the punitive aspect of the sentence as sanction should not eclipse the major function of the verdict, which is to pronounce the law in a given situation; for this reason, the verdict's function of retribution has to be considered subordinate to its restorative function, both with regard to the public order and to the dignity of the victims to whom justice is rendered.

It remains that the definitive character of the verdict marks the most obvious difference between the juridical approach and the historiographical approach to the same events: what has been judged can be challenged by popular opinion, but not retried; *non bis idem*; as for the review of the decision, it "cuts only one way" (Garapon). *A contrario*, the slow pace of judging or

concluding a trial is said to add further harm to that caused by the infraction or the crime. Yet, not to pass judgment on it would leave this harm with the final word, adding a failure of recognition and abandonment to the wrong inflicted on the victim. After the judgment a new temporal era begins for the person convicted, another horizon of expectation, which opens up options that are envisaged later on under the rubrics of forgetting and forgiveness. If this is the case, it is because the verdict, which concluded the sequence of judging with the beneficial effects that have been stated regarding the law, public order, and the self-esteem of the victims, leaves, on the side of the one convicted, especially under the conditions of detention, an unappeased, unpurged memory, and delivers over to his fortune a patient submitted to new potential forms of violence.

What, then, are we to say about the confrontation between the judge's task and the historian's task? As we have seen, the conditions under which the verdict is pronounced within the courtroom have opened a breach in the common front maintained by the historian in the face of error and injustice. The judge has to pass judgment—this is the function of a judge. Judges must come to a conclusion. They must decide. They must set at an appropriate distance the guilty party and the victim, in accordance with an imperiously binary topology. All this, historians do not do, cannot do, do not want to do; and if they were to attempt it, at the risk of setting themselves up as the sole tribunal of history, this would be at the cost of acknowledging the precariousness of a judgment whose partiality, even militancy, is recognized. But then this bold judgment is submitted to the critique of the corporation of historians and to the critique of the enlightened public, and the work subjected to an unending process of revision, which makes the writing of history a perpetual rewriting. This openness to rewriting marks the difference between a provisional historical judgment and a definitive judicial judgment. The breach opened in this way in the united front of the knights of impartiality continues to widen following the final phase of judgment. Penal judgment, governed by the principle of individual guilt, by nature recognizes only defendants who have proper names and who, moreover, are asked to state their identity at the opening of the trial.

And the actions are specific actions, or at least distinct and identifiable contributions of the protagonists implicated in a collective action—and this is so even in the case of infractions committed "together"—which are submitted to the examination of judges, on both the normative and narrative plane; the fit that the judgment establishes between the presumed truth of the narrative sequence and the imputability by reason of which the accused

is held accountable—this good fit in which explanation and interpretation come together at the moment the verdict is pronounced—operates only within the limits traced out by the prior selection of the protagonists and of the acts alleged. As for the staging by which we first characterized the public nature of the trial with the appearance of all the protagonists, a visibility is provided to this very delimiting of actions and persons. The legal stage is limited in principle. To be sure, the court does not forbid extending its investigation to the vicinity of the alleged action, broadening it in space and in time and beyond the biography of the accused. Among the circumstances of the action will be included influences, pressures, constraints, and, in the background, the great social disorders with regard to which the criminal action tends to become one symptom among others. After all, it is a judge who wrote the book titled, *In Geschichten verstrickt* (entangled in stories).[42] Everything happens as if the preliminary investigation were opened up again by the public trial that was supposed to bring it to a close. But, for good or for ill, the exonerating effect of the excessive accommodation to circumstances and to their perpetually widening concentric circles will ultimately be averted by the timely reminder of the rule of the trial, which is to judge a given human being and the particular acts for which this person is accountable, allowing the possibility of harmonizing the verdict with attenuating circumstances, the relative weight of which will potentially be retained by the judge at the time of the sentence, if one is handed down. The potentially unlimited circle of explanation inexorably closes with the verdict, which *in fine* can be only conviction or acquittal. It is then that the decisive word of justice resounds.

The circles that the judge closes after having cautiously opened them, the historian pries open again. The circle of actions for which individual authors are held accountable can be placed back only into event-history, which, as we have seen, can itself be considered one level among others in the stacking up of durations and causations. The purported act can then be aligned, as one event among others, with the conjunctures and structures with which it forms a sequence. And even if, after the great period of the *Annales*, historiography proves to be more attentive to the interventions of historical agents, and if it accords a place of honor to representations in connection with the individual and collective actions from which the social bond proceeds, the representations that are then methodically placed back on their scales of efficacity are still of interest to the historian only as collective phenomena. This is the case even on the plane of microhistory, to which could be compared the aforementioned inquiry into personalities conducted

by the court. Only the mark left by individual interventions upon the smallest of societies contains any historical significance.

In this way, the discordance between historical judgment and judicial judgment, evident in the final phase, is amplified pursuant to this ultimate point. This affects all the phases of both the judicial operation and the historiographical operation, so that one can wonder whether the judge and the historian hear testimony, that initial structure common to both roles, with the same ear.

The confrontation between the professions of judge and historian might simply fade into the ennui of an academic debate, if we did not listen to the voices of those who, in various capacities, have had to judge crimes committed in a number of places in the world by totalitarian or authoritarian regimes in the middle of the twentieth century. These voices belong to the transitional period which saw the re-establishment or the establishment of constitutional democratic governments. The peal of voices comes from judges and historians whose judgments are an integral part of this new foundation. I will mention, on the one hand, the role played by the great criminal trials held at the end of the Second World War on the scale of several continents, but especially in Europe in the wake of the Shoah, and on the other hand, the controversy among German historians dealing, as responsible historians, with the same events related to this catastrophe. So, on one side we have the courts and the judges penetrating *volens nolens* into the territory of the historian before their verdicts are carved into the flesh of history as it is being made—on the other, historians who are attempting to do their job of historian under the pressure of a moral, legal, and political condemnation, arising from the same judicial agency as the verdict of the criminal court, a verdict they, in their turn, risk reinforcing, attenuating, displacing, even subverting, because they cannot ignore it.

