

Re-framing the Responsibilities of Bystanders through Film

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ABSTRACT

Political responsibilities for systemic mass violence have been subordinated to the moral guilt and legal liability of perpetrators and collaborators, while the role of the bystander has been narrowly construed in terms of charitable rescue or negligence. This dominant victim-perpetrator framework ignores the complex political dimensions of bystander responsibilities for systemic mass violence, especially those responsibilities that stem from the benefits that bystanders receive. The films of Claude Lanzmann, Rithy Panh, and Yael Hersonski contain elements of an alternative framework of bystander responsibility and also can serve as catalysts for the political education of bystander beneficiaries and those from whom they have benefited.

Keywords: bystanders, responsibility, beneficiaries, violence, film, political education

Author's Note: Portions of this article were presented at the Conference on Human Rights, May 24, 2011, University of Bamako, Mali and the Center for Advanced Study of International Development, October 7, 2011, Michigan State University, East Lansing, Michigan. I wish to thank Jeffrey Isaac, Eric Aronoff, the anonymous reviewers for *Political Theory* and especially Mary Dietz for their critical comments and suggestions on earlier drafts.

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Introduction

In *Remembering to Forget: Holocaust Memory through the Camera's Eye*, Barbie Zelizer argues that visual symbols of the Nazi Holocaust, such as emaciated prisoners standing helplessly behind barbed wire fences, pervade journalistic accounts of subsequent atrocities in the Balkans and Central Africa. These more recent images are stripped of vital identifying information and cropped to remind us of the Holocaust.¹ The result is a particular kind of amnesia: the viewer remembers to forget. That is, the photographs symbolically remind us of the past and we forget what they refer to concretely in the present. The effect of this atrocity aesthetic is political: "The media's use of images is inadvertently creating a breach between representation and responsibility."² By "remembering to forget" Zelizer believes we fail to acknowledge and act on our responsibilities in the present.³

The symbols to which Zelizer calls attention do not just distract us from our present responsibilities. They reinforce a victim-perpetrator framework that subordinates the question of responsibility to one of individual legal liability and moral guilt,⁴ while minimizing shared responsibility based upon political benefits.⁵ The first goal of this essay is to re-frame bystander responsibility and its relationship to moral guilt and legal liability so that the political roles bystanders have played within the institutions and practices of mass violence, especially their roles as material and political beneficiaries, receive more theoretical attention.⁶ While some bystanders in situations such as these provide indirect support to perpetrators and others risk their own lives for the sake of victims, a larger number of bystanders have been less visibly involved as beneficiaries, not contributors to or opponents of systemic mass violence. As Mark Drumbl

has observed, these bystanders benefit not just materially but also politically in terms of increased solidarity, purpose, and confidence.⁷

The second goal of this essay is to suggest how the political responsibilities of bystanders can be made more visible to bystanders themselves and become the subject of a democratic political education that brings bystanders and those from whom they have benefited into political dialogue with one another.⁸ Films like those by Claude Lanzmann, Rithy Panh, and Yael Hersonski that re-enact scenes from the Nazi Holocaust and the Cambodian genocide raise questions about the meaning and extent of bystander responsibility for the benefits that have continued to flow from these original acts of organized cruelty. Under the right interpretive light, these questions can then launch a longer process of engaged democratic political education.

Guilt and Responsibility

The difference between guilt and responsibility, Iris Young has argued, is important for determining how we ought to respond politically to atrocities and other forms of systemic mass violence, but also to the "normal" structural injustices of our time such as the exploitation of sweatshop workers and the hyper-segregation of minority families in neighborhoods with dilapidated housing and poor schools.⁹ I agree with Young that both forms of injustice ought to be addressed. However, as research suggests, systemic mass violence is not entirely abnormal. In the societies in which it occurs, it depends upon institutions that have achieved a certain normalcy and ordinary persons who face extraordinary pressures.¹⁰

I begin where many discussions of this topic do, with Karl Jaspers' *The Question of German Guilt*.¹¹ In this lecture, given in 1945 upon his return to Germany after the war, Jaspers addressed the question of to what extent, if any, should the German people, especially young people, feel guilty for the atrocities of the Nazi regime? We can begin to see how the concepts of

guilt and responsibility are related in the case of bystanders by examining the distinctions Jaspers draws between the four concepts of guilt in the German case and the responsibilities they do or do not entail.

