

## Testimony through culture

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## **Testimony through Culture: Towards a Theoretical Framework**

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### **Abstract**

This article brings together approaches from a range of disciplines to explore how we might approach testimony as it is produced through culture. It examines how we can define and understand the diverse forms of witnessing that are produced in artistic works and everyday practices such as education and law. With a focus on the witness to atrocity, the article develops a theoretical framework for the study of testimony through culture. It highlights the importance of focusing on the ‘witnessing text’ and the relationship between text and audience. Authenticity is thus understood as a process based on trust and acknowledgement, which can explain our reluctance to accept perpetrator testimony. Nonetheless, allowing perpetrators to speak and engaging with perpetrator texts through ‘other-oriented empathy’ is essential if we are to fully understand and prevent mass violence. Authenticity and empathy are also key terms in our engagement with secondary witnesses. Reflection on what it means to ‘know’ violence can help us unpick the relationship between ethical approaches to the mediation of testimony and the response elicited by ‘fake’ testimonies. Ultimately, I conclude that fictionalisation of testimony is legitimate, but that it gives rise to ethical questions relating to the purpose of that mediation.

**Keywords:** testimony, authenticity, empathy, perpetrators, secondary witnessing, fiction

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## **Testimony through Culture: Towards a Theoretical Framework**

Between 2016 and 2018, the Universities of Birmingham and Nottingham were host to an AHRC-funded network, ‘Culture and its Uses as Testimony’, for which I was Principle Investigator. The original application stated that the network’s first aim was ‘to bring together multiple disciplines to explore the use of cultural forms of testimony in processes of reconciliation and justice in societies recovering from war, genocide and authoritarian rule’. The success of the network in fulfilling this aim can be seen in the diversity of its membership: we heard and discussed the work of scholars and practitioners focusing on the use of testimony in educational and therapeutic settings, in theatre, literature, autobiography, diaries, film, art installations, photography, and social media. We reflected on video testimony, testimony in museum settings, the testimony of perpetrators, victims, survivors and the second and subsequent generations, testimony in legal proceedings and in truth and reconciliation commissions.<sup>i</sup>

Indeed, one of the key benefits of the network has been the interdisciplinary and cross-sector discussion that has been one result of bringing together this range of perspectives. It also attests to the significance of ‘testimony’ as a particular form of expression, which – like any other – cannot be thought of outside of culture. Multi-disciplinary exchange highlighted the diversity of views on what testimony is, what culture is, and what theoretical, methodological and ethical considerations need to be taken into account in its use. Nonetheless, it also focused our attention on several key concerns across the disciplines working on or with different forms of testimony. These concerns can be summarised as questions of authenticity, perpetrator testimony, empathy, secondary witnessing, embodiment and performance, and the role of fictionalisation. This article

represents my response to these discussions and a first step towards a theoretical framework that might inform the study and use of testimony. The framework presented here is necessarily informed by my own position as a scholar of cultural studies, trained in literary and historical analysis, but with experience of interdisciplinary work in social (especially political and pedagogical) sciences. And yet, in drawing on the expertise presented across the network events, my aim with this article is to bridge divides between disciplines and across research and practice in this field. The focus of this article is on testimony relating to traumatic past events, albeit drawing on broader understandings of testimony as a form of knowledge.

### **Defining Culture, Defining Testimony**

The title of the network ‘Culture and its Uses as Testimony’ is perhaps misleading in its separation of the two key terms, ‘culture’ and ‘testimony’. Testimony cannot exist outside of culture, but is always produced through and produces culture. As Krämer and Weigel (2017, x) argue, despite the ‘parallel existence of epistemological and cultural approaches’ to testimony, ‘there is a fundamental consensus’ that testimony ‘cannot be determined outside of a *testimony constellation* that encompasses the triad of witness, testimony and addressee and is furthermore embedded in specific cultural-historical situations and traditions’ (italics in original).

Indeed, the diversity of the objects of study considered within the network necessarily raises questions about definitions: in particular how we define both ‘culture’ and ‘testimony’. Can we really bring all these forms of giving voice to past experience together in one group? Even as they stand alone our central terms are difficult to pin down. The history of the term *culture* has, as explored by Williams (1976, 27), developed in three related but distinct directions:

- (i) The independent and abstract noun which describes a general process of intellectual, spiritual and aesthetic development [...]
- (ii) The independent noun, whether used generally or specifically, which indicates a particular way of life, whether of a people, a period, a group, or humanity in general [...]
- (iii) The independent and abstract noun which describes the works and practices of intellectual and especially artistic activity.

Williams notes that it is the latter definition that had (at the time of writing in 1976) become most widespread. Eagleton (2000, 20) tracks a similar trajectory in the use of the term from ‘culture as utopian critique, culture as way of life and culture as artistic creation’ and argues that by confining culture to learning and the arts ‘the idea is at once intensified and impoverished’ (16). Culture in this sense can for Eagleton be unpartisan, an ‘antidote to politics’ (17) and yet offer a ‘sensitive index of the quality of social life as a whole’, linking ‘the actual to the desirable in the manner of a radical politics’ (21-22).

