

The Function of Memory in Understanding and Addressing Cultures of Impunity

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Abstract

Recent psychological studies show that systemic oppression may be understood as trauma, which is aggravated in the context of a culture of impunity. Cultures of impunity, then, are a problem not only of legal justice and collective trauma but also of personal memory and its fragmentation. Following developments in trauma studies and Paul Ricoeur's *Memory, History, Forgetting* and *Lectures on Ideology and Utopia*, cultures of impunity may be understood as an institutionalized forced forgetfulness with destructive and self-reinforcing effects on personal and collective memory. This paper aims to present a generic account of the function of memory in understanding and addressing cultures of impunity, applying Ricoeur's analyses of the exercise of memory, the functions of ideology, and the ethics of remembering.

Key terms *Ricoeur, Keilson, trauma, memory, cultures of impunity*

In *Memory, History, Forgetting*, Ricoeur began his discussion of the wounded memory by asking to what extent it is permissible to use psychoanalytic categories in the study of the collective memory.¹ He answered this question by drawing a parallel between how individuals respond to traumatic loss and how communities do, juxtaposing two essays by Sigmund Freud, “Mourning and Melancholia” and “Remembering, Repeating, Working-Through.” Ricoeur argued that Freud’s psychoanalytical study of mourning behaviors may be applied directly in the study of collective memory, and that what Freudian psychoanalysis has said about the traumatic process is fully realized in the context of the collective memory.² Just as personal memory is wounded by highly traumatizing experiences, so too can collective memory be afflicted by symbolic wounds and losses.³ The community itself forgets events, repeats actions, and mourns losses. As it is with the traumatized individual, the community must also resist repression and the repetition compulsion by reconciling itself with the losses it has suffered.⁴

In light of developments in psychological research and Ricoeur’s work on memory, however, this parallelism between the personal and the collective memory in the context to trauma can be taken further. In recent studies, psychological trauma has come to be understood not only as the consequence of an extremely stressful and threatening event, as in the classical model of PTSD, but also as the continuous effect of cycles of violence committed with

¹ Paul Ricoeur, *Memory, History, Forgetting* (Chicago: University of Chicago Press, 2004), 69.

² *Ibid.*, 78.

³ *Ibid.*

⁴ *Ibid.*, 80.

impunity.⁵ This paper will argue that the effect of this second sort of psychological trauma on personal and on collective memory are not only parallels of each other, but are mutually reinforcing, such that the abuse of memory on one level enables the perpetuation of abuse on the other. Both of these in turn are effects and conditions of cultures of impunity, wherein the experiences of marginalized groups are invalidated and suppressed in an atmosphere of fear and cyclical violence. To wit, psychological studies on members of marginalized groups have found that they exhibit symptoms of traumatic stress.⁶ They have an increased risk of developing psychological disorders, to such an extent that they may even dissociate themselves from the memories of their negative experiences.⁷ “Fear and loss of control over life,” which are the consequences of acts of violence committed with impunity, have been associated with PTSD and depression.⁸ What has been found to mitigate symptoms of trauma is public acknowledgment as well as communal interventions to address the particular needs of survivors.⁹ However, these are unavailable to victims in the context

⁵ See Hans Keilson, *The Sequential Traumatization in Children* (Jerusalem: Magnus Press, 1992), 48; David Becker and Barbara Weyermann, *Toolkit: Gender, Conflict Transformation and the Psychosocial Approach* (Bern: Swiss Agency for Development and Cooperation, 2006), 12; Robert Carter, “Racism and Psychological and Emotional Injury: Recognizing and Assessing Race-Based Traumatic Stress,” *The Counseling Psychologist* 35, no.1 (2007): 13–105.

⁶ See Metin Başoğlu et al., “Psychiatric and Cognitive Effects of War in Former Yugoslavia,” *Journal of the American Medical Association* 294, no.5 (2005): 580–90; Kate A. Richmond, Theodore Burnes, and Kate Carroll, “Lost in Trans-Lation: Interpreting Systems of Trauma for Transgender Clients,” *Traumatology* 18, no. 1 (2012): 45–57; Glenn Miller, “Commentary: The Trauma of Insidious Racism,” *Journal of the American Academy of Psychiatry and the Law* 37, no. 1 (2009): 41–44.

⁷ Rachel Goodman and Cirecie West-Olantuji, “Traumatic Stress, Systemic Oppression and Resilience in Post-Katrina New Orleans,” *Spaces for Difference: An Inter-Disciplinary Journal* 1, no. 2 (2008): 54.

⁸ Başoğlu et al., “Effects of War In Former Yugoslavia,” 580.

⁹ See Brigitte Lueger-Schuster, “Supporting Interventions After Exposure to Torture,” *Torture* 20, no. 1 (2010): 32–44; Knut Rauchfuss and Bianca Schmolze, “Justice Heals: The Impact of Impunity and the Fight Against It on the Recovery of Severe Human Rights Violations’ Survivors,” *Torture* 18, no. 1 (2008): 38–50.

of the systemic oppression that animates the cycle of violence they suffer.