This secretly conflictual situation between the judicial approach and the historical approach to the same facts demands to be, if not untangled, at least made explicit.

To clarify the first side of the debate, I have chosen a work by Mark Osiel, *Mass Atrocity, Collective Memory, and the Law*.[43] The author, who prides himself on bringing together two mindsets which, at least in the United States, are alien to each other—the mindset of the sociologist and the mindset of the lawyer—proposes to determine the influence exerted on the collective memories of the people concerned by the judicial proceedings and the sentences pronounced by the great criminal trials of the second half of the twentieth century in Nuremberg, Tokyo, Argentina, and France. The

thematic object of the investigation—first, with respect to the tribunals, then to the sociologist-lawyer—is designated by the term "mass atrocity" (or "administrative massacre"), a term that is neutral in appearance with regard to the presumption of uniqueness belonging to the Holocaust (called the Shoah by French-language authors), but a term precise enough to define the crimes of state committed by regimes as different as the Nazis, the Japanese militarists, the Argentinian generals, and the French collaborators during the Vichy period. The general line of the book is the following: unlike Durkheim, who saw in the unanimous condemnation of ordinary criminality a direct—mechanical—means of reinforcing social *consensus*, Osiel is drawn to the *dissensus* provoked by the trials' public proceedings and to the educational function exerted by this very *dissensus* on the level of public opinion and collective memory, which is expressed and shaped on this level. The trust he places in the benefits expected to follow from this culture of controversy is related to his moral and political credo on behalf of a liberal society—in the political sense that English-speaking authors give to the term "liberal": a liberal society (in a quasi-tautological fashion) is a society that derives its militant legitimacy from public deliberation, from the open character of the debates and residual antagonisms these debates leave in their wake. What is more, inasmuch as the collective memory is the target of this harsh schooling by which a society constructs its own solidarity, the work also offers the occasion for a reflection on memory itself.[44]

Faithful to its theme—the civic education of the collective memory by *dissensus*—Osiel constructs his book upon the series of objections directed against the claim of the tribunals to pronounce a true and just—and as such, exemplary—verdict, despite the extraordinary nature both of the acts in accusation and of the very conduct of the trials. Of the "six obstacles" considered, I shall retain those that directly concern the relations between the judicial approach and the historiographical approach.[45] The judicial approach is mobilized twice over: once in the course of the trials, in the argumentation provided by the prosecution and the defense, and a second time along the path that leads from the court of justice to the public arena. In truth, these two moments are but one, to the extent that, as we have said, the trial gives a visibility to the events that are played out again on a stage accessible to the public. In return, it is indeed the trial itself that penetrates into people's heads and into their homes by reason of the public discussion, transplanting its own *dissensus* there. By approaching the problem from the side of the "obstacles" confronting the claim of judges to write a just history, Osiel devotes himself to a vast inflation of the objections drawn from the specificity of the

historiographical approach, inevitably shaken by the legal argumentation. In this way, the discordances too abstractly alluded to above are maliciously amplified and now illustrated by the concrete turns of events in the trials taken one by one. The tensions between the two approaches result from the fact that the judicial accusation rests on the principle of individual guilt: the result is that judges concentrate their attention on a small number of historical actors, those at the top of the state, and on the range of actions that they can exert on the course of events. The historian cannot admit this limitation of vision, but will extend the investigation to a wider number of actors, to the second-level executors, to bystanders, those more or less passive witnesses that are the silent populations in their complicity. The historian will place the specific decisions of the leaders and their interventions into the framework of broader, more complex interconnections. Where the criminal trial wishes to consider only individual protagonists, the historical investigation continually relates persons to crowds, to currents, and anonymous forces. It is noteworthy that the lawyers of the defendants in the great trials have systematically turned this widening of the field of investigation to the advantage of their clients, both on the side of the interconnections between events and on the side of interlocking individual initiatives and interventions.

Second contrast: criminal trials are acts of political justice intended to establish a new, stable version of the alleged acts by means of the definitive nature of the verdict. To be sure, judges know that the important thing is not the punishment but the pronouncement of justice. But this pronouncement closes the debate, "stops" the controversy. This constraint belongs to the short-term goal of the criminal trial: judge now, once and for all. It is at this price that the verdict of criminal trials can claim to educate public opinion by virtue of the uneasy conscience it starts to prick. Pushing the argument to its conclusion, the challenger will denounce the danger attached to the idea of an official version, even of an official history of events. This is where the accusation of "distortion" comes into play. It can be surprising coming from participants in the debate who are incapable, without contradicting themselves, of presenting a truthful version in opposition to an allegedly corrupted version. What alone can be considered a distortion is the project of proposing, even of imposing, a truthful narrative in support of the condemnation of the accused. Following this argument, all memory is already a distortion inasmuch as it is selective. As a result, one can only counter a partial version with another equally fragile version. However, there is one aspect through which, paradoxically, the trial confirms by its very procedure, rather than by its conclusion, the presumed skepticism of historians influenced by

the critique of the "rhetoricians" more or less closely affiliated with Hayden White. By distributing the right to speak equally between the advocates on both sides, and by permitting the opposing narrations and arguments to be heard through this procedural rule, does not the court encourage the practice of a historically "balanced" judgment, tilting to the side of moral equivalence and, ultimately, to the side of exoneration? Criminal attorneys have shown they too know how to use this strategy in the famous interjection: *tu quoque!*

Osiel's treatment of this type of objection is interesting. His entire effort is to include it within his "liberal" vision of the public discussion under the heading of educational *dissensus.* But to succeed in this, he has to strip the objection of its venom of skepticism. To do this, he must affirm, first, that the very exercise of controversy by means of which the most disloyal, unscrupulous of lawyers tries to reap a benefit on behalf of proven criminals constitutes a proof-in-action of the ethical superiority of the liberal values under whose banner the trials are conducted. In this sense, the trial bears witness to this superiority, one of the beneficiaries being the freedom of speech of the lawyer representing the criminals. But Osiel also has to admit that all the narratives are not equivalent, that it is possible to provide, at least provisionally, a more plausible, more likely version, which the defense of the accused does not succeed in discrediting. In other words, it is possible to credit an account independently of the fact that this account has an educational scope with respect to the values of a democratic society in a period of transition.