Jaspers distinguished between criminal, moral, political, and metaphysical concepts of guilt. Criminal guilt, Jaspers asserts, refers to "acts capable of objective proof that violate unequivocal laws." Having defined criminal guilt, he quickly proceeds to the objections that the Nuremberg trials were based on neither objective proof nor unequivocal laws. Jaspers rebuts each of these objections in turn,¹² but his overarching defense of Nuremberg is more political. If the trial respects principles of individual criminal guilt "expressly defined in the statute of the International Military Tribunal,"¹³ then this institution will become accepted as part of a new worldwide legal order.

The answer to all arguments against the trial is that Nuremberg is something really new. That the arguments point to possible dangers cannot be denied. But it is wrong, first, to think in sweeping alternatives, with flaws, mistakes and failings in detail leading at once to wholesale rejection, whereas the main point is the powers' trend of action, their unwavering patience in active responsibility. Contradictions in detail are to be overcome by acts designed to bring world order out of confusion.¹⁴

In other words, there is a duty to prosecute in this case grounded not only on the criminal guilt of the defendants but on the forward-looking political responsibility of the victors to "bring world order out of confusion."

Moral guilt is a different matter, but no less important to Jaspers. Feelings of moral guilt are prompted by moral conscience.¹⁵ They will arise in a variety of ways, or at least they should according to Jaspers. In the context of Nazi Germany, the examples he cites are fairly non-controversial to us now. They include our feelings of moral disapproval of dishonestly pledging allegiance to Nazi organizations, obeying immoral military orders simply because they are issued by a superior, partially approving and accommodating the actions of the Reich, remaining passive in the face of Nazism, and accepting professional or business opportunities by "running with the pack."¹⁶

The last instance of moral guilt is especially relevant to the distinction between guilt and responsibility. In 1936 and 1937, Jaspers reminded his audience, the Nazi Party was the state and other states were appeasing Hitler. "A German who did not want to be out of everything" joined the Party."¹⁷ Those who thought they would benefit in this way, one could argue, were morally responsible, even if they never had to follow immoral orders and even if they were never faced with a situation in which they stood by passively while others perpetrated a crime of war. They "... went right on with their activities, undisturbed in their social life and amusements, as if nothing had happened."¹⁸ This kind of insensitivity, as Larry May has argued, makes them morally responsible, not in an individual sense, but in a shared sense, no matter how much they knew. They performed no individual act of support for the Reich, but by participating in business and professional life, they kept the wheels of civil society moving and thereby fueled the war machine.¹⁹

May's interpretation of Jaspers next concept, metaphysical guilt, is even more illuminating from the point of view of bystander responsibility. According to Jaspers, metaphysical guilt bears some resemblance to general survivor's guilt but it extends to our

membership in the human race as a whole. "Metaphysical guilt is the lack of absolute solidarity with the human being as such - an indelible claim beyond morally meaningful duty...if I survive where the other is killed, I know from a voice within myself: I am guilty of being still alive."²⁰

Feelings of metaphysical guilt are the result of the individual choice not to sacrifice one's own life, no matter how futile, for the life of a victim of systemic mass violence. These feelings depend upon membership in a community, and the community that Jaspers has in mind here is nothing short of humanity itself. Anyone, he says, should feel guilty if they survive the innocent victims of systemic violence. Jaspers was well aware of the danger of this formulation. "It would, indeed, be an evasion and a false excuse if we Germans tried to exculpate ourselves by pointing to the guilt of being human."²¹ Our feelings of metaphysical guilt are not to be dismissed as self-serving exculpatory confessions of original sin. Nevertheless, Jaspers comes very close to saying that everyone is a bystander to some form of systemic violence, and if this means that everyone who survives is morally responsible, conventional wisdom has it, then no one is.

May attempts to rescue Jaspers' concept of metaphysical guilt from this *reductio ad absurdum* by connecting it to the existentialist notion of authenticity. 'Metaphysical guilt only entails *moral* responsibility, if by "moral responsibility" we mean responsibility for attitudes and character traits as well as responsibility for behavior. Inauthenticity involves a failure to see oneself as accountable for who one is; this is surely a failure of character, indeed a type of cowardice.'²² Following Sartre, May qualifies this by saying that not everyone who fails to take responsibility for the groups he or she belongs to and which shape each member's character, is morally guilty. Sometimes these things cannot be changed. But we are all morally responsible, argues May, "for becoming consciously aware of their situations , for only when they are so

aware will it become possible to change for the better when change becomes possible."²³ May uses the concepts of moral taint and shame to describe this kind of metaphysical guilt and moral responsibility. "To use Jaspers' own example, it is appropriate that all Germans feel tainted by what their fellow Germans did, and such a feeling should persist even for the many people who could have done nothing differently, in terms of individual or collective behavior, to prevent Hitler's reign of terror."²⁴ To repeat, for those who are morally tainted by the behavior of a group they belong to, even though they did not participate in this behavior, they are morally responsible for "becoming consciously aware of their situation" so that when the opportunity arises they can act morally.²⁵