So long as the collective memory continues to frame the experiences of the marginalized within a narrative that justifies and subsequently forgets instances of targeted violence, violence is legitimized and allowed to recur. In turn, the recurrence of this cycle of violence causes and perpetuates the physical, psychical, and moral damage dealt to particular groups, in such a way that they are silenced by the effects of their suffering on both their own memory and the memory of their community.¹⁰ Taken together, the damage to the personal and the collective memory are cause-and-effect of cultures of impunity. Cultures of impunity, wherein targeted violence is cyclical, validated, and forgotten, may be understood as an institutionalized forced forgetfulness with destructive and self-reinforcing effects on both the collective memory and the personal memory. The damage done by acts of violence committed with impunity affects not only their direct victims, but also the close relations of the victim and the community at large.¹¹ Because of this, it is necessary to address the wounds in the collective memory to heal the wounds in the personal.¹²

The structure of this discussion will be as follows. First is an exposition of trauma as a psychosocial process through a survey of relevant literature, beginning with the work of Hans Keilson and the

¹⁰ See Richmond, Burnes, and Carroll, "Lost in Trans-Lation," 47; Goodman and West-Olantuji, "Post-Katrina New Orleans," 53; David Lisak, "The Psychological Impact of Sexual Abuse: Content Analysis of Interviews with Male Survivors," *Journal Of Traumatic Stress* 7, no. 4 (1994): 525–45.

¹¹ See Damien McNally, *Transgenerational Trauma: Dealing with The Past in Northern Ireland* (Belfast: Wave Trauma Center, 2014), 524; Becker and Weyermann, *Toolkit*, 12.

¹² See Lueger-Schuster, "Supporting Interventions After Exposure to Torture," 38; Becker and Weyermann, *Toolkit*, 29.

concept of sequential traumatization. Keilson's study introduced a multidimensional approach to the understanding of the traumatic process, which many succeeding studies on survivors of man-made traumatic events have expounded. Following that, this understanding of trauma as a psychosocial process will be connected to Ricoeur's discussion of the constitutive and distortive effects of ideology in *Lectures of Ideology and Utopia* and the dialectics of memory in *Memory, History, Forgetting*. While the studies of Keilson and other researchers focus on the effects of systemic oppression on particular groups, their mental health and well-being, Ricoeur's perspective provides an account of how cultures of impunity are constituted and eventually legitimized. These separate but complementary approaches to memory and trauma will be taken together to provide a generic account of cultures of impunity, which causes and exacerbates the traumatic process in individuals and communities alike. Cultures of impunity operate through the traumatic process in individual and collective memory. Cyclical violence is enabled by its being legitimized, suppressing evidence of its effects. More than pointing to a vicious cycle, however, this understanding of the interconnections between trauma and memory also points to what can be done to address cyclical violence. Following this framework, healing the wounds to memory that are both cause and effect of cyclical violence is inseparable from reconfiguring personal and communal narratives.

Trauma as a Psychosocial Process

As an object of study, trauma is difficult to pin down. When we speak of trauma, "we are here slip-sliding around from the language of bodily impacts to that of events and enduring—perhaps

incapacitating—forms of distress in the inner world.”¹³ The word “trauma” is imprecise, but this imprecision is a necessary consequence of its subjective nature.¹⁴ Any situation that causes severe distress could rise to the level of the traumatic, so long as it causes feelings of extreme helplessness and dissociation from one’s memories.¹⁵ In general, though, traumatic stress usually arises from a “life-threat or a threat of bodily integrity, injury, intentional injury, confrontation with unthinkable and unbelievable impacts on human dignity, learning about a traumatic event or the danger of being confronted with it, being guilty of a traumatic event.”¹⁶ Trauma then may be caused by real injury or even by the threat of it, by witnessing or even just learning about the traumatic experiences of others, and by the guilt of harming another person. It need not be caused by overt acts of violence. It may come from even the threat of it, as in more insidious forms of oppression of and aggression against people from vulnerable groups. Symptoms of trauma and trauma-related disorders include “significant distress or impaired functioning, often involving intrusive thoughts and emotions about the traumatic events, avoidance, emotional numbing and/or hyper-arousal.”¹⁷ Even the immediate circle of traumatized people, especially their caretakers and their families, may develop symptoms of “secondary traumatization” or “compassion fatigue,” whose

¹³ Robert Young, “The House of Trauma,” presentation, University of Sheffield Centre for Psychotherapeutic Studies (2001), 3.

¹⁴ Leon Albert Hyer and Steven Sohnle, *Trauma Among Older People: Issues and Treatment* (Philadelphia: Taylor and Francis, 2001), 5.

¹⁵ Bonnie L. Green, “Defining Trauma: Terminology and Generic Stressor Dimensions,” *Journal of Applied Social Psychology* 20, no. 20 (1990): 1632–42.

¹⁶ *Ibid.*

¹⁷ Kate Murray, Graham Davidson and Robert Schweitzer, *Psychological Well-being of Refugees Resettling in Australia*, ebook, 1st ed. (Melbourne: The Australian Psychological Society, Ltd, 2008), 6.

manifestations mirror the symptoms of PTSD.¹⁸ Psychological trauma, then, carries with it the risk of widening the circle of people affected by an abnormally stressful situation, from the person who suffered firsthand to their close relations.

The understanding of trauma as a reaction to a single, stressful event has been broadened by studies on long-term, cumulative, and historical trauma. In dealing with the psychological trauma of people from marginalized groups, especially those at risk of targeted violence, researchers and human rights activists have challenged the adequacy of PTSD as a diagnostic framework for survivors of man-made disasters, such as torture and even poverty. In critiquing PTSD as a diagnostic model in these contexts, they have cited PTSD's definite timeframe and emphasis on symptoms,¹⁹ its silence on the risk of transgenerational trauma between traumatized parents and their children,²⁰ and its lack of reference to socio-historic conditions and the particular culture of the traumatized subject.²¹ Traumatic stress for marginalized peoples cannot be divorced from their context. This is because, first, trauma may result not only from singular events, but from systemic oppression unfolding in successive events.²² Second, studies on people from groups that have been subject to and continue to be vulnerable to targeted violence have found that the community plays an important part in the recovery of trauma survivors, since how they deal with their experiences is strongly influenced by their post-traumatic

¹⁸ Young, "The House of Trauma," 1.