Here I return once again to my plea on behalf of a more meticulous articulation of the three phases of the historiographical operation, namely, documentary proof, explanation/understanding, and the historian's representation. It is not because the court places reconstructed action on stage that it must retain only the "representative" phase of the historiographical operation, so strongly marked by the tropes and figures with which rhetoric works its magic. But then one must admit that when the field of protagonists and of actions recounted is expanded and the levels of analysis are multiplied, the judge's verdict is overtaken by that of the historian. Wisdom lies in saying that the judge should not play at being a historian; she must judge within the limits of her competence—limits which are imperative; she must judge in her mind and conscience. In this sense, Osiel ventures the expression "liberal memory," even "liberal virtue" (238). But neither do historians have the means to write the one history that would include the history of the perpetrators, the history of the victims, and the history of the witnesses. This does not mean that they cannot attempt to arrive at a partial consensus on the partial histories, the limits of which they, unlike the judges, have the

possibility and the duty to transgress over and over again. Let each play his or her role!

If I mention at this time "the historian's debate" (*Historikerstreit*) of 1986 and following years in Germany,[46] this is not an attempt to review the totality of the facts relating to this debate; other aspects will be broached later with regard to forgetting and forgiveness. In a reflection on the relations between the judge and the historian, the question is precisely symmetrical and the inverse of that raised by Osiel's book: to what extent, we asked, can historiographical argumentation legitimately contribute to formulating a penal sentence for the great criminals of the twentieth century and thus to nourishing a *dissensus* with an educational purpose? The inverse question is the following: to what extent can a debate be conducted among professional historians under the surveillance of a previously decided guilty verdict, not only on the plane of national and international public opinion, but on the judicial and penal plane? Is some margin left, on the historiographical plane, for a *dissensus* that would not be perceived as exculpatory? This tie between explanation and exculpation—even approbation—has been little studied in its own right, although it continually underlies the controversy, suspicions held by some producing the self-justifying behavior of others in the play between inculpation and exculpation, as though there were situations in which historians themselves could be indicted as historians.

It is not only the relation of the historian to the judge that is inverted in this way; the historian working under the gaze of the people judges the one who has handed down the verdict. In eliminating praise and apologetics in general, this relation to a historiographical tradition has also worked to eliminate blame.

After asking whether praise had survived the dethronement of the figure of the king, we reserved the question of determining whether blame had followed a comparable fate. And we mentioned the difficulty in representing absolute horror within the confines of representation explored by Saul Friedlander, confronting what he terms "the unacceptable." It is precisely this very problem that reemerges now within the framework of the philosophical critique of history. Is a historiographical treatment of the unacceptable possible? The major difficulty lies in the exceptional gravity of the crimes. Whatever their uniqueness and their comparability may be in historiographical terms—this will ultimately form the heart of the debate—there is an ethical uniqueness and incomparability that result from the magnitude of the crime, due to the fact that it was committed by the state itself on one selected part of society that had a right to safety and protection, and to the fact

that it was carried out by a soulless administration, tolerated without notable objection by the leaders of the elite, endured without major resistance by an entire population. The extreme limit of the inhumane corresponds to what Jean Nabert designated by the term "unjustifiable," in the sense of action outstripping negative norms. I have spoken elsewhere of the horrible as the contrary of the admirable and the sublime, which Kant said exceeded the limits of the imaginary in quantity and intensity. It is the exceptional character of evil that is designated in this way. It is in these "impossible" conditions that German historians are assigned the task that Christian Meier sums up in the following words: "condemn and comprehend."[47] In other words: comprehend without exonerating, without making oneself an accomplice to flight and denial. Comprehending involves making use of the categories of uniqueness and comparability in other than the strictly moral sense. In what way can these other uses contribute to the reappropriation by the population of what it condemns absolutely? And, furthermore, how can the extraordinary be received with the ordinary means of historical understanding?

I am purposefully separating out the contribution to this debate made by Ernst Nolte, in his essay "A Past That Will Not Go Away," for the reason that it is the most controversial. This expert on the Nazi period starts from an observation: "The Third Reich ended thirty-five years ago, but it is still very much alive" (in Piper, ed., *Devant l'histoire*, 7). And he adds unambiguously: "If the memory of the Third Reich is very much alive today, it is—except for a few on the fringe—with an entirely negative connotation, and this for good reason" (8). Nolte's discourse is thus not intended to be the discourse of a negationist, a denier, and this is indeed not the case. The moral condemnation made by survivors is presupposed: "A negative judgment is quite simply a vital necessity" (8). What worries Nolte, then, is the danger on the level of research of an account that has been elevated to the level of a founding ideology, the negative becoming legend and myth. What is required, then, is that the history of the Third Reich be subjected to a revision that is not a mere reversal of the fundamentally negative judgment: "For the essential, the negative image of the Third Reich calls for no revision and cannot be the object of any revision whatsoever" (11). The revision proposed concerns essentially what Osiel calls the frame of the narrative. Where should it start? he asks. How far should it extend? Where should it end? Nolte does not hesitate to go back to the beginning of the industrial revolution to evoke *in fine* Chaïm Weizmann's declaration calling upon the Jews of the entire world to fight alongside England in September 1939. And so what the gesture of revision demands is a widening of perspective—and

at the same time a terrible shortcut. What it allows to appear in the interval is a multitude of exterminationist antecedents, the most recent being the long period of Bolshevism. "The refusal to replace the extermination of the Jews perpetrated under Hitler in this context responds perhaps to highly admirable motives, but it falsifies history" (21). The decisive shift in the discourse of Nolte himself occurs in the passage from comparison to causation: "What is called the extermination of the Jews perpetrated under the Third Reich was a reaction, a distorted copy and not a first or an original" (21). Three processes are added together here: the temporal widening of the context, the comparison with similar contemporary or earlier facts, the relation of causation from an original to a copy. Together, these propositions signify "the revision of perspective" (23). Whence the question: why does this past not pass, disappear? Why does it become ever more alive, vital and active, not, to be sure, as a model but as a foil? Because this past has been shielded from all critical debate by narrowing the field in order to concentrate on the "final solution": "The simplest rules holding for the past of all countries seem to have been abolished here" (31). These are the rules that require, as has been stated, widening the context, comparing, searching for ties of causation. They permit the conclusion that assassination for reasons of state by the Bolsheviks constituted "the logical and factual precedent" (34) for the racial killings by the Nazis, making the archipelago of the Gulag a "more original" event than Auschwitz.