Several examples of testimony discussed in the network and in this article are produced in and through forms that can be considered part of aesthetic production and, in some cases, contribute to ‘a radical politics’ relating to human rights and the experience of subalternity. However, given the range of cultural practices in which testimony appears, it is perhaps the second definition – culture as a way of life – in combination with the third – culture as art, which is of most importance in our context. Culture in this understanding is the everyday practices of a particular group and these everyday practices include education, health, the law, politics, as much as they include the creation of artefacts such as books, film and theatre. Drawing on the work of Goffman ([1959] 1990, 27) on the concept of ‘performance’ in everyday life, we can argue that these practices are produced following

cultural scripts, or a ‘pre-established pattern of action which is unfolded during a performance’. It is expected that this performance (in ‘appearance’ and ‘manner’) is consistent with the given ‘setting’, that is the event and cultural context (Goffman, 1959, 35). Testimony is thus embedded in each of these practices in a particular way, which is, nonetheless, determined by and determines something we know as ‘culture’.

The concept of testimony is equally challenging. At its most general, the term can be understood ‘to refer broadly to something like ordinary everyday informative or purportedly informative statements’ (McMyler 2011, 52). This is the view of testimony that is commonly taken in work in analytic philosophy on, for example, the epistemology of testimony (e.g., Lackey and Sosa 2006; McMyler 2011; Scholz 2011). But, as McMyler notes, this definition is far more inclusive than the ways in which the concept is used in what he refers to as “‘formal’ testimony’ (2011, 53). We might summarise this narrower definition as a view of testimony as a communicative act in a given cultural context in which a witness gives an account of something he or she has directly experienced for the benefit of an audience that has not (cf. Scholz 2011, 25). It is this understanding of testimony, particularly with reference to traumatic pasts, that was dominant in our discussions in the network and is the one that I will work with here. Krämer and Weigel (2017) argue that there has been a stark division in philosophical approaches to testimony between analytic and post-structuralist accounts, which focus respectively on the epistemology and ethics of testimony. Schmidt (2011, 47) also describes a ‘strange dichotomy between epistemological and ethical-political approaches’<sup>ii</sup> to testimony, but – and as I will show in this article – highlights how both are underpinned by an ‘irreducible ethical structure’ based on the promise of truth on the one side and the granting of trust on the other (2011, 66).

Thomas (2009) identifies two interconnected root forms of this kind of ‘formal testimony’: legal and religious. The figure of the witness to history has emerged from these

original forms and shares with them some aspects of the communicative practices that shaped them. Notably, like the legal and religious witness, the historic witness is only required in circumstances where there is an open challenge to the witness's interpretation of the past, that is, where there are those who would witness differently or not at all. Moreover, witnessing then as now is subject to a 'complex relation between *presence and absence*. In order to be a potential witness, the person must "be there" [...] However, when the time for witnessing arrives, the initial situation is absent.' (Thomas 2009, 97) Witnessing thus involves bringing the past to the present and communicating that past to an audience who was absent. An essential part of witnessing is, therefore, the concept of 'trust'. In communicating his or her testimony, the witness is asking to be believed, which is also a form of social acknowledgement and granting of the authority to speak (Schmidt 2017, 93; Scholz 2011, 25).

For some, the term 'testimony', when it is used in connection with traumatic pasts – and particularly in connection with the Holocaust – refers specifically to a survivor talking about that past in person, that is, the giving of testimony is a face-to-face encounter and the role of the listener (or interviewer) is crucial (e.g., Felman and Laub 1992; Hartman 2000). That testimony may be recorded (notably as video testimony), but it must not be fictionalised and must still be in the format of a single person recounting a traumatic experience for an audience. Greenspan (2014, 193) argues that this definition of testimony should be kept separate from other ways of giving an account of the past: it is but 'one *genre* of survivors' retelling', but this definitional distinction is nonetheless required to avoid confusion. This view of testimony, especially face-to-face testimony, as being something special, different, separate, apart, even sacred, drives the concern with the loss of the generation of survivors and the efforts to recreate the communicative situation of testimony in the absence of the witness (see de Jong 2018, 15-16). One prominent contemporary example of this is the



discussion around the development of a national Holocaust Memorial and Learning Centre in the UK. The initial report of the Prime Minister's Holocaust Commission in 2015 emphasised the urgent need to record, preserve and make educational and commemorative use of the testimony of survivors (Holocaust Commission, 2015).

Researchers and practitioners who espouse this view of testimony might acknowledge that even face-to-face testimony remains a mediation, that is, that it is a form of communication in which 'no transfusion of consciousness is possible [...]. Words can be exchanged, experiences cannot' (Peters, 2009, 26). There is also considerable research on the institutionalized nature of, in particular, video testimony (e.g., Greenspan 2014; Shenker 2015) and the role of the medium in constructing a sense of immediacy (e.g., Stier 2003). And yet, there is still an emphasis on the special nature of face-to-face encounters, on its exclusivity and the impossibility of replicating that communicative act in other ways. Lang (2014, 207) writes, for example: 'the live testimony of a survivor differs in impact from recorded testimony, even when the words spoken are identical'. Young (1988, 169) argues that 'rather than becoming separated from his words, the speaker [in video testimony] reinvests them with his presence, his authority, and the link between a survivor and his story is sustained in video as it cannot be in literary narrative'. In this way, such scholarship can sometimes appear to obscure the effects of mediation, using terms that deny the presence of the camera, the interviewer, and the institution. Moreover, as I will discuss below, while few expect testimony to be a one-to-one reflection of a past reality, the insistence that testimony be directly referential can draw boundaries between fiction and non-fiction that are not always analytically useful or sustainable.

Indeed, the question of genre has been key to discussions surrounding testimony in other media, with scholars attempting to define if and how (written) testimony represents a generic form in its own right. These definitions can be seen to emerge from specific contexts

in which traumatic experience gives rise to particular forms of recounting that experience. In his 1989 essay, 'The Margin at the Center' (republished in Beverley 2004), Beverley (2004, 30-31) writes of Latin American 'testimonio' that it is:

a novel or novella-length narrative in book or pamphlet (that is, printed as opposed to acoustic) form, told in the first person by a narrator who is also the real protagonist or witness of the events he or she recounts, and whose unit of narration is usually a "life" or a significant life experience.