¹⁹ McNally, *Transgenerational Trauma*, 50.

²⁰ Ibid., 51.

²¹ Carlos Madariaga, "Psychosocial Trauma, Post-Traumatic Stress Disorder, and Torture", presentation, Models to Work with People that have Suffered Torture and Other Violations of Human Rights, Antigua, Guatemala (2002), 7.

²² Keilson, *Sequential Traumatization in Children*, 48.

environment and the sort of narrative that is made of their experiences by their communities.²³

Traumatic stress in the context of violence committed with impunity is inextricable from the systemic oppression at its root. This was an idea first explored by Keilson. After twenty-five years of providing therapy to Jewish orphans of the Shoah, Keilson published his dissertation entitled *The Sequential Traumatization of Children*. His work introduced a new way of understanding trauma, particularly childhood trauma and trauma rooted in systematic oppression, which he termed “sequential traumatization,” expanding the concept of trauma from “an event which apparently occurs only once and suddenly, causing a shock to the emotional system and psychic ‘apparatus,’ to the ‘traumatic situation,’ associated with chronic, extreme psychological stress.”²⁴ The framework of sequential traumatization understands trauma as a personal and a collective phenomenon, involving what one has experienced as part of a community within a particular socio-historical process. According to Keilson, traumatic man-made disasters are the results of processes that have existed from before their manifestation in physical or psychical violence, and continue to have salient but sometimes insidious effects in their aftermaths.²⁵ The repeated exposure of survivors to similarly negative situations results in the prolonging of their psychological distress. The continuation of this process over time prolongs and reinforces the trauma experienced by the individual survivors. For the war orphans that Keilson

²³ See Lisak, “Psychological Impact of Sexual Abuse,” 5448; Leuger-Scheuster, “Supporting Interventions,” 54.

²⁴ Keilson, *Sequential Traumatization in Children*, 48–49.

²⁵ Ute Benz, “Traumatization through Separation: Loss of Family and Home as Childhood Catastrophes,” *Shofar* 23, no. 1 (2004), 86.

worked with, these sequences were, first, the beginnings of anti-Jewish sentiment and military occupation; second, the direct persecution of the Jews and the concentration camps; and lastly, the post-war period, when these Jewish orphans were hidden and settled in the Netherlands and eventually assigned to permanent foster families.²⁶ Keilson found that if the third sequence of resettlement and recovery was not favorable to the survivors, then they would develop more severe mental health problems in relation to what they had suffered in the second sequence.²⁷

The framework of sequential traumatization has been applied and expanded through various medical studies, whose topics range from American soldiers after the Vietnam War to Chilean torture survivors to Southeast Asian political refugees seeking asylum in the United States and in Australia.²⁸ Keilson's work and the studies conducted after it suggest that someone who has suffered severe losses but enjoyed considerable support and stability in the aftermath would exhibit less symptoms of trauma than someone who has suffered less severe losses but also less support in their recovery. Much depends on the community and the way that the person's experiences are viewed. Keilson's study focused on Jewish children after the Shoah, but similar conclusions have been drawn in studies regarding other groups exposed to severe traumatic stress. An example would be male survivors of sexual abuse, who have to reckon with rigid cultural norms of masculinity and homosexuality

²⁶ David Becker, "Dealing with the Consequences of Organised Violence in Trauma Work," *Transforming Ethnopolitical Conflict* (Wiesbaden: VS Verlag für Sozialwissenschaften, 2004), 407.

²⁷ David Becker, "Mental Health and Human Rights: Thinking About the Relatedness of Individual and Social Processes" (Presentation, Belfast, Northern Ireland, 2003).

²⁸ See Madariaga, "Psychosocial Trauma, Post-Traumatic Stress Disorder, and Torture"; Becker and Weyermann, *Toolkit*, 14.

in the aftermath of their traumatic experiences. Many male survivors of sexual abuse recount receiving little support in their recovery, “as though they belong to a nonexistent category in the culture’s lexicon: ‘male victims.’”²⁹ Rigid gender norms and the lack of support extended to them cause lifelong psychological problems and feelings of alienation, isolation, and aggression.³⁰ Their experiences and the way that their experiences are understood by others affect how they view themselves and how they behave after the violence they suffered.

Torture survivors and refugees have been the focus of many studies with an emphasis on the psychosocial dimensions of trauma. According to the UN High Commissioner for Refugees, the number of forcibly displaced people worldwide has increased to 50 million, half of whom are Afghans, Syrians, and Somalis.³¹ Some refugees come to their host country unprepared for being treated as a marginalized minority in their new environment; such discrimination may serve as “traumatic reminders” of their situation.³² These traumatic reminders raise the likelihood that these refugees will develop trauma-related disorders. Refugees and their families resettling in the United States in particular face further challenges in adapting to their post-traumatic environment because of racial and ethnic discrimination.³³ In providing supportive interventions for people who have suffered violence committed with impunity, it is

²⁹ Lisak, “Psychological Impact of Sexual Abuse,” 548.

³⁰ *Ibid.*, 537.

³¹ UNHCR: The UN Refugee Agency, *Mid-Year Trends 2015* (Geneva, Switzerland: United Nations High Commissioner for Refugees, 2015), 4.