This massive use of comparison settles the fate of singularity or uniqueness, since comparison alone permits the identification of differences—"the sole exception [being] the technique of gassing" (33). Once the critical debate has been widened in this way, Nolte expects it will allow this past "to pass" like any other and to be appropriated. What is not intended to pass in the final analysis is not the Nazi crime, but its unstated origin, the "Asiatic" crime, regarding which Hitler and the Nazis considered themselves to be the real or potential victims.

With respect to the comparison between the judge and the historian, Nolte places the historian at the opposite pole from the judge, who treats individual cases in a singular manner.[48] On another front, Nolte sets off a crisis between historical judgment and moral, juridical, or political judgment. It is at this juncture that the philosopher Habermas has intervened.[49] I will retain in this connection the relations between historiographical judgment and moral, juridical, or political judgment. Denouncing "the apologetic tendencies" of contemporary German history, Habermas questions the distinction between revision and revisionism. The three rules mentioned

earlier—extension of the field, comparison, causal tie—are the pretext for "a kind of settling of damages" (207ff.). What he attacks is, therefore, not the historiographical program but the implicit ethical and political presuppositions, those of a neorevisionism affiliated with the tradition of national conservatism. To this core are attached: the retreat into the commonplaces of anthropology, the overly facile assignment by Heideggerian ontology of the specificity of the historical phenomenon to technical modernity, "the dimension of profundity in which all cats are grey" (222). Habermas hits the mark when he denounces the effect of exoneration resulting from the dissolution of the singularity of the Nazi crimes when they are assimilated to a response to the threats of annihilation coming from the Bolsheviks. We might expect, however, from arguments like those of Habermas, that they would include a reflection on the uniqueness of the Holocaust, not only in the order of moral and political judgment but specifically on the plane of historiography. Absent this discussion, the "distancing understanding" of the partisans of revision can be attacked only on the level of its moral connotations, the most tenacious of which is held to be the service of the traditional nation-state, that "conventional form of . . . national identity" (227)—to which Habermas opposes his "constitutional patriotism," which places allegiance to the rules of a state of law above belonging to a people. We then understand why the shame of Auschwitz must be removed from any suspicion of apology, if it is true that "a connection to universalist constitutional principles that was anchored in convictions could be formed only after—and through—Auschwitz" (227). On this point Habermas's plea links up with Osiel's in favor of a "liberal" memory, a "liberal" account, a "liberal" discussion. But then one has to confront, as Osiel does, the opposing arguments drawn from historiographical practice, if one wants to be accorded the right to couple the assumed singularity of Auschwitz and the voluntarist universality of constitutional patriotism.

To speak as a historian about "the uniqueness of the Nazi crimes" requires that one has already submitted the idea of uniqueness—or, as it is also called, of singularity—to analysis, as a critical philosophy of history demands.

To this end, I propose the following theses:

Thesis 1: Historical singularity is not moral singularity, which has been identified above with extreme inhumanity; this singularity by its excess with regard to evil, which Nabert calls the unjustifiable and Friedlander the unacceptable, is certainly not separable from identifiable historical traits; but it belongs to a moral judgment that has, so to speak, become unhinged.

It is therefore necessary to make an entire circuit on the historiographical plane to set into place a concept of singularity appropriate to historical judgment.

Thesis 2: With regard to historical singularity, in a primary and banally ordinary sense, every event that simply occurs on the plane of history as it is being made, every narrative sequence that is unrepeatable in time and space, and every contingent causal series in Cournot's sense, are singular; a possible tie to moral singularity results from the imputation of action to individualized agents and to every quasi person and quasi event, identified by a proper noun.[50] This initial approach to the concept of singularity on the plane of historical judgment concerns in an elective manner the historical debate surrounding the Holocaust, opposing the intentionalist school, for which what is most important are the acts of the leaders—in particular, the decisions concerning the "final solution"—to the functionalist school, more attentive to the play of institutions, to anonymous forces, to the behaviors of a population. What is at stake in this debate is ascribing responsibility for the crime to a range of subjects: to someone, to a group, to a people.[51] The greatest affinity is certainly to be found between the attention the partisans of the first school pay to acts imputable to individual agents and the criminal approach of the tribunals. The tension is greater between, on the one hand, moral and political judgment and, on the other, the functional explanation, which conforms more closely to the general tendencies of contemporary history. For this very reason, it is more susceptible to exonerating interpretations. We have seen historians relate the idea of singularity to the idea of temporal continuity within the framework of the self-understanding of the German people: the effect of rupture assigned to singularity can then just as easily be used as an exoneration—"The events of the Holocaust do not belong to the historical chain by which we identify ourselves"—or as an accusing argument—"How could a specific people be capable of such aberrations?" Other moral options are opened in this way: be it infinite lamentation and the leap into the abyss of melancholy, or the plunge into civic responsibility: "What must be done so that such things will never happen again?"