May does an excellent job expanding and improving Jasper's concepts of moral and metaphysical guilt so that their relationships to moral responsibility, including shared moral responsibility, are more plausible. However, he does not provide the same assistance when it comes to understanding the relationship between guilt and political responsibility. While the Nuremberg trials punished those who were legally guilty and exonerated the rest in a criminal sense, they did not address the political guilt of the German people. According to Jaspers, because they were "German nationals at the time the crimes were committed by the regime," the German people must "answer for its polity." This is not true just in this case. "Politically everyone acts in the modern state, at least by voting, or failing to vote, in elections. The sense of political liability lets no man dodge." Even those who choose to live on the margins - "monks, hermits, scholars, artist" - keep out of politics, they too are politically "liable, because they, too, live by the order of the state."²⁶

Jaspers' discussion of political guilt contains two very different arguments. On the one hand, he seems to be saying that to the extent that one has participated in the creation and

maintenance of a modern state, either by voting or tacitly approving through non-voting, one should feel guilty for the actions of that state. It has acted in your name, like it or not. The assumption here, of course, is that the modern state is an electoral democracy and those who have the right to vote, whether they exercise it or not, are politically liable for the state's actions. On the other hand, Jaspers claims that even recluses and others who stay out of politics are also politically liable because they enjoy the benefits of political order, pure and simple, if nothing else.

What does this notion of "political liability" mean? It could mean that citizens are liable for the damages that may be assessed against their state when it has harmed others. They are responsible, for example, for their fair share of war reparations as long as they either participated in the political process or benefited from the political order the state had once offered them. One could argue that this is a shared political responsibility whether one was an active citizen or a reclusive bystander. Merely benefiting from political order is sufficient to trigger this shared responsibility.

Looking back over Jaspers's lecture, it is striking how important the concept of responsibility is for his analysis of guilt. Criminal guilt rests upon a wider responsibility among the prosecuting parties to establish world order. One might say the moral and legal duty to prosecute is accompanied by a political responsibility to establish a new just world order to ensure that future prosecutions, if necessary, can be conducted. The moral guilt of those "running with the pack" entails a shared responsibility on their part to show more sensitivity to those who are the objects of discrimination and oppression. The metaphysical guilt felt by those who belong to groups that have derived tainted benefits from systemic mass violence have a moral responsibility to be more conscious of their situation. The political guilt of even the most

marginal members of a modern state that has committed systemic violence have a shared political responsibility to shoulder their fair share of reparations and other forms of compensation to victims.

What this tells us is that when we examine Jaspers' defense of the Nuremberg trials, arguably the cornerstone of the victim-perpetrator framework, the question of bystander responsibilities emerges as inseparable from the question of guilt. Furthermore, in two of the four cases (political and metaphysical guilt) bystander responsibilities are grounded in the benefits bystanders receive, not their contributions to harm and suffering. To use Jaspers' language, if the Nuremberg trials and their successors are to lead to a "new world order," then our understanding of the question of bystander responsibility will have to address benefit responsibility as well as contribution responsibility. Jaspers himself favored the creation of an international criminal court;²⁷ he fully accepted the victim-perpetrator framework. However, his close attention to the experiential dimensions of guilt and responsibility reveals the complex interplay between the two and the equally complex relationship between responsibilities based upon causal contribution and responsibilities based upon benefits. It is this second underlying theoretical distinction that I turn to now, again from an experiential point of view, albeit a very different set of experiences than the ones Jaspers examined.

Contributions and Benefits

Most discussions of responsibilities for systemic mass violence emphasize the contributions which parties make, either through their causal actions or their failure to act. This is what the victim-perpetrator framework points us toward. At the same time, theorists may mention in passing the fact that some parties benefit from this violence. However, benefit responsibility, if it is mentioned, appears to be of secondary importance.²⁸ This is certainly true

with regard to the responsibility of bystanders. Their failure to act is considered more important than any benefits they might involuntarily enjoy after the fact.