³² APA Task Force on the Psychosocial Effects of War on Children and Families Who Are Refugees from Armed Conflict Residing in the United States, *Resilience of Refugee Children After War* (Washington, DC: American Psychological Association, 2010), 30.

³³ *Ibid.*, 30.

necessary to look at the entire context of their post-traumatic environment, understanding that their trauma as well as their recovery is tied to social processes. There is value in understanding trauma as an unfolding sequence in trying to address the psychological reaction of marginalized groups, taking into account their particular risk factors and protective resources when enacting projects or adopting policies for their well-being and recovery.

In a study on supportive psychosocial interventions for torture survivors and refugees fleeing from places of violent conflict, the importance of a stable and protective environment as well as social acknowledgment of the harm suffered in the recovery of survivors and their families was emphasized.³⁴ While there are risk and protective factors particular to each individual, such as their age at the beginning of the traumatic process and their particular life experiences before it, survivors of torture have general needs that must be met for their recovery.³⁵ It was found that the incidence of symptoms of traumatic stress in survivors of torture is heavily dependent on the setting they find themselves in after their experience of torture. Among those who seek political asylum, “the non-use of qualification and abilities, the lack of income, the loss of social status, the missing of support by the community and families”³⁶ are strong risk factors in the development of symptoms of PTSD and other psychological disorders. Thus, researchers on torture survivors and political refugees recommend that interventions for the recovery of torture survivors be both personalized and community-based.³⁷ Similar conclusions have been

³⁴ Lueger-Schuster, “Supporting Interventions After Exposure to Torture,” 33; Rauchfuss and Schmolze, “Justice Heals,” 47.

³⁵ Lueger-Schuster, “Supporting Interventions After Exposure to Torture,” 38.

³⁶ *Ibid.*, 37.

³⁷ *Ibid.*, 43.

made about the importance of social support for other victims of protracted and insidious violence such as transgender people.³⁸ Given the psychosocial dimensions of trauma, therapeutic interventions must also be psychosocial. However, communal intervention and social support is impeded by the continued existence of the power structures that made the traumatic situation possible in the first place. A study on political refugees has noted that in the presence of impunity, the recovery of individuals and the community faces “insurmountable obstacles.”³⁹ It has been estimated that only 6.2% of the world population of tortured refugees are treated at rehabilitation centers, while the rest do not have access to rehabilitation centers.⁴⁰

This understanding of the importance of social support in recovering from trauma points to the significance of the social context upon the reinforcement of cycles of violence and traumatization points to the significance of the social context upon the reinforcement of cycles of violence and traumatization. As long as the socio-historical conditions animating these traumatic events remain, similar violent events—that would both traumatize and isolate their victims—are likely to occur. As the product of macro-level repression, the absence or even impossibility, in a socially unstable situation, of granting public recognition for victims of traumatic violence aggravates and perpetuates their trauma and their silence. Feelings of “acute pain, extreme stress, fear, panic, a sense of unreality and shame and often paradoxical feelings of guilt”⁴¹ in

³⁸ Richmond, Burnes, and Carroll, “Lost in Trans-Lation,” 54.

³⁹ Ibid., 49.

⁴⁰ Metin Basoglu, “Current Issues and Controversies in Rehabilitation of War and Torture Survivors: Reflections on Past Work and Prospects for Brief Treatment,” presentation, 10th European Conference on Traumatic Stress, University of Vienna, Vienna, Austria, (2011).

⁴¹ Lueger-Schuster, “Supporting Interventions After Exposure to Torture,” 33.

the aftermath of violent events are perpetuated through the continued existence of socio-historical processes that accompany these violent events. Among male sexual abuse survivors, the problem is rigid gender norms; among torture survivors, repressive political forces; among political refugees, discrimination based on race or ethnicity. Systemic oppression such as these not only allows for incidents of violence to occur; it also effaces their traces, making support and acknowledgment for survivors difficult if not impossible to be attained.

This is at the heart of a culture of impunity: oppressive forces allow and legitimize violence against specific groups. The legitimization of violence in turn effaces the reality—in the suffering of its victims—of violence. In individual members of marginalized groups; what Ricoeur would call an “abuse of forgetting” in the personal memory and in the collective memory intersect. The excess of forgetting in the collective memory causes, legitimizes, and obscures systemic oppression, resulting in the prolonging of unacknowledged trauma among individual survivors.

Ideology and Collective Memory

As discussed in the previous section, the post-traumatic environment of trauma survivors significantly affects their chances of recovery, and a hostile environment greatly increases their risk for developing trauma-related disorders. Trauma survivors require acknowledgment and redress for their recovery. In the context of trauma stemming from systemic oppression and acts of violence committed with impunity, justice is more than a moral imperative; it is a “basic need for the sustainable recovery of survivors.”⁴² The

⁴² Rauchfuss and Schmolze, “Justice Heals,” 48.

necessity of justice is further emphasized when the question of how cultures of impunity work is explored. How does a culture of impunity, wherein violence is repeated without redress, begin and perpetuate itself? To answer this question, two works by Ricoeur, *Lectures on Ideology and Utopia* and *Memory, History, Forgetting*, will be taken together for an account of the functions of ideology and the formation and passing on of collective memory. According to Ricoeur, the phenomenon of ideology stands between the individual's felt need for identity and communal expressions of memory.⁴³ Because of its constitutive and distortive functions, ideology is able to provide symbolic responses to the fragility of identity.⁴⁴ Binary oppositions are created to strengthen communal identity in the face of perceived threats to it; for example, the Muslim refugee is viewed as opportunistic while the Christian citizen is said to be hard-working. Moreover, the founding events of the community and its cultural systems, which are designed to solidify and perpetuate communal identity, may also be distorted to legitimize discrimination and unjust power relations.⁴⁵ The appeal to binary oppositions and the instrumentalization of the collective memory by ideology are what allow for cultures of impunity to begin and continue. These frame the experiences of marginalized groups in such a way that their suffering becomes legitimized and forgotten—legitimized in being forgotten and obscured in being legitimized.