'Testimonio' is distinct, according to Beverley, from other forms of literature, such as autobiography, memoir or non-fiction novel. Its function is to communicate 'repression, poverty, subalternity, imprisonment, struggle for survival', as representative of the experiences of a social class or group, and its concern is with 'sincerity rather than literariness' (Beverley 2004, 32). Beverley (2004, 40) resists the incorporation of testimonio 'into the academically sanctioned field of literature at the expense of relativizing its moral and political urgency'. In contrast, Eaglestone (2004, 16) recognises written Holocaust testimony as a form of literature, but argues for 'the singularity of Holocaust testimonies as a genre' on the basis of their resistance to empathic identification on the part of their readers. For Eaglestone (2004, 38), 'genre is not just a way of writing: it is a way of reading, too'. An ethical reading of Holocaust testimony refuses identification as a basis for (an in any case epistemologically impossible) understanding 'as it refuses to let the text itself disappear' (Eaglestone, 2004, p. 40).

In sum, researchers generally agree that testimony is mediated through culture, where culture is understood as the everyday practices of a particular group. That mediation will take different forms (or genres) and will be more or less 'transparent' (Bolter and Grusin 2000), but each mediation will nonetheless shape the testimony in a particular way and according to the logic of a particular cultural script – be it in the performance of legal testimony, the genre

conventions of the novel, or the expectations attached to the writing of testimonio. Krämer (1998, 81) describes this process as the way in which the medium leaves its 'trace' on the message. But where does that get us? If it is axiomatic that testimony is mediated, what is achieved by focusing on that mediation? I would like to argue that it focuses our attention on and heightens our awareness of the particular cultural form or script that is part of that testimony. In particular, it makes clear the nature of testimony as a performance in and through a particular medium and as a dialogue between witness and audience. This in turn has implications for our understanding of authenticity and empathy, the relationship between these concepts and embodiment, and the question of who can witness.

### **Authenticity**

The observation that testimony is a performance or dialogue has important implications for our understanding of our first key term: authenticity. If we understand testimony to be a communicative act, there is no testimony if there is no (implied or actual) audience. In this context, we might consider the distinction made by Peters between witnessing as a 'sensory experience' and witnessing as 'the discursive act of stating one's experience for the benefit of an audience that was not present at the event and yet must make some kind of judgment about it' (2009, 25) – be it a legal, political, historical or aesthetic one. Peters describes the witness as having 'two faces: the passive one of *seeing* and the active one of *saying*' (2009, 26). 'Saying' should be understood here to include writing, performing and all other ways of producing a 'witnessing text' (Frosh, 2009, 60). In this way, the focus on testimony as a performance through culture highlights the fact that we are always dealing with the 'utterance' of the witness, rather than the experience of the witness itself. This means that alongside studying the relationship between a witness and his or her testimony, we must also consider 'the relationship between the audience and the witnessing text' (Frosh, 2009, 58).

What this sensitises us to is the role that the listener, reader, viewer, interviewer play in the creation of testimony and, at the same time, in the production of ‘authenticity’.

Authenticity with reference to historical eyewitnesses is most commonly embedded in concepts of reliability, verifiability, and originality. Saupe (2017, 9) identifies a shift in the meaning of the term ‘authenticity’ in the eighteenth century from a legal context (official, correct, legitimate, valid etc.) to a historical and literary-theoretical one and in connection with eyewitness reports and sources. This shift emphasised authenticity as meaning scientifically verified, reliable, correct and credible. Authenticity has therefore most often been sought in the relationship between witness and his or her text, that is, the focus has been on whether the experiences to which the witness is testifying are his or her own and if he or she is presenting them in good faith as a true representation of the past. Smith and Watson (2012, 590) describe how journalists and other readers have become ‘detectives of authenticity’ in this regard ‘publicly alleging in offline and online venues that such-and-such a book is a case of false witnessing’. Hartman (2002, 9) is critical of historians whose demands for reliability presume that ‘witnessing should furnish, despite small, contingent variations, one and only one version of what was experienced’ and which privilege ‘a hypothetical original version’. Yet Hartman’s (2002, 13) own view of authenticity is nonetheless based on the identity of the witness, as seen in his description of Benjamin Wilkormirski’s *Fragments: Memories of a Wartime Childhood* (1995) as an ‘authentic fake’.

Hartman’s seemingly contradictory term – ‘authentic fake’ – points towards an important feature of authenticity. *Fragments* is a ‘fake’ because the author did not have the experiences described in the work, despite it being marked as autobiographical; nonetheless, before this fact was revealed, it was assumed by most of the reading public to be an authentic representation of the Holocaust. It worked with what Smith and Watson (2012, 592) describe as the ‘metrics of authenticity’ to convince readers that the text represented the real

experiences of a real person. On the other hand, as I have shown elsewhere (Jones 2014), audiences are reluctant to consider as ‘authentic’ texts by perpetrators, even where these are presented as the honest account of an individual who demonstrably had the experiences to which they attest. Authenticity can thus be seen not as something that is an objective feature of a text, but as a process of reception. Krämer and Weigel (2017, xv) describe this dynamic as ‘performative force’, by which they mean ‘a social relation that connects the witness and the addressee of testimony with one another, to the extent that the auditorium enters into an intersubjective relation of trust, authentication and accreditation with the witness’. The particular cultural form that the testimony takes also plays a key role in determining whether the promise of authenticity will be accepted.