Thesis 3: In a second sense, singularity signifies incomparability, which is also designated by uniqueness. One moves from the first sense to the second by the use of comparison between events and actions belonging to the same series, to the same historical continuity, to the same identifying tradition; the exceptional character just mentioned stands out in this transitional sense. The presumed incomparability constitutes a distinct category when two heterogeneous historical ensembles are placed in confrontation:

this was already the case with the mass atrocities and exterminations of the past, among these the Terror in France, but mainly with the partially contemporary unfolding of the Bolshevik and Nazi regimes. Before saying anything regarding the causation of one in relation to the other, we have to be clear about the resemblances and differences involving the power structures, the criteria of discrimination, the strategies of elimination, the practices of physical destruction and moral humiliation. The Gulag and Auschwitz are in all these regards both similar and dissimilar. The controversy remains open concerning the proportion of resemblance and dissimilarity; it directly concerns the German *Historikerstreit*, once the alleged causation has been assigned to the model in relation to the copy. The perverse slippage from similarity to exoneration is made possible by assimilating the equivalence of crimes to the compensation of one by the other (we recognize the argument identified by Osiel under the title of the famous apostrophe: *tu quoque!*). The controversy concerns other peoples besides the Germans, inasmuch as the Soviet model served as the norm for the Western communist parties and, more broadly, for many anti-Fascist movements, for which the very idea of similarity between the two systems long remained anathema. Whatever the degree of resemblance between the two systems may be, the question remains regarding the eventual political will to imitation and the degree of constraint exerted by the model to the point that it might have made inevitable the politics of retaliation under the cover of which the Nazi crimes are held to have unfolded. The deviant uses of comparativism are doubtless easy to unmask along the blurred frontier that separates revision from revisionism. However, beyond these circumstantial quarrels, the problem remains regarding the honest use of comparativism on the plane of historiography: the critical point concerns the category of totalitarianism, adopted by Hannah Arendt among others.[52] Nothing prevents constructing under this term a class defined by the notion of mass atrocities (Osiel). Or, as I prefer, along with Antoine Garapon, by that of third-party crime, understanding by third party the state, defined by its primary obligation to assure the safety of anyone residing within the territory marked by its institutional rules which legitimate and bind it. It is then a simple matter to draw up within this framework the table of resemblances and differences between systems. Thus, the idea of incomparability properly carries meaning only as the zero degree of resemblance, hence within the framework of a procedure of comparison. The controversial questions then begin to multiply: Up to what point does a genus of classification constitute a common structure? And what relation exists between the presumed structure and the actual procedures of extermination? What latitude existed between

the strategy programed at the top and all the levels of execution? One can argue about this. But, supposing that the thesis of incomparability applied to the Holocaust is plausible on the historiographical plane, the mistake would be to confuse the absolute exceptionality on the moral plane with incomparability relative to the historiographical plane. This confusion most often affects the thesis that the two systems, Bolshevik and Hitlerian, belong to the same genus, namely, to the totalitarian—even the assertion of the mimetic and causal influence of one crime on the other. The same confusion often affects the allegation of the absolute singularity of Nazi crimes. Inversely, it is hard to see how belonging to the same genus, here the totalitarian—even the mimetic and causal influence of one crime on the other—would have the virtue of exoneration for those who inherit the debt ensuing from a particular crime. The second use of the concept of singularity—the incomparable—does not erase the first—the nonrepeatable: the common genus does not prevent specific difference, as this is what matters to moral judgment assessing each crime taken individually. In this respect, I willingly plead for a properly moral singularity, in the sense of an absolute incomparability of the irruptions of horror, as though the figures of evil, by virtue of the symmetry between the admirable and the abominable, were of an absolute moral singularity. There is no scale of the inhuman, because the inhuman is outside of any scale, once it is outside of even negative norms.

Is there then no assignable connection between the moral usage of the ideas of uniqueness and incomparability and their historiographical usage? I do see one, which would be the idea of the exemplarity of the singular. This notion does not depend on moral evaluation as such; it does not belong to historiographical categorization; neither does it involve their superposition, which would be a return to equivocation and confusion. Rather, this idea takes shape along the path of reception on the plane of historical memory. The ultimate question, in fact, is knowing what responsible citizens make of a debate among historians and, beyond this, of the debate between judges and historians. Here, one finds Mark Osiel's idea of educational *dissensus*. In this respect, it is significant that the pieces on the *Historikerstreit* were printed in a widely circulated newspaper. The historians' debate, carried into the public arena, was already a phase of the democracy-producing *dissensus*. The idea of exemplary singularity can only be formed by an enlightened public opinion that transforms the retrospective judgment on the crime into a pledge to prevent its reoccurrence. Placed back in this way within the category of promising, the meditation on evil can be wrested away from infinite

lamentation and disarming melancholy and, even more fundamentally, removed from the infernal circle of inculpation and exculpation.

Having set out to find an impartial yet not infallible third party, we end by adding a third partner to the pair formed by the historian and the judge, the citizen. The citizen emerges as a third party in the order of time: with a gaze that is structured on the basis of personal experience, variously instructed by penal judgment and by published historical inquiry. On the other hand, the intervention of citizens is never completed, placing them more on the side of the historian. But the citizen is in search of an assured judgment, intended to be as definitive as that of the judge. In every respect, the citizen remains the ultimate arbiter. It is the citizen who militantly carries the "liberal" values of constitutional democracy. In the final analysis, the conviction of the citizen alone justifies the fairness of the penal procedure in the courts and the intellectual honesty of the historian in the archives. And it is this same conviction that, ultimately, allows us to name the inhuman, retrospectively, as the absolute contrary of "liberal" values.

INTERPRETATION IN HISTORY

The final internal limitation affecting history's reflection on its own project of truth is related to the notion of interpretation, whose concept we shall clarify below. The tardy acknowledgment of the theme of interpretation in our own discourse may seem surprising: could it not have made an appearance at the time and place we took up the theme of representation and, hence, within the framework of the epistemology of the historiographical operation? Instead we have made a different semantic choice which, it seems, better serves the scope of the concept of interpretation. Indeed, far from constituting, as representation does, a phase—even a nonchronological one—of the historiographical operation, interpretation belongs instead to the second-order reflection on the entire course of this operation. It draws together all the phases, thereby underscoring at one and the same time the impossibility of the total reflection of historical knowledge on itself and the validity of history's project of truth within the limits of its space of validation.