Ricoeur marks a distinction between the pathological-therapeutic abuse of memory and the practical abuse of memory.⁴⁶ While in the

⁴³ Ricoeur, *Memory, History, Forgetting*, 83.

⁴⁴ Paul Ricoeur, *Lectures On Ideology and Utopia* (New York: Columbia University Press, 1986), 12.

⁴⁵ Ricoeur, *Memory, History, Forgetting*, 83.

⁴⁶ *Ibid.*, 80.

first category he spoke of an abuse of memory that is suffered, arising from trauma and resulting in repetitive acting out, the second category points to an active, intentional abuse of memory. In the practical abuse of memory, the collective memory is instrumentalized by ideology in view of an end, responding to the need for a stable identity in view of perceived threats. The appeal of the sort of narrative formed by ideology through the manipulation of memory comes from the coherence and stability that it offers in the face of change and difference over time. A community that feels threatened by what is other to it will exclude that other, creating oppositions that at once reinforce the integrity of the same and push the other to the margins. In order to strengthen a certain identity, a contrast is drawn between members of the community and those that it excludes. The community is strengthened through uniting it against a common threat, whether real or imagined. The excesses and deficiencies that Ricoeur points to as the symptoms of the manipulated memory—"too much memory, in a certain region of the world, hence an abuse of memory; not enough memory elsewhere, hence an abuse of forgetting"⁴⁷—are tailored to respond to feelings of insecurity. Certain memories are exaggerated and embellished, while others go unrecognized, in order to create a narrative that addresses the felt needs of the community.

Where does this sense of insecurity about a communal identity come from? According to Ricoeur, it comes from identity's difficult relationship to time, our relations with other people, and the heritage of founding violence.⁴⁸ First, because of identity's fluidity and fragility, identity is subject to change and threatened by the

⁴⁷ *Ibid.*, 81.⁴⁸ *Ibid.*

existence of identities other than it.⁴⁹ This is especially true for the identity of a community, whose very constitution changes over time. What were lived memories for one generation become the learned memories of another, and over time the temporal distance between the community and its founding events widens. This is exacerbated by the second source of the fragility of memory, our relations with other people.⁵⁰ Parallel to how an individual's memory may be bolstered, supplemented, or challenged by the memories of others, the memories of a community which are commemorated and archived may be similarly challenged by the memories of another community. These first two sources of the fragility of identity converge in the third, the heritage of founding violence.⁵¹ The sort of binary oppositions that are created to bolster a certain expression of identity at the expense of another begin in the way that the collective memory deals with this heritage of founding violence. The "original relation to war"⁵² that accompanies the birth of any historical community is a wound to memory that is stored within it. This original relation to war, the role of violence in the creation of the community, is hidden and legitimized in the way that the stories of the community's origins are commemorated. For Ricoeur, the founding events that are celebrated by the community are at their root "violent acts legitimated after the fact by a precarious state of right, acts legitimated, at the limit, by their very antiquity, by their age."⁵³ What were traumatic and humiliating events for the excluded are given an air of legitimacy after the fact in the way these events

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid., 82.

⁵² Ibid.

⁵³ Ibid.

are remembered and retold as narratives of victory by the hegemonic class.

It is here that the beginnings of a culture of impunity may be seen. Given that the founding events of a historical community have always been violent and justified after the fact, certain binary oppositions have to be maintained in order to continue perpetuating the legitimacy of these founding events. The validity of acts of violence is premised on the abjection of their victims. If the victims are viewed as other or less than human, then the use of violence against them is legitimate. It is easy to support military offensives on communities that harbor terrorists, for example, but harder to do the same for villages with many children. To continue propagating the legitimacy of violence, then, it is necessary to also continue propagating the binary oppositions between the community and those that it excludes. In order to maintain the founding narrative that the community has made for itself, it must also maintain the diametric oppositions it makes to justify the violence at its origins. It is in this way that the violence that accompanies founding events goes without redress, and that injustices committed because of the marginalization of a certain group are themselves legitimized. The distinction between the historical community and those that are other to it is maintained in view of the legitimacy of the community's historical founding and identity. Historical wrongs committed with impunity are thus buried in the archives of the collective memory.