In accepting a witnessing text as ‘authentic’, the recipient is also making a statement about the witness him- or herself, that is, that he or she is to be trusted in this matter. As Schmidt (2017, 92) argues, in the giving of testimony, the witness ‘is making a statement with the understanding that here it is [his or her] word that is to be relied on’ (92). If the listener accepts this ‘promise’, then he or she is ‘acknowledging the speaker’s sincerity, competence and intention to speak the truth’ and has a right to complain if the claim to speak the truth turns out to be false (92). This is part of what McMyler (2011, 17), with reference to broader understandings of testimony in analytic philosophy, describes as the ‘epistemic right of deferral’, by which he means the right to refer any challenges to knowledge gained through the testimony of another person to the original witness. In giving testimony, the witness accepts responsibility for the knowledge that he or she conveys and the audience accepts that knowledge on the basis of the presumed authority of the speaker. The audience may be challenged on its decision to accept the authority of the speaker, but can nonetheless defer responsibility for the content of the testimony back to the testifier. As I will discuss below, as

‘trust’ is a form of social acknowledgement and recognition, the need for trust in testimony also has implications for whom a given society recognises as witness.

### **Perpetrators as Witnesses**

Recognising the constructed and processual nature of authenticity and its relationship to trust is not to abandon the importance of facts altogether. Only the most radical form of constructivism would argue that there is no past, only our interpretation of it – the risk of which is a kind of relativism that would accept gross distortions of historical events as just one other version. Nonetheless, I would take the position that although facts exist ‘out there’, they are always mediated through our own construction of the world, that is, of knowledge, and that construction is also determined by the society in which we live, including its cultural scripts (see Berger and Luckman 1966). The question of what it means to know is also at the heart of debates relating to perpetrator testimony and secondary witnessing. Can perpetrators be witnesses? Is secondary witnessing possible? These questions are asked from quite different ethical perspectives and therefore elicit a quite different theoretical response. However, as I will show both questions relate to the issue of who can ‘know’ atrocity and who can give an account of it.

In contemporary accounts of testimony, perpetrators are often not described as witnesses – this term is reserved for either a bystander, whose ‘authority is rooted in impartiality and distance’ (particularly in legal contexts) or for the survivor whose authority ‘is rooted in the fact that he or she has experienced an event first hand and completely’ (Schmidt 2017, 86-87). Bystander testimony possesses in this sense a form of what Krämer and Weigel (2017, xii) describe as ‘*discursive truth*’ and survivor testimony what they term ‘*existential or embodied truth*’ (2017, xii; italics in original). Perpetrators tend not to be included, particularly, as Schmidt (2017, 87) notes, ‘in contexts in which the notion of

testimony is equipped with a normative value', that is where being granted the right to bear witness is a form of social acknowledgement and endowment of 'moral authority'. This is especially prominent, for example, in Margalit's (2002) concept of the 'moral witness'. The moral witness is a witness who has experienced suffering directly and who has a 'moral purpose' (151) in reporting that suffering to an audience who has not.<sup>iii</sup> This category would evidently exclude perpetrators (and indeed bystanders).

Indeed, this recourse to arguments based on 'moral force' (Margalit 2002, 178) highlights what we are really asking when we ask if perpetrators can be witnesses. We are not asking if they were present at an event, or if they are able to communicate about that event to an audience who needs to make a judgement on it. Perpetrators evidently meet both these criteria: they are able to bear witness in both the passive and active sense. The concern with perpetrator testimony relates instead to the symbolic and social aspects of testimony. As noted above, granting the right to give testimony is a form of acknowledgement that the witness is able to and intends to speak the truth as he or she experienced it. As Schmidt (2017, 97) notes, we feel uneasy about this with regard to perpetrators in two ways. Firstly, we tend to assume that the perpetrator has more reason than the victim to lie about his or her account in order to exculpate him- or herself. Secondly, we – as audience – may be unwilling to grant the perpetrator this form of recognition as a bearer of truth, even a partial one: 'there is something disquieting about the accreditation of perpetrators, about giving them the opportunity to articulate their version of history and, above all, about accepting their epistemic authority' (Schmidt 2017, 99). Sources produced by perpetrators have been used routinely by historians as a form of evidence. And yet, if we use the post-event accounts of perpetrators, we tend to subject them to particular scrutiny and dissection in terms of their truth value (see Schmidt 2017, 95). In this sense, researchers deploy an (often implicit)

hierarchy of testimony (de Jong 2018, 40; Tozzi, 2012, 5), which is underpinned by a normative and ethical perspective on whose voice has the greatest value.

This issue can also be considered in terms of ‘respect’. As the term is generally understood, we may be unwilling to confer ‘respect’ on the perpetrators of mass or state-supported violence, and granting them the status of witnesses would seem to constitute just such a form of social acknowledgement. However, it is here that the work of Espindola (2015) on the exposure of East German unofficial informants after unification can be helpful. Coming from the discipline of philosophy, Espindola takes a particular approach to the concept of ‘respect’ which exposes its multifaceted dimensions. Of interest in our context are his reflections on the importance of recognising the personhood of perpetrators (‘recognition respect’), even if we dishonour and disrespect them for their past actions (Espindola 2015, 14). This is especially important in post-conflict societies seeking to work through a past in which such a universal respect for personhood was not present. Central to Espindola’s concept of respect in this regard is an acknowledgement of perpetrators as agents who can be held accountable:

Treating someone with respect means treating her like a fully fledged agent who is answerable for her acts. Provided that she has some degree of autonomy [...] she should be considered as someone who can give reasons for her actions and take responsibility for them – she is a justificatory being and a bearer of the consequences of her actions. When others do not maintain this attitude toward her, they do not treat her as an agent but, patronizingly, as a child or a beast, and therefore do not respect her. (Espindola 2015, 25).