The amplitude of the concept of interpretation is still not fully recognized in a version that I consider to be a weak form of self-reflection, one ordinarily placed under the heading of "subjectivity versus objectivity in history."[53] It is not that this approach lacks justification; but it remains vulnerable to the

charge of psychologism or sociologism, when it fails to situate the work of interpretation at the very heart of each of the stages of historiography. What indeed is underscored, in the canonical vocabulary of "subjectivity versus objectivity," is, on the one hand, the historian's personal commitment to the process of knowledge and, on the other hand, the historian's social—and, more precisely, institutional—commitment. The historian's twofold commitment constitutes a simple corollary to the intersubjective dimension of historical knowledge considered one province of the knowledge of others. More precisely, people of the past take on the twofold otherness of foreign and of past being, to which Dilthey adds the additional otherness formed by the mediation of inscription held to characterize interpretation among the modes of understanding: the otherness of the foreign, the otherness of past things, and the otherness of inscription join together to determine historical knowledge within the *Geisteswissenschaften*. The Diltheyan argument, which is also in part that of Max Weber and of Karl Jaspers, has found an echo in professional historians such as Raymond Aron and Henri-Irénée Marrou.

The principle thesis of Raymond Aron's doctoral dissertation, *Introduction to the Philosophy of History*, carried the subtitle *An Essay on the Limits of Historical Objectivity*.[54] It has often been received with suspicion as a result of some of its provocative expressions. The first section dealing with notions of understanding and meaning concludes with the "dissolution of the object" (118). This expression covers a moderate proposal: "No such thing as a *historical reality* exists ready made, so that science merely has to reproduce it faithfully. The historical reality, because it is human, is *ambiguous* and *inexhaustible*" (118). If the personal, social, and institutional commitment of the historian is underscored, "the necessary attempt at detachment, toward objectivity" (119) is no less taken into account: "This dialectic of detachment and appropriation tends to justify much less the uncertainty of the interpretation than the freedom of the mind (in which the historian has a share as well as the creator); it reveals the true goal of the science of history. This science, like all reflection, is, so to speak, as practical as it is theoretical" (119). Returning in the conclusion of the second section to the "limits of understanding" (151), Raymond Aron attempts to go beyond the acceptation of the term "understanding" such as he believes it is found in Jaspers and Weber. He seeks a balance between two other contrary and complementary meanings of the same expression. On the one hand, understanding implies "an objectification of psychological facts"; yet "what sacrifices does this objectification involve?" (152). On the other hand, understanding "always commits the interpreter. He is never like a physicist—he remains a man

as well as a student. And he refuses to become a pure scholar because understanding, beyond knowledge, aims at the *appropriation* of the past" (152). The accent is then placed on "imperfect objectification," tied to the concrete conditions of the "communication between minds" (152). The final section, titled "History and Truth," carries the reflection toward the limits of historical relativism in the direction of an ontology of historical being, which would lead beyond the established framework in the direction of a philosophical conception of existence. The limits of objectivity are in fact those of a scientific discourse in relation to a philosophical discussion: "Man is historical" (319)—the final part of the work unceasingly hammers home this point. It is not without interest for the rest of our discussion that the final accent is placed on ridding historical necessity of its fatalism in the name of freedom that is always in project: "History is free because it is not written in advance, or determined as a sector of nature or a fatality; it is unpredictable, as man is for himself" (320). Ultimately, it is the decision-maker, the citizen, committed or detached as a spectator, who pronounces retrospectively the conclusion to a book devoted to the limits of historical objectivity: "Human life is dialectical, that is, dramatic, since it is active in an incoherent world, is committed despite duration, and seeks a fleeting truth, with no other certainty but a fragmentary science and a formal reflection" (347).

The parallel work by Henri-Irénée Marrou, *The Meaning of History*,[55] constituted, subsequent to Raymond Aron, the sole attempt at a reflection on history offered by a professional historian before Le Roy Ladurie in *Les Paysans de Languedoc* and Paul Veyne in *Comment on écrit l'histoire* (1972), and, of course, before Michel de Certeau (at least in the early editions). Defined as "the knowledge of man's past" (33), more precisely, "the scientifically elaborated knowledge of the past" (34), historical knowledge calls for the correlation between subjectivity and objectivity to the extent that it places in relation, through the initiative of the historian, the past of people who lived before and the present of those who live today. The intervention of the historian is not parasitic but constitutive of the mode of historical knowledge. Pointedly antipositivist words targeting Seignobos and his formula were perhaps isolated arbitrarily: "History is compiled with documents" (72). The historian, Marrou protests, is above all the one who puts questions to the documents. This art is born as hermeneutics. It continues as understanding, which consists for the most part in the interpretation of signs. It aims at "the encounter with the other," at "the reciprocity of consciousnesses." The understanding of others therefore becomes the historian's lodestar, at the cost of an *epoché* of the self in a true self-forgetting. In this sense, the subjective

implication constitutes at one and the same time the condition and the limit of historical knowledge. The note characteristic of Henri Marrou, in relation to Dilthey and Aron, continues to be the accent placed on the friendship that makes us "connatural with others" (104). No truth without friendship. One recognizes the Augustinian mark in the talent of a great historian. The critical philosophy of history opens in this way onto the ethics of historical knowledge.[56]

If Marrou's work has not always been well received ("For pity's sake, let's not magnify out of proportion the role of the historian," Braudel protested), it is perhaps because the critique of objectivity was not sufficiently seconded by a parallel critique of subjectivity: it is not enough to mention in general terms an *epoché* of the ego, a forgetting of the self; one must bring to light the precise subjective operations capable of defining what I once proposed to call "good subjectivity"[57] in order to distinguish the self of research from the self of pathos.