These manipulations of memory are the work of ideology, which Ricoeur discusses in *Lectures on Ideology and Utopia*. As it was with the term "trauma," the term "ideology" is difficult to define exactly. For one, as Ricoeur points out, the term "ideology" is hardly ever applied to one's own beliefs; it is more commonly used in a

derogatory sense to describe a position that one disagrees with.⁵⁴ A more serious problem, however, is the complexity of ideology and the way it operates. When ideology is spoken of, the starting point taken is often its distortive effects. For example, in his early writing, Marx described the work of ideology through the metaphor of an inverted image. Like a camera or retina, ideology produces a reversed image of reality by placing ideas before praxis.⁵⁵ As Ricoeur argues in his lectures, however, distortion is not the primary function of ideology. More fundamentally, it is “constitutive of social existence.”⁵⁶ It is through ideology that people experience social reality. People understand their actions through cultural systems, and ideology forms the system through which action is ordered. Moreover, these cultural systems are inseparable from the community’s social identity. To explain this, Ricoeur turns to the work of Geertz, particularly, “Ideology as a Cultural System.” Following Geertz, it may be said that ideology functions as a template or blueprint through which people are able to articulate and understand their experiences.⁵⁷ Since human beings do not have a biologically set system for human behavior, cultural systems must be created, and people experience social reality through these cultural systems.⁵⁸ Thus, it may be said that ideology is “thought ‘from’ and ‘within’ rather than ‘about.’”⁵⁹ It is on the level of cultural systems that ideology operates. It provides the very frameworks within which human experiences are articulated and understood. Through its constitutive function, ideology is able to provide symbolic responses comprising the identity of the community.

⁵⁴ Ricoeur, *Lectures on Ideology and Utopia*, 2.

⁵⁵ Ibid., 4.

⁵⁶ Ibid., 10.

⁵⁷ Ibid., 12.

⁵⁸ Ibid.

⁵⁹ Daniel Huang, “Ricoeur’s Critique of Ideology for Theology”, *Landas* 7, no. 1 (1990): 60.

Ideology's constitutive function is inseparable from its second function, which is "the justification of a system or order of power."⁶⁰ Ideology justifies the power relations between the governing and the governed through distortion in the symbolic constitution of human social life. Earlier, it was discussed how founding events retain their almost mythic status through the abuse of memory, too much forgetting on one aspect and too much remembering on another. This particular abuse of memory is only one of the ways that ideology operates. Collective memory itself is distorted by ideology. More than affecting the way the community views its own history, ideology also affects the way that the community views its present experiences. The social identity that ideology creates frames the way the community views what is other to it and the power imbalances within it. The exclusion of certain groups is made valid and thereafter invisible through the machinations of ideology, which frames instances of dehumanizing discrimination. The way that individuals from marginalized groups are viewed by the community is conditioned by ideology at such a fundamental level that the marginalization itself is obscured. Since people view reality through ideology, the distortions that ideology makes as a necessary consequence of its functions are insidious. Impunity is able to take root within a community through the cultural symbols of the community, which give cyclical violence and injustice the trappings of legitimacy and thus invisibility.

The role of ideology in impunity is further emphasized when one considers the dialectical relation between the personal memory and the collective memory. The practical abuse of memory concerns the

⁶⁰ Ricoeur, *Memory, History, Forgetting*, 83.

collective memory, but it still affects the personal memory. Concrete exchanges between these two distinct levels of memory occur on the intermediate level of close personal relations.⁶¹ No one learns about the founding events or cultural systems of their community explicitly; rather, they come to inhabit their social identity through face-to-face interactions with other people within their community, such as their teachers, their parents, and their peers. It is from other people that individuals within a community learn how to experience social reality and identify with the community that they belong to. As stated by Halbwachs, “a person remembers only by situating himself within the viewpoint of one or several groups and one or several currents of collective thought.”⁶² An individual’s memories are supplemented and supported by the memories of others. If embedded within the social reality that one lives are distortions of memory, then refiguring these distortions involves challenging what may be considered the blueprint of communal life and action. This is one reason why it is sometimes difficult for victims of acts of violence committed with impunity to find social support after their experiences. Acknowledging that there have been instances of recurring, targeted violence involves acknowledging an excess of forgetting in the collective memory that has helped inform one’s own social reality and identity.

The Work of Memory in Cultures of Impunity

Following what Ricoeur has laid out regarding the constitutive and distortive functions of ideology, cultures of impunity may be understood as a consequence of the manipulation of collective

⁶¹ Ibid., 152.

⁶² Ibid., 121.

memory by ideology. After all, a culture of impunity implies not only that acts of violence are committed without any judicial consequences, but also that the survivors of these acts are ignored and isolated within their communities. There is a circular logic within cultures of impunity, operating between the collective and the personal. Forgetting on the collective level enables violence, and the enabled violence further traumatizes and isolates its survivors. On the level of the collective memory, traces of violence are effaced, since no judicial decree is given in their aftermath; no permanent, public traces of these acts exist. What the absence of any final judicial pronouncement over these targeted acts of violence implies is that they remain open-ended and may be repeated with impunity. Following Ricoeur's discussion of the constitutive and distortive functions of ideology, however, this forced forgetfulness is more pervasive than the absence of archival traces of targeted violence. What makes the absence of archival traces inconspicuous is the social systems of the community that creates and maintains the archives. The very social systems of the community are structured in such a way that allegations of violence become suspect, and at worst, mortally dangerous to make.