If the perpetrator must be allowed to ‘give reasons for [his or] her actions’ he or she must be granted the chance to speak about those actions. We cannot hold perpetrators accountable for



what they have done if we are not ready to listen to their accounts about what they have done, that is, to allow them to bear witness.

Thus there is a tension between our mistrust of perpetrator testimony, our unwillingness to grant perpetrators the symbolic acknowledgement of accepting their version of events as an honest account, and the ethical imperative to respect perpetrators, in the sense of recognising their humanity and agency. This is where the ethics of mediating testimony and a view through the lens of culture can be important. Indeed, despite our unease (or perhaps because of it), perpetrator testimony has been mediated in and through different cultural forms from theatre, film, and autobiographical writing to testimony given at truth and reconciliation commissions. Addressing perpetrator testimony from the ‘wrong end’ (Frosh, 2009, 56) – that is, looking at the witnessing texts rather than the witnesses – highlights how such mediations can bridge the gap between these different ethical positions. Done well, such mediations of perpetrator testimony can grant perpetrators the respect for personhood and the agency to present their accounts and be held responsible for their actions, and yet can resist the social acknowledgement that comes with allowing these accounts to stand as truth. One such example is the project *epilogues*, which sets different accounts of the violent political conflict in and about Northern Ireland alongside one another, allowing contradictions to emerge and placing testimony by the perpetrators of violence alongside that of victims and survivors.<sup>iv</sup> The documentary film *Feindberührung* ([Enemy Engagement] Bachelier 2010) takes a similar approach, staging a dialogue between a former informant and the friend who was imprisoned (in part) on the basis of the information he provided to the Stasi (see Jones 2014). Analysing cultural mediations of testimony from this perspective can also highlight where one ethical imperative is allowed to dominate the other; that is, where the desire to give perpetrators a voice overrides respect for the victims, or where resistance to acknowledging the perpetrator perspective risks denying their agency. The granting of

amnesties in exchange for testimony at TRCs may fall into the first category (Minow 1998). An example of the latter is the documentary film, *Alltag einer Behörde* ([Everyday Life in the Office] Klemke and Lorenzen 2002). In this film, the perpetrators – high-ranking Stasi officials – are allowed to speak, but their testimony is framed in such a way as to continually undermine and discredit it (see Jones 2014).

We may find approaches such as that taken in *Alltag einer Behörde* an acceptable method of presenting the accounts of perpetrators without granting those voices the social acknowledgement that comes with the status of witness. Yet, what this form of mediation does not do is encourage the audience to attempt to understand the perpetrator perspective; we are not invited to see the world from their point of view. The avoidance of first-person narratives in much perpetrator fiction relating to the Holocaust can be considered another example of this method. Pettitt (2017, 2-3) considers the absence of first-person perspectives in such works to be a potential attempt to avoid the facilitation of empathy with the protagonist. Indeed, empathy becomes a complex ethical issue with regard to perpetrator testimony. Pettitt (2017, 11) argues that the texts that form the subject of her analysis deploy a narrative technique that insists ‘on continual movements of the reader, drawing them into the narrative and simultaneously refusing an immersive experience’. In the process the reader is, Pettitt argues, encouraged to address the ‘questions of “why” and “how”’; however, ‘true empathetic connections’ are not fostered, allowing ‘ethical judgements’ to be made.

Nonetheless, these ethical judgements are not made on the basis of *no* identification with the perpetrator – as Pettitt (2017, 135) goes on to conclude – rather the identification is what she, following van Alphen, describes as ‘heteropathic identification’. In contrast to ‘idiopathic identification’, in which the thoughts and feelings of the other are internalised as one’s own, ‘heteropathic identification is dependent on an external projection of the self onto the other’, which ‘allows for a certain kind of engagement with the otherness that the

perpetrator represents.’ We might consider this in the light of philosophical reflections on empathy. Coplan (2011, 6) notes that empathy has a number of divergent definitions, but that true empathy should meet a strict set of conditions, namely ‘affective matching, other-oriented perspective-taking, and self-other differentiation’. By ‘affective matching’, Coplan means that the ‘observer’s affective states are qualitatively identical to a target’s though they may vary in degree’ (2011, 6). However, this must not come about through ‘emotional contagion’, that is, a process whereby we “catch” the emotions of the other’, but ‘experience them as our own’ (2011, 9). Instead, the would-be empathiser must engage in ‘perspective-taking’ and this must be ‘other-orientated’, that is, we must imagine ‘the other’s situation from the other person’s point of view’ (2011, 10). At the same time, through ‘self-other differentiation’ we remain aware that ‘the other is a separate person’, who has his or her ‘own unique thoughts, feelings, desires, and characteristics’ (2011, 16). Empathy that is produced in this way can, Coplan (2011, 17) argues, give rise to ‘experiential understanding’, that is, ‘it provides an observer with knowledge of another person’s thoughts, feelings, and behavior – knowledge that may [...] subsequently figure into the explanations, predictions, and even actions of the observer’.