Contemporary history, also termed history of the present day, constitutes a remarkable observation point for taking the measure of the difficulties arising between interpretation and the quest for truth in history. These difficulties do not stem principally from the inevitable intervention of subjectivity in history but from the temporal relation between the moment of the event and that of the narrative that reports it. With this sort of contemporary history, the archival work is still confronted with the testimony of the living, who themselves are often survivors of the event considered. It is this novel situation that is examined by René Rémond in his "Introduction" to *Notre siècle, 1918–1988*.[58] He says that, in relation to the rest of history, the history of the recent period presents a twofold singularity, which is acquired from the specificity of its object. This involves, first, contemporariness, in the fact "that it [the present] is none of the moments that make it up, the moments lived by the men and women among us who were witnesses to it" (7). The question is then to know if it is possible "to write the history of one's time without confusing two roles it is important to keep separate, the memorialist and the historian" (8). Next, it is the incompleteness of the period studied: there is no final endpoint from which to embrace a slice of duration in its ultimate signification; to objections by contemporaries in the first instance are likely to be added the refutations of events yet to come. Lacking this perspective, the main difficulty of the history of a too recent time is "establishing a hierarchy of importance to evaluate people and events" (11). Now the notion of importance is the place where, as we were saying, interpretation and objectivity intersect. The difficulty of forming a judgment is the corollary

of the difficulty of setting things into perspective. The historian, it is true, will have added to her argument an involuntary result of her enterprise: she will have "softened the most severe judgments, nuanced the most admiring evaluation" (12). Can one, then, not reproach her for this "leveling off of differences" (12)?

The difficulties confronting the historian of the recent past rekindle earlier questions concerning the work of memory and, to an even greater extent, the work of mourning. Everything happens as though a history that is too close prevents recollection-memory from detaching itself from retention-memory, and quite simply prevents the past from breaking off from the present, what has elapsed failing to exert its mediating function of "no longer" with respect to "having been." To adopt another vocabulary that I shall adopt below, the difficulty here is that of constructing the sepulcher, the tomb for yesterday's dead.[59]

To speak of interpretation in terms of an operation is to treat it as a complex of language acts—of utterances—incorporated in the objectifying statements of historical discourse. In this complex several components can be discerned: first, the concern with clarifying, specifying, unfolding a set of reputedly obscure significations in view of a better understanding on the part of the interlocutor; next, the recognition of the fact that it is always possible to interpret the same complex in another way, and hence the admission of an inevitable degree of controversy, of conflict between rival interpretations; then, the claim to endow the interpretation assumed with plausible, possibly even probable, arguments offered to the adverse side; finally, the admission that behind the interpretation there always remains an impenetrable, opaque, inexhaustible ground of personal and cultural motivations, which the subject never finishes taking into account. In this complex of components, reflection progresses from utterance as an act of language to the utterer as the who of the acts of interpretation. It is this operating complex that can constitute the subjective side correlative to the objective side of historical knowledge.

This correlation can be detected at every level of the historiographical operation we have examined. Interpretation is indeed operating as early as the stage of the consultation of archives, and even before that, at the stage of their formation. A choice presided over their establishment: as Collingwood liked to say, "Everything in the world is potential evidence for any subject whatever" (quoted by Marrou, *The Meaning of History*, 311). However liberal the operation of collection and preservation of traces that an institution intends to keep of its own activity, this operation is unavoidably selective.

All traces do not become elements of an archive; an exhaustive archive is unthinkable, and every testimony does not figure in the archives. If we now pass from the stage of institution of archives to the consultation by a given historian, new difficulties of interpretation present themselves. However limited the archives may be in terms of the number of entries, at first sight they constitute an unlimited world, if not real chaos. A new factor of selection enters on stage with the play of questions guiding the consultation of the archives. Paul Veyne has spoken in this regard of the "lengthening of the questionnaire"; the questionnaire itself is not infinite and the rule of selecting questions is not transparent to the mind. Why be interested in Greek history rather than in Medieval history? The question remains for the most part without any clear response, unanswerable. With respect to the critique of the testimonies that constitute the hard core of the documentary phase, it assuredly belongs to the logic of the probable alluded to above. A crisis of credibility cannot, however, be completely avoided concerning the reliability of discordant testimony. How can one gauge trust and distrust with regard to the word of others, whose trace is carried in the documents? The work of clarification and argumentation, occasioned by the critique of testimony, is not without the risks proper to a discipline that Carlo Ginzburg defined by the "evidential paradigm." In this sense, the notion of documentary proof must be invoked with moderation; compared to the later stages of the historiographical operation, and taking into account the flexibility and requirements of a probabilistic logic, documentary proof is what, in history, most closely resembles the Popperian criteria of verification and falsification. Under the condition of a broad agreement among specialists, one can say that a factual interpretation has been verified in the sense that it has not been refuted at the present stage of accessible documentation. In this respect it is important to preserve the relative autonomy of the documentary stage on the plane of the discussion provoked by negationist positions concerning the Holocaust. The alleged facts are certainly not brute facts, even less are they doubles of the events themselves; they remain of a propositional nature: the fact that. . . . It is precisely as such that they are capable of being confirmed or disconfirmed.

The discussion concerning documentary proof thus leads quite naturally to the question of the relation between interpretation and explanation/understanding. It is at this level that the alleged dichotomy between the two terms is the most misleading. Interpretation is one component of explanation, its "subjective" counterpart in the sense we have stated. One first observes in it a concern for clarification, placed at the head of the operations

of interpretation. On this plane the operation to be discerned involves the imbrication in the context of ordinary language of logically heterogeneous uses of the syntactical connector "because." Some of these closely resemble a causal connection or a law-like regularity in the domain of the natural sciences; others deserve to be called explanations in terms of reasons. Their indiscriminate juxtaposition has produced unilateral solutions in terms of "either . . . or . . .": on the one hand, by the proponents of the principle of the unity of science during the period of logical positivism, on the other, by the advocates of the distinction between the science of mind and the science of nature following Wilhelm Dilthey. The plea on behalf of an explicitly mixed model, in Max Weber or Henrik von Wright,[60] is to be understood as a form of clarification, in the sense of making plain, of laying out. It can be shown that the human capacity for acting within closed dynamic systems implies recourse to mixed models of explanation such as these. What remain relatively opaque are the personal preferences directing the preference accorded to this or that explanatory mode. In this regard, the discussion concerning the play of scales is particularly eloquent: Why is the microhistorial approach preferred? Why the interest in the historical movements that call for this approach? Why the preference for negotiation in situations of uncertainty? Or for arguments of justification in situations of conflict? Here, motivation reaches the underlying articulation joining the present of the historian to the past of the events recorded. What is more, this articulation is not entirely transparent to itself. Taking into account the place occupied by the question of the play of scales in the history of representations, it is the subtle connection between personal motivation and public reasoning that is implied in the correlation between (subjective) interpretation and (objective) explanation/understanding.