The following example illustrates how benefit responsibility can be a primary consideration for assessing the role of bystanders in systemic mass violence. In a July 2001 article in the *Wall Street Journal* Douglas A. Blackmon described the continuing entanglement of major U.S. corporations with slave labor long after the legal abolition of slavery. On March 30, 1908, Green Cottenham was arrested by the Shelby County, Ala., sheriff and charged with vagrancy. After three days in the county jail, the 22-year-old African-American was sentenced to an unspecified term of hard labor. The next day, he was handed over to a unit of U.S. Steel Corp. and put to work with hundreds of other convicts in the notorious Pratt Mines complex on the outskirts of Birmingham. Four months later, he was still at the coal mines when tuberculosis killed him. Born two decades after the end of slavery in America, Green Cottenham died a slave in all but name.²⁹

When Blackmon asked U.S. Steel officials about such practices, they denied that they had occurred and then suggested that there is no reason to revisit these matters. For corporations that believe they are being responsible citizens now, historical injustices are not an issue. Nonetheless, corporations such as this (including many of their employees and stockholders) continue to enjoy benefits from these past unjust practices. They share institutional responsibilities to bring these benefits to light and create appropriate political methods for addressing them fairly.

This web of political responsibility can extend in surprising directions. In his subsequent book-length study of “industrial slavery” beginning in the mid-nineteenth century until 1945, Blackmon locates the Cottenham case alongside other similar stories, including his own family’s

use of forced labor. “I had no hand in the horrors perpetrated by John Pace or any of the other twentieth-century slave masters who terrorized American blacks for four generations. But it is nonetheless true that hundreds of millions of us spring from or benefit as a result of the lines of descent that abided those crimes and benefited from them.”³⁰ While the beneficiaries of severe violence are often large corporations and other institutions, sometimes small business owners like Blackmon’s family and even other immigrants, refugees, and displaced persons can be the reluctant beneficiaries of the unjust actions of others.

Cases such as this cast a new light on what some have called historic injustice. Rather than think of these cases as proof of the inappropriateness and incalculability of reparations in the present for injustices committed by previous generations, one should view them as examples of the accumulating harm done by unrectified past injustices.³¹ This is especially true for the harms done by bystanders. As the benefits of bystanders multiply from one generation to the next, so too are the costs of the original harms compounded. The stock of social, economic, and political opportunities and resources that beneficiaries of past injustice have access to -- their inherited wealth and political capital -- generates a growing comparative advantage in many walks of life over those who have been forcibly displaced and denied their place within political society.³²

Critical Reenactment

How, then, can the responsibilities of bystanders in this stream of systemic mass violence be re-framed to call greater attention to their ongoing participation and the benefits they derive from it? To answer this question, I introduce the notion of critical reenactment.

Most reenactments are celebratory or investigative. The former can be parades or weekend campouts.³³ The latter can be entertaining or deadly serious, as was Errol Morris' film

The Thin Blue Line (1988). While these two forms of reenactment may deal with guilt and responsibility, sometimes commemorating victims and prosecuting perpetrators, they are not critical in the sense in which I will use that term. Critical reenactments prompt the audience to adopt a more active, participatory role. They neither indict nor exonerate. In the language I have used to discuss guilt and responsibility for systemic mass violence, they avoid the victim-perpetrator framework. Instead, they involve their viewers in critical self-reflection by presenting the bystander's predicament from different angles of vision.

Before working through these three examples of critical reenactment in more detail, two caveats are in order. First, together do they constitute a complete alternative framework for interpreting guilt and responsibility for systemic mass violence. They suggest a way of seeing the ways that bystanders participate in systemic mass violence other than either charitable rescuer or paralyzed observer. Second, separately they provide very different answers to exactly who is a bystander and how can they become more self-critical about their responsibilities. They do not turn everyone who is not a victim or perpetrator into a bystander beneficiary, but they do raise the question Who benefits as a bystander? in a more inclusive way. For example, Lanzmann, who is probably best known for unearthing Polish complicity in the Holocaust, is also concerned with the responsibility of the viewer of *Shoah* who witnesses the reenactment on screen of painful atrocities. Lanzmann's viewer-bystanders are not beneficiaries of systemic mass violence in the same way that villagers (and possibly their legatees) in *Shoah* benefited by occupying the emptied homes of Jewish families. The benefits of viewers are less tangible. Then, do they derive any social capital or enjoy greater political solidarity by virtue of observing this reenactment on film? That seems doubtful. However, *Shoah* may prompt them to take a different political position when they are faced with new occasions in which the distribution of material benefits

deriving from past displacements are being decided? They may be less likely to stand idly by as displaced families contest the property rights of present occupants. Merely viewing *Shoah* is unlikely to have a lasting politicizing effect, but in the right interpretive hands, a film such as *Shoah* can serve as a catalyst for democratic political education.