With regard to perpetrator testimony, this kind of experiential understanding appears desirable. Knowledge that allows us to explain and predict the behaviour of perpetrators of mass violence and modify our own actions accordingly would seem essential to efforts to prevent a recurrence of violence. LaCapra (2001, 104) describes this a ‘being better able to resist even reduced analogues of such behaviour as they present themselves as possibilities in one’s own life’. However, for this to be achieved – following Coplan’s definition of empathy – the audience must be allowed to see from the perspective of the perpetrator, to imagine and simulate how they feel, as *they* would feel it. We may feel uneasy about the idea of empathy with the perpetrator if it were to mean imagining ourselves as the same as them, that is,

experiencing the emotions that drive xenophobia and hatred as our own emotions. However, a definition of empathy that insists on ‘self-other differentiation’ has rather different ethical implications. Here we are being asked instead to imagine and understand what these emotions are and why the other experienced them. As Coplan (2011, 18) notes, this is not knowledge constructed from an ‘objective perspective’, rather it is developed through experience of the ‘other’s perspective’. This level of distance can sustain critical judgement on those emotions and on the actions of the individual. However, to achieve this, the mediation of the perpetrator testimony must allow the audience to engage with the perspective of the speaker, to recognise him or her as a fully-fledged human agent with a range of emotions, rationalisations, and an affective response to his or her environment.

### **Secondary Witnesses**

Empathy is not only important in our discussion of perpetrator testimony. It is also key to understanding the widespread use of survivor testimony in popular and public history. As de Jong (2018, 48-49) notes, the use of witnesses in museums relating to the Holocaust primarily serves the objective of ‘moral education’, including in terms of affect ‘making [the visitor] respond emotionally in a way they have not responded before’. Here too the ‘other-oriented perspective’, the possibility to retain a certain distance from the other, is important. Without it, the observer imagining and simulating the experiences and emotions of the other as their own (that is, through a ‘self-oriented perspective’) risks responding with ‘personal distress’, that is, ‘when one observes another person in distress and reacts by becoming distressed [oneself]’ (Coplan 2011, 12). This can result in ‘over-arousal’ and therefore a focus on one’s ‘own distress and how to alleviate it’ (Coplan 2011, 12). Such a reaction is likely to be detrimental to the aim to encourage deep understanding of the reasons for and impact of mass violence on the survivor *for* that survivor and the persecuted group of which they may be

part. In this regard, Arnold-de Simine (2013, 92) argues that empathy as a response to representations of suffering can be problematic in political terms: ‘instead of finding ways of alleviating the suffering of others, individuals are first and foremost concerned with the distress they themselves experience in the process’.

This leads us then to the second group around which there is much debate as to their status as ‘witnesses’: ‘secondary’ or even ‘tertiary’ witnesses (Wake 2013). Secondary witnesses have been conceptualised in multiple ways. In the context of Hirsch’s concept of ‘post-memory’ they are primarily understood as the second or subsequent generation, the children or grandchildren of Holocaust survivors. However, Hirsch (2012, 36) has subsequently extended this to include the concept of ‘affiliative postmemory’. Hirsch uses this term to express the way in which the re-activation and re-embodiment of memory enacted by the second generation of survivors can be extended through ‘structures of mediation that would be broadly available, appropriable, and, indeed, compelling enough to encompass a larger collective in an organic web of transmission’. In this sense, ‘affiliative postmemory’ shares features with Landsberg’s (2004) conceptualisation of ‘prosthetic memory’ – a process by which mass media (especially film and museums) allow the individual to have experience of past events to which they have no national, ethnic or familial connection. The aim of creating a broader community of ‘witnesses’ to the Holocaust through the recording and distribution of testimony is also frequently referenced in discussions of archive projects, such as that at Yale (Hartman, 2000, 10; Laub 1992, 85) and scholars have noted that museums and other media using testimony invite their visitors to be secondary or tertiary witnesses in this way (Jones 2014, 187; de Jong 2018, 58). What these approaches share is an understanding of secondary witnessing that comprises those who did not experience an event first-hand, but who have heard and bear witness to the testimony of those who did. Secondary witnesses in this sense did not ‘witness’ that event in the passive sense,

but they can ‘witness’ the mediation of that event and consider themselves to have knowledge of the event through that mediation. Moreover, they can bear witness in the active sense by recounting/presenting this knowledge to an audience.

And yet there are also important objections to this concept of secondary witnessing among those who fear that an obsession with accounts of trauma has less to do with an ethical engagement with the past and more with a voyeuristic appropriation of the pain of others. It is for Weissman (2004) but a ‘fantasy of witnessing’. From this viewpoint – and as implied by the term ‘*embodied truth*’ (Krämer and Weigel 2017, xii; italics in original) – the concept of the witness is implicitly or explicitly tied to the body: to qualify as witness, a person must have experienced trauma physically. He or she must have ‘been there’ and his or her body must be ‘visibly or invisibly – marked by the events that [he or she] witnessed’ (de Jong 2018, 32). In witnessing ‘pain and the body [are used] as criterion of truth and truthfulness’ (Peters 2009, 34).