On the personal level, this open-endedness and silencing serve to further traumatize the survivors of targeted violence, in such a way that their mental health is affected. Their continued isolation from their community prolongs the traumatic effects of their experiences. As discussed earlier, acts of violence committed with impunity increase an individual's risk of developing trauma-related disorders and affect the way they live and view the world. Since public acknowledgment and support are basic needs for their recovery, their recovery is impeded by the continued existence of the ideology that enabled the violence done against them. They are further discouraged from speaking about their experiences and against the

dominant ideology of the community they are in because of the exclusion, suspicion, and danger they face from their community. Legal procedure presents a particular problem. The testimonies of survivors of traumatic violence are often highly charged and self-contradictory.⁶³ In the context of abuses committed with impunity, publicly recounting their experiences may even re-traumatize survivors.⁶⁴ Moreover, the traumatic stress of survivors who attempt to recount their experiences may be considered suspect. In her research on trauma survivors, Leuger-Schuster has noted that “inconsistent evidence is often regarded as intent to deceive.”⁶⁵

Survivors of systemic violence require more than truth-telling for their healing; they require a sense of having attained legal justice, which is evidence and assurance that violence done to them is neither approved nor ignored by their community. A predictor of traumatic stress within a survivor is the “perceived uncontrollability of stressors... more than mere exposure to traumatic events.”⁶⁶ The continuation of cultures of impunity impedes the healing of survivors by reinforcing the belief that they may be victimized again and discriminated against without any real consequences for the perpetrators of such injustice. Working toward a just distribution of memory in the context of a culture of impunity thus requires social acknowledgment and redress in order to counteract the sense of helplessness and loss of control it creates, not to mention the everyday injustices that come with it. An important part in the end of the traumatic process of survivors is the establishment of trust in the community. And while literature regarding healing after the

⁶³ Judith Lewis Herman, *Trauma and Recovery*, rev. ed. (New York: Basic Books, 1997), 1.

⁶⁴ *Ibid.*, 117.

⁶⁵ Lueger-Schuster, “Supporting Interventions After Exposure to Torture,” 42.

⁶⁶ Başoğlu, “Current Issues and Controversies in Rehabilitation.”

dismantling of impunity is sparse because impunity continues to be widespread, what has been reported in places where impunity has been ended point to the “essential role of justice for the recovery from extreme trauma.”⁶⁷ In Chile, for example, the arrest and conviction of Pinochet and the men associated with him led to an increase in the number of people willing to speak about their experiences as survivors and “ex-political prisoners” in public, in therapy centers, and in courts of law.⁶⁸ Recent studies have noted the importance of advocacy movements backed by clinicians and helpers, particularly on the institutional levels of policy and legislation, in addressing collective violence that perpetuates traumatic stress.⁶⁹ Trauma in the context of collective violence is less a matter of illness as it is “a normal reaction to an abnormal situation.”⁷⁰ The empowerment of survivors and positive changes in the way that they are viewed and treated by their community is inextricable from their complete recovery and the end of their trauma. The setting within which survivors find themselves must be recognized and addressed in a societal level.

A few points that Ricoeur makes about witnessing and impunity may be applied here. He says that failing to pass judgment on an act of violence would be to give the last word to the harm done by violence, “adding a failure of recognition and abandonment to the wrong inflicted on the victim.”⁷¹ As discussed earlier, this failure of recognition and abandonment further isolates and does damage to the survivor of violence, to such an extent that instances of further

⁶⁷ Rauchfuss and Schmolze, “Justice Heals,” 49.

⁶⁸ Ibid., 46.

⁶⁹ Richmond, Burnes, and Carroll, “Lost in Trans-Lation,” 53.

⁷⁰ Rauchfuss and Schmolze, “Justice Heals,” 41.

⁷¹ Ricoeur, *Memory, History, Forgetting*, 320.

discrimination may be considered traumatic reminders of their experiences. Impunity adds to and prolongs the harm that the survivors suffer, since they are not afforded the acknowledgment and support that they need to recover from their experiences. On the other hand, when judgment is passed after an instance of violence, “another horizon of expectation”⁷² is opened for both the convicted and the victim. A sense of finality is given to the survivors in the aftermath of final judgment, such that Ricoeur here alludes to the possibility of forgiveness and forgetting after it. Ricoeur understands impunity as primarily the absence of punishment in the aftermath of crimes. In his epilogue on difficult forgiveness, he argued that an institutionalized forgiveness would only result in injustice, since it would amount to a lifting of punitive sanctions, ratifying what was only *de facto* immunity into *de jure* impunity.⁷³ On the level of institutions, then, forgiveness must be limited only to meaningful gestures, without usurping the place of legal justice. Forgiveness in the aftermath of acts of violence done with impunity is left as a personal act of compassion, neither commanded nor public.⁷⁴ It is in relation to this that Ricoeur views the performance and reaffirmation of national or communal unity in the aftermath of gross acts of violence with some apprehension. Keeping no public records of crimes committed would “[condemn] competing memories to an unhealthy underground existence,”⁷⁵ equivalent to providing retroactive approval for crimes committed with impunity.

This last point on the effects of amnesty is important to consider in a discussion of impunity. While in the preceding section, ideology

⁷² Ibid.

⁷³ Ibid., 484.

⁷⁴ Ibid., 478.

⁷⁵ Ibid., 455.

and the collective memory were spoken of in general and in the singular, it would be an oversimplification to talk of ideology and community solely in the singular. Within any given community, there are competing ideologies and competing narratives. While the dominant ideology within a community holds considerable sway over the community's social identity and what narratives are passed on through generations, this does not preclude the possibility of *dissensus* within the community itself. In spite of the unifying effects of ideology and the divide that it creates between the community and what it excludes, it would be contrary to human experience to say that ideology is able to completely eliminate difference and the possibility of contestation. Even though ideology is inherently resistant to difference and change, cultural systems still change over time and ideologies may be challenged. On the levels of the political and the social, the possibility of “democracy-producing *dissensus*”⁷⁶ is maintained by the agonistic natures of discourse and of action in any given community. Ricoeur often speaks of *dissensus* in conjunction with the public controversies that arise from debates on history and important judicial trials. It arises from conflicts of interpretation within a community. *Dissensus* is thus associated with public discussions and disagreements arising from controversies among the interpretations of the historian, the judge, and the citizen.⁷⁷ In public discussions and in the courtroom, narratives are reworked and reinterpreted, allowing for shifts in perception and understanding on a collective level. Survivors who do not speak about their experiences also benefit from the changes made possible by

⁷⁶ Ibid., 463.