Similar arguments can be made for the importance of the work of Panh and Hersonski, although the bystander in these two films do not see the same things that Lanzmann's viewer-bystander sees. The reenactments in Panh's film *S21* do not have the same visceral effect on the viewer and do not create the same new political responsibilities as Lanzmann's reenactments. Panh is more concerned with empowering the viewer-as-bystander to paint a landscape on which victims and perpetrators may find common ground. The bystander in this case is encouraged to imagine a world in which victims and perpetrators speak more honestly with one another. The viewer-bystander is encouraged to be a facilitator, not a witness for the prosecution. Hersonski is more self-critical than either Lanzmann or Panh. The bystander she wishes to interrogate and educate is the person behind the camera who thinks she is not part of the scene she is filming. She uses reenactment to disabuse this privileged bystander of her illusions that she has not contributed to and benefited from systemic mass violence.

Critical reenactments can be done through film or theatre, but they can also be composed on the web and written out as novels or poems. The films discussed below focus on experiences of victims and the actions (or inactions) of perpetrators to show us what they would look like from the point of view of several different types of bystander. They do not attempt to reclassify either perpetrators or victims as bystanders. They attempt to disclose how the systemic mass violence in question depends upon and appears to bystanders then and now.

One last point: these three films of critical reenactment are typically classified as documentaries, but this label can be misleading. Documentaries are not wholly factual and they do not conform to a single style or format. What defines this kind of non-fictional motion picture is the intention of the filmmaker to produce certain beliefs and attitudes toward the world.³⁴ Critical reenactments are one kind of non-fiction cinema, but not all critical reenactments succeed even on this broad pragmatic definition. Some are shallow and manipulative, for example, the recent film about the Lord's Revolutionary Army in Uganda, *Kony 2012*, that raised a large amount of money for an organization, *Invisible Children*, that lobbies for international humanitarian intervention in this region.³⁵ *Kony 2012* is no less a documentary than the three films examined here. Where it differs is its intention to convince bystanders that they should hold certain beliefs about Kony and the LRA and act on them immediately, while the three films discussed below have a different intention: to convince bystanders to adopt a more self-critical attitude toward the benefits they may derive involuntarily from systemic mass violence.

Shoah

Perhaps the most famous and controversial reenactment of systemic mass violence is Claude Lanzmann's nine-hour film *Shoah* (1985), recently re-released in the United States. Although Lanzmann did not use actors, he did have the victims he interviewed relive the scenes of severe violence they had endured. *Shoah* is not only about the guilt of perpetrators and collaborators; nor is it only about the suffering of victims. Lanzmann positions the viewer as a bystander to scenes of mass violence.

In some cases, such as the barbershop reenactment scene in Jerusalem with the Holocaust survivor Abraham Bomba, Lanzmann pressures his subjects into reenacting their

experiences in extraordinary, even mundane detail, as if to transport them back into the original moment. He asks them to describe what happens and interrupts them if they digress to explain or justify their actions.³⁶



Bomba is about to describe how one of the barbers he is working with inside the gas chamber in Treblinka recognizes his wife and daughter among the women whose hair they are about to cut before they are executed. Bomba struggles to continue to retell the story, says he cannot, and Lanzmann insists, "Go on Abe, you must go. You have to....Please..We have to do it...I know it is very hard. I apologize." After a long pause, Bomba finishes the story, all the while cutting the hair of a man who does not understand what Bomba is telling Lanzmann in English.

Some of the women whose hair Bomba cut immediately before they were forced into the gas chambers at Treblinka were former neighbors of his in Poland. They begged him to explain what was happening to them, but he was unable to bring himself to say anything. He is clearly

aware that by speaking with them he would have put himself at risk, but he also states that he did not think it would have been the humane thing for him to do. They would have been killed immediately, and so would any barber who warned them.

Bomba is a victim forced to participate in the victimization of others. Lanzmann has him reenact this role in order to construct a scene in which the viewer of the film is unsure of what he or she can and should do in such a situation. Just as Bomba was unsure of what he should have done, the viewer suddenly realizes how painful it is for Bomba to tell this story and at the same time how important it is for the reenactment to occur so that the feelings that Bomba has now can be known. Bomba insists that at the time he had no feelings; it was impossible to feel anything in that situation. One could argue that as painful as it is, now viewers have a better understanding of the feelings one has when forced to do what Bomba did.