Having said this, there is little need to focus on the case of scriptural representation. However, it is at this stage that the danger of misunderstanding is the greatest as regards the dialectical nature of the correlation between objectivity and subjectivity. The often undifferentiated use of the terms "representation" and "interpretation" testifies to this. The substitution of one term for the other is not without reason, given all that has been said about the role of narrative, of rhetoric, and of the imaginary on the scriptural plane. Concerning the narrative, no one is unaware that one can always recount in another way, considering the selective nature of all emplotment; and one can play with different types of plot and other rhetorical strategies, just as one can choose to show rather than to recount. All this is well known. The uninterrupted series of rewritings, in particular on the level of narratives

of great scope, testify to the untamable dynamics of the work of writing in which the genius of the writer and the talent of the artisan are expressed together. However, by identifying interpretation and representation without qualification, we deprive ourselves of the distinct instrument of analysis, interpretation already functioning at the other stages of historiographical activity. What is more, treating these two words as mere synonyms consecrates the aptly criticized tendency to separate the representative stratum from the other levels of historical discourse in which the dialectic between interpretation and argumentation is easier to decipher. It is the historiographical operation throughout its entire course and in its multiple ramifications that exhibits the correlation between subjectivity and objectivity in history. If this is indeed the case, then we must perhaps give up this equivocal formulation and speak frankly of the correlation between interpretation and truth in history.

This implication of interpretation at every phase of the historiographical operation finally commands the status of truth in history.

We owe to Jacques Rancière, in *The Names of History*,[61] a systematization of the results of his own reflections concerning this status. He places it under the sign of poetics, near to the point of intersection between what I term critical and ontological hermeneutics.[62] Essentially, this is a second-order reflection on Braudel's "new history," but it is also an evocation of Michelet upstream from the *Annales* historians and of Certeau downstream from them. It is a poetics in the sense that it is continually grappling with the polysemy of words, beginning with the homonymy that we have continually run into regarding the term "history" and, more generally, with the impossibility of establishing the place of history within discourse; between science and literature, between scholarly explanation and mendacious fiction, between history-as-science and history-as-narrative. The impossibility for history in particular, according to the *Annales* school, to elevate itself to the level of scientificity alleged to belong to a science of the social is exemplary in this respect. But how is one to go beyond the "either . . . or" that would result from a simple refusal to select one alternative? The scientific response, Rancière suggests, "belongs to a poetic elaboration of the object and the language of knowledge" (*The Names of History*, 7). It is the tie of the object to language that imposes the term "poetics": it is the "language of stories" that "was suited to the scientificity proper to historical science" (7). In relation to the scope assigned here to the problematic of interpretation on the three levels formed by the archive, explanation/understanding, and representation, Rancière's poetics may seem to be restricted to the phase of

representation. In fact, this is not the case. The question of names harkens back, so to speak, from representation to the first workshop of history, to the extent that, as we have asserted here, historiography is writing, through and through; written testimonies and all the monuments and documents have to do with denominations, what the professional historian encounters under the heading of nomenclatures and other questionnaires. Already in the archives, the "captured words"[63] ask to be delivered. And the question arises: Will this be narrative or science? Or some unstable discourse between the two? Rancière sees historical discourse caught between the inadequacy of narrative to science and the annulling of this inadequacy, between a requirement and its impossibility.[64] The mode of truth belonging to historical knowledge consists in the play between this indeterminacy and its suppression.[65]

In order to direct this effort in a positive manner, Rancière turns to the concept of pact, which I have also had occasion to employ. He proposes not a double but a triple contract: scientific, which seeks the hidden order of laws and structures; narrative, which provides readability to this order; political, which relates the invisibility of the order and the readability of the narrative "to the contradictory constraints of the age of the masses" (9).[66]

Rancière has chosen to take as the touchstone for his poetics the operation of language by which Braudel, at the end of *The Mediterranean*, elevates the event-narrative of the death of Philip II to the level of the emblem of the death of the royal figure in his portrait of majesty. The entire problematic of representation by the historian is thus mobilized, but so too is that of its place in the great work directed against the primacy of the event. The primacy of the event is, therefore, at one and the same time toppled and restored, under penalty of seeing the historical enterprise itself dissolved into positive scientificity. Rancière completes my own analysis of the hidden narrative structure of the work as a whole by a study of the grammatical use of verb tenses in light of the distinction received from Benveniste between the narrative tense that recounts itself and the discourse tense in which the speaker engages himself. The distinction is perhaps not as operative as one would like in the case of Braudel's text. The conjunction between the royal function and the proper name of the dead king testifies, however, to the meeting of poetics and politics. The delegitimation of kings forming the backdrop to the death of this king does indeed announce the simultaneous rise of republican politics and of the historical discourse of legitimation, whether open or tacit, of this at once political and poetic regime.[67]

The study of the forms assumed by the articulation between historical knowledge and the pairs of figures and words is continued beyond the

reflection on the dead king and the delegitimation of kings. History has always given voice not only to the dead but also to all the silent protagonists. In this sense, it ratifies "the excess of words" (24–41) in view of appropriating the words of the other. This is why the controversy over readings of, for example, the French Revolution is inexhaustible, history being destined to revisionism.[68] Here, words prove to be more than tools of classification: means of naming. Hence, one does not know whether "noble," "social," "order," "class" are proper or improper names; the retrospective illusion is the price paid for the ideology of the actors. This naming process is especially troubling when it concerns "the founding narratives" (42–60), in particular, the ones that gave a name to what followed the kings: France, the country, the nation, those "personified abstractions" (43). Event and name go together in this staging. That which is given to be seen is that which speaks. This granting of speech is particularly ineluctable in the case of the "poor," the anonymous, even when grievances, records, lend support. The substituted discourse is basically antimimetic; it does not exist, it produces the hidden: it says what these others might say. On the horizon of the discussion stands the matter of knowing whether the masses have found, in their own age, an appropriate discourse, between legend and scholarly discourse. What then becomes of the threefold contract of the historian? "A heretical history?" (88–103).