⁷⁷ Ibid., 333.

advocacy and bearing witness, as their identities come to be understood by themselves and by others in a different light.⁷⁸

This raises the question of how the possibility of *dissensus* is maintained in the context of cultures of impunity, where counter-narratives and competing memories are silenced in an atmosphere of fear and cyclical violence. It is important to note here that, following the dialectical relationship between the personal and the collective that Ricoeur maps out, personal memory remains distinct from and irreducible to the collective memory. The survivors of cyclical acts of violence as well as their close relations remember what has been done to them even in the absence of public record or final judicial verdict. The possibility for *dissensus*, although underground, remains by virtue of this relative autonomy. Even with neither public acknowledgment nor judicial pronouncement, survivors of gross human rights violations committed with impunity remember what they have gone through, and it is only in the most extreme cases of trauma-related disorders that they are completely incapable of remembering what happened to them. But even in cases where survivors are completely silenced, either by disease or even by death, there remains the memory of their close relations, the intermediary level Ricoeur introduces. The survivors themselves may at times be unable to recount what happened to them, but their close relations remain as witnesses to whom an account must be given for the crimes committed. The almost “natural institution”⁷⁹ of eyewitness testimony, while suppressed by and through impunity, remains. The possibility of breaking the self-reinforcing cycle of impunity is

⁷⁸ Rauchfuss and Schmolze, “Justice Heals,” 48.

⁷⁹ Ricoeur, *Memory, History, Forgetting*, 166.

maintained by the still remaining capacity for memory and for recognition in the face of memory's vulnerability and potential for pathology and the distortive effects of ideology.

While Ricoeur holds that obligating memory is an abuse of memory, he does not discount that there is a duty to memory.⁸⁰ In a lecture he delivered after the publication of *Memory, History, Forgetting*, Ricoeur attributes the source of this duty to the call of communities who have suffered traumatic violence, whom he describes as “the victims of a criminal history.”⁸¹ The work of memory is indispensable in the duty to do justice for victims other than oneself.⁸² The importance of memory and recognition in the face of impunity is further emphasized by what has been discussed regarding the psychosocial dimensions of trauma. Impunity is a problem of legal justice and the manipulation of memory amounting to the lack of acknowledgment and recognition of survivors of traumatic violence. It may even be argued that impunity is first a problem of memory and recognition, since judges themselves are not absolute third parties to an action. Judges are never completely insulated from their communities and the cultural systems of their communities, such that the values of the communities they are part of inform the way that they appreciate the facts of a case. The hostile environment created by impunity and the psychological distress it causes compound the difficulty of truth-telling in the aftermath of widespread abuses. In order to address impunity as a

⁸⁰ In the discussion on “the ethico-political abuse of memory” in *Memory, History, Forgetting*, Ricoeur talks about the slippage from the “use” of memory in the duty to do justice to its “abuse,” as when some take it upon themselves to speak for survivors and in doing so stifle efforts to work toward a critical history and manipulate memory.

⁸¹ Paul Ricoeur, “Memory, History, Oblivion,” presentation, Central European University, Budapest, Hungary (2003), 7.

⁸² Ricoeur, *Memory, History, Forgetting*, 89.

problem of legal justice, its roots in the community's cultural system also have to be acknowledged and addressed; otherwise, survivors would be left with "unappeased, unpurged"⁸³ memories, unresolved within themselves and their communities.

The work of memory in the face of a criminal history, therefore, is both curative and prospective. First, as a curative act, remembering is a necessary prerequisite for the healing and support for the survivors of crimes committed with impunity. For people who have undergone traumatic stress, it is necessary to remember and retell their experiences for their personal healing and closure. More than that, however, the wounds to the collective memory may only be healed through counter-narratives which, though suppressed, still remain. Addressing the wounds to the collective memory cannot be separated from the care and support of survivors. Reconnection with a community that is mindful of what a survivor has gone through is necessary for their personal recovery. The failure to acknowledge and recognize what survivors have suffered impedes their recovery and keeps their experiences unresolved. As a prospective act, remembering is necessary in order to ensure that past traumatic experiences will not recur. Cultures of impunity are premised on the continued manipulation of memory and an institutionalized forced forgetfulness, which are challenged through continued, persistent *dissensus*. The way by which inflicted harm does not get the last word, in both one's life and the lives of others, is through recounting what has been allowed to transpire, because it is here that the possibility of recognition and the reconfiguration of the collective narrative remains.

⁸³ Herman, *Trauma and Recovery*, 320.

Conclusion

In the cycle of violence and forgetting, one end enables and reinforces the other. Violence committed with impunity wounds the personal memory, not only through overt acts of violence, but also through the continuation of the sentiment, silence, and stories that animate these acts of violence. This violence is in turn enabled by an excess of forgetting, obscuring violence and the power structures that perpetuate it. Thus, doing justice to survivors of a traumatic situation—and even its victims—calls for a reconfiguration of communal memory and narrative for the healing and well-being of those it has historically excluded. The central dialectic of trauma, namely, the need to enunciate memories of suffering and the will to repress them, takes on a social significance in a culture of impunity, since it is only in the acknowledgment of survivors and the suffering that they have endured that criminal histories may be seen and ultimately addressed.

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