It is also notable that approaches to secondary witnessing frequently focus on the importance of physical presence. The concepts of both post-memory and prosthetic memory are founded on an idea that the bodily experience of trauma can in some way be transferred, either across generations or through immersive media experiences.<sup>v</sup> In this case, the secondary witness is presumed to become such through a visceral experience. In her outline of ‘immediate tertiary witnessing’, Wake (2013, 126) emphasises the importance of the ‘liveness effect’ of the medium of video testimony which allows the experience of being ‘spatiotemporally copresent’ with the witness ‘which in turn produces emotional copresence’. Here, the physical experience constructed is the illusion of being present with the primary witness, which, in this argument, is a condition for an empathetic response.<sup>vi</sup> The perceived importance of the physical presence of the witness is also seen in the preoccupation with live face-to-face testimony in Holocaust Education. It can also explain why so many mediations

of eyewitness testimony by non-witnesses emphasise embodiment of witness testimony: from theatre performances that stage verbatim accounts,<sup>vii</sup> through the preference for video over audio or written accounts (e.g., Young, 1988 169; Hartman 1996, 144), to the use of hologram technology through which the spectator can have the experience of interacting with a 3D representation of a survivor.<sup>viii</sup>

The apparent obsession with the embodiment of testimony can be linked to questions of authenticity. The witness gains his or her authority to speak from physical experience of the past. To some extent this definition reflects the deep roots of testimony in legal and religious contexts. The witness in court testifies to his or her own perception of an event at which he or she was present and must usually be present in court to testify (Thomas 2009, 101); the martyr testifies to faith with the literal sacrifice of his or her body. And yet, closer examination of both legal and religious concepts of testimony indicates that this understanding of witnessing as being tied to the body does not appear as central as it might first appear. In the courtroom, witnesses can also be called on the basis of their expertise, that is, their knowledge, which can be acquired through study and learning, not (only) experience. The death of the martyr means that he or she too is reliant on secondary witnesses to ‘to identify [...] her as a martyr (rather than as a justly persecuted rebel), and to codify the story for future generations’ (Assmann, 2006, 268). Those secondary witnesses may have been present at the event, but they may also be those future generations of religious followers who testify not on the basis of experience, but according to belief and learning. To a certain extent, we also see this ambivalence in reflections on Holocaust testimony. Echoing Primo Levi’s much earlier Holocaust text *The Drowned and the Saved* (1986), Agamben (2002, 33-4) describes a ‘lacuna’ in Holocaust testimony, ‘which calls into question the very meaning of testimony’, for ‘the “true” witnesses, the “complete witnesses,” are those who did not bear

witness and could not bear witness [...]. The survivors speak in their stead, by proxy, as pseudo-witnesses; they bear witness to a missing testimony.’

This debate over secondary witnessing thus brings us back to the question of what it means to ‘know’ what happened and if knowledge of trauma must be tied to physical experience of trauma. Returning to the broad understanding of testimonial knowledge as espoused by analytical philosophers, and the debates surrounding this form of knowledge, can be useful in this regard. Philosophical accounts of testimonial knowledge described as ‘global reductionism’ insist that knowledge can only be based on the things we have ourselves perceived, remembered, or deduced. This is contrasted to the approaches of ‘anti-reductionism’/‘non-reductionism’, which accept the testimony of others as a valid basis for knowledge (Scholz 2011, 32-33; Lackey 2006, 4-5; Krämer and Weigel 2017, xiv). In critical responses to secondary witnesses, there is a complex interplay between the two. The account of the primary witness is accepted as legitimate knowledge (non-reductionism) and yet there is an insistence that witness him- or herself can only truly ‘know’ on the basis of first-hand experience (reductionism). Non-reductionist accounts might insist that the audience must have sufficient grounds to presume that the speaker is reliable (Scholz 2011, 35). Nonetheless, in these broader accounts, the testifier can be deemed sufficiently authoritative on multiple bases for it to be legitimate for the audience to assume the ‘epistemic right of deferral’ (McMyler 2011, 17).

Indeed, historically, it has been considered desirable for the witness not to have been actively involved in the events he or she describes (de Jong 2018, 35). And yet, when it comes to the witness to history, ‘presence in time and space is crucial’ (de Jong 2018, 37; see also Krämer and Weigel 2017, xi-xii). This means presence in the time and space of the event itself, but also ideally presence in time and space at the point of telling: it is through their body that the witness connects the past to the present. As de Jong puts it (2018, 37): ‘through



contact with the witness to history, the audience also tries to get in contact with the event in question'. In this regard, there is indeed something 'special' about first-person accounts from those who have bodily experience of trauma. And yet, that something special turns out to be once again the audience's (socially constructed) response to the survivor's text, a feeling of deep insight into what the past meant for the individual, an empathetic response that allows us to engage (ideally) with the perspective of the other, and contact with the 'real' experience of history. Modes of secondary witnessing often seek to replicate this audience response.

### **Testimony through Culture**

This 'something special' is one reason why 'authentic fakes' (Hartman, 2002, 13) inspire such anger. A text presented as testimony based on experience is acknowledged as 'truthful' in a particular way; discovery that the knowledge in the text is in fact based on learning and not 'presence' is experienced as a breach of trust. Vice (2014, 8) describes this as a violation against the 'laws of genre'. This is the case even where the events depicted are an accurate reflection of a historical reality and where we would otherwise grant the speaker authority to speak about that past based on other criteria, such as extensive study and research.

Nonetheless, whilst we might indeed find the presentation of false testimony deeply troubling in ethical terms – as an appropriation of the trauma of others or a form of self-oriented empathy taken to an extreme – this does not mean that all forms of fictionalisation must be viewed with distrust.

Indeed, a clear-cut distinction between fiction and non-fiction is difficult to sustain. Franklin (2011, 3) notes that commentators have often argued that 'literary representation of horror has an inherent falsity, in that it requires the writer to impose a coherent pattern or form where in reality there was only chaos'. However, this imposition of form is necessary in all forms of narration. As White (1973, 6-7) argues:

It is sometimes said that [...] the difference between ‘history’ and ‘fiction’ resides in the fact that the historian ‘finds’ [his or her] stories, whereas the fiction writer ‘invents’ [his or hers]. This conception of the historian’s task, however, obscures the extent to which ‘invention’ also plays a part in the historian’s operations. The same event can serve as a different kind of element of many different historical stories, depending on the role it is assigned in a specific motific characterization of the set to which it belongs.

In testimony, the witness ‘finds’ his or her stories in experience, but in the process of narration he or she gives them shape and follows the conventions of a specific genre: written testimony, oral testimony, video testimony, theatre, film, documentary, testimonio.

Moreover, as White (2004, 116) argues, even testimonies that appear ‘matter-of-fact’ in style (in White’s analysis, the work of Primo Levi) make use of figurative language and a ‘literary mode of writing [which] can heighten both the referential and the semantic valences of a discourse of fact’. These poetic features lend an element of fiction to these accounts, although the events described are in no way invented. This is what White (2004, 119) describes as ‘figural realism’: ‘the most vivid scenes of the horrors of life in the camps produced by Levi consist less of the delineation of “facts” as conventionally conceived than of the sequences of figures he creates by which to endow the facts with passion, his own feelings about those facts and the value he therefore attaches to them’.

These observations shed light on the work of witnesses who choose to represent their experiences in genres widely associated with factual representation (autobiography, video testimony, verbatim theatre, documentary film etc.), but also the witnessing texts of those who give an account of their lives through genres of fiction, that is, who mediate their pasts in literature, works of art, feature films, dance. Indeed, the boundaries between the two are fluid: ‘to consider any text “pure testimony,” completely free from aestheticizing influences

and narrative conventions, is naïve' (Franklin, 2011, 11). In the first network workshop, novelist Carmen-Francesca Banciu, a dissident author under Ceausescu, described the relationship between her personal experience of state violence and her literature. Her narrative voice and focaliser are not identical with the author, nor does she claim that identity, that is, this is not autobiographical writing. And yet her literature is her way of processing and communicating her past to others. She is both close to and distant from the 'I' that speaks and, as she describes it, this distance allows her to explore painful memories. Fictionalisation is essential for this author giving an account of her past and it is the poetic language itself that can allow us to see 'what lies at the source of language – its point of origin, to which language does not provide unfettered access' (Bernard-Donals, 2001, 1306).

We might then permit the concept of literary or fictional testimony, that is, creative forms produced by individuals with lived experience of the trauma that they recount. These texts are received in a particular way as the reader, viewer or listener simulates the emotions of a fictional character, that is, empathises with a figure born of imagination, and yet he or she does so in recognition that the experiences described *could have* been. As Franklin (2011, 13) argues: 'literature, by virtue of its ability to make difficult ideas easier to contemplate, also increases the possibility of the listener's or reader's empathetic response'. But what of creative work that is twice removed, that is, that of theatre producers, filmmakers, literary authors who work with the testimony of others, but refigure and condense it to bring forth its poetic power. At the second workshop, we incorporated a showing of László Nemes's *Son of Saul*, a film that is based on the written testimonies of Sonderkommando members and which attempts to mediate these experiences through a powerful realist aesthetic. A further example is the one-man play by Henry Greenspan, *REMNANTS*, which is based on his long career working with survivors of the Holocaust and their testimony, but which takes and re-narrates

key moments that function metonymically to convey something essential about the survivor's experience. Can these forms also function as testimony?

I argue that a focus on culture and on the witnessing text means that the answer to this question is yes. These texts are triply mediated, through the secondary witness, through the artistic form and figurative language of the medium and through the location of the medium in a particular culture. Yet these texts nonetheless operate as a form of communication between witness and audience that can – perhaps exactly because of that mediation – work to promote an ‘other-oriented’ empathy with the victims and survivors of atrocity that does not risk ‘over-arousal’. Looking at testimony through the prism of culture in this way does not mean we can abandon a commitment to a ‘truthful’ representation of the past, in the sense of an avoidance of distortion of the historical record. Nonetheless, it can add to this commitment further ethical considerations. Does the witnessing text in front of us mediate that trauma in a way we consider respectful, trustworthy and which can promote ‘other-oriented’ empathy? Why, how and, importantly, for what purpose? The question of purpose then can form the core of our study of testimony through culture: we can ask to what ends experience is mediated in different forms and what the outcomes and impact of that mediation are for the witness and his or her audience.

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<sup>i</sup> See [www.cultureastestimony.wordpress.com](http://www.cultureastestimony.wordpress.com). This site includes a list of network membership, plus briefing papers outlining the discussions at the three network workshops (November 2016, March 2017 and May 2017) and final conference (April 2018).

<sup>ii</sup> Translations from German are my own.

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<sup>iii</sup> There are a number of well-founded criticisms of Margalit's term. See for example Horowitz in Greenspan et al., 2014, 205 and de Jong 2018, 46.

<sup>iv</sup> See <http://www.epilogues.net/Elements.asp>.

<sup>v</sup> For a critique of the idea of such a visceral transference of trauma between generations, see Franklin 2011, 215-234. Landsberg's concept of 'prosthetic memory' has also been subject to criticism. James Berger (2007, 601), for example, argues that what Landsberg describes as 'prosthetic memory' is, in fact, 'a metaphor for more conventional processes of cultural transmission – acquiring knowledge, for instance, or responding with empathy to a narrative'.

<sup>vi</sup> Wake's second term 'hypermediate tertiary witnessing' does not involve the experience of spatiotemporal copresence (the spectator remains aware of the medium); however, emotional copresence remains key

<sup>vii</sup> Within the Network membership, this included the work of *La Conquesta del pol sud* and Nena Močnik.

<sup>viii</sup> Notably the UK National Holocaust Centre and Museum in Newark are developing such technology in their *Forever* project.