The effect of this barbershop reenactment is not to change Bomba's view of his own moral responsibility; he deeply regrets but does not feel morally guilty about benefiting in the most minimal sense from his position as a *sonderkommando*. Nor does the viewer assume the point of view of the victim (either the actual victims in Treblinka or the puzzled customers in the Jerusalem barbershop who don't understand what Bomba is reenacting because they do not speak English). Lanzmann is focused on changing the perspective of the film's viewer. We see Bomba from several different angles as the camera shifts back and forth between his many reflections in the mirrors and his actual body. Lanzmann wants the viewer to witness the pain Bomba goes through again as he reenacts the original scene on camera. As we listen to Bomba replay his conversations with women from his own village who (he says) addressed him by name and asked him what was going to happen to them, we grow increasingly uncomfortable.

Lanzmann describes this scene in his memoir in great detail. He too was uncomfortable, and he claims that he realizes how controversial it is. To those who have accused Lanzmann of "sadism" he says: "Abraham's tears were as precious to me as blood, and the seal of truth, its very incarnation...this perilous scene was the epitome of reverence and supportiveness."³⁷ It is choreographed to awaken an awareness in the viewer of the "absolute" presence of the Holocaust. "One does not kill legends by opposing them with memories but by confronting them, if possible, in the inconceivable "present" in which they originated. The only way to do this is to resuscitate the past and make it present, invest it with a timeless immediacy."³⁸ According to one commentator sympathetic to Lanzmann's view of the "timeless immediacy" of the Holocaust, "By relying on the testimony of the participants, Lanzmann brought the past into the present - the eternal present, renewed in the act of existential recreation before the camera."³⁹ The viewer then becomes a bystander to the Holocaust in the present tense through Bomba's relived experience.

S21: The Khmer Rouge Killing Machine

Compare Lanzmann's faith in reenactment as a method for representing the presence of the past with another critical reenactment of systemic mass violence, Rithy Panh's documentary film *S21: The Khmer Rouge Killing Machine* (2003). The Tuol Sleng prison in Pnomh Phen served as an interrogation, torture, and execution site during the Cambodian genocide of 1975-79. The prison, now a national genocide museum, was a school building before being taken over by the Khmer Rouge. In the film it serves a dual purpose as both a stage for reenacting torture and executions and a site for re-educating former guards and torturers. It is a stage set for reenacting some of the original scenes of interrogation, torture, and execution, and it is also a

setting for a new series of questions and answers between one of the survivors, Vann Nath, and several of his former guards, interrogators, and torturers.

The interrogators, torturers, and executioners in the film *S21* walk through empty classrooms that had been converted into mass holding cells. The guards had been 12 or 13 years old at the time *S21* was in operation. In the film *S21* they awkwardly retrace their steps, slam metal doors, carry buckets and bowls, and repeat the orders and threats that they gave to the prisoners who had been lying side by side on the floor in these holding cells, dying of starvation. Just as the survivors and former victims, collaborators, and bystanders in *Shoah* walk the fields and travel the train lines, so too do the survivors and guards in *S21* retrace their original steps.

The adult former guards in *S21* seem to remember their adolescent lines quite well, in part because they rehearse them (by reading the detailed Khmer Rouge records kept by the prison administrators) in front of the camera in small groups before actually reenacting them. Then, they move through the reenactment scenes, scolding and threatening and finally executing their imaginary prisoners in emotionless staccato voices. "You, turn around. Why aren't you sleeping? Sleep without moving, you son of a bitch."⁴⁰ They repeat these scenes several times in the film, inviting us to look more closely at small gestures and ordinary objects so that we imagine ourselves bystanders in the present tense.

However, as horrific as Tuol Sleng was there are some dissimilarities between *S21* the film and *Shoah*. The guards in *S21* are much less engaged in their conversations with the prison painter Vann Nath than are their counterparts in *Shoah* with their interlocutor Lanzmann. They can only respond in formulaic ways to Nath's challenges, and the director Panh does not intervene on camera the way Lanzmann repeatedly does. We do not hear them laughing or mimicking the way some of Lanzmann's Polish workers do. They do not tear up the way Bomba

does or lose their temper the way some of the parishioners in Chelmno do. When Nath asks them what they could have been thinking and how they felt about what they were doing, they respond perfunctorily, citing their party loyalty, their fears, their youth, and at times their shame. Nath is clearly disappointed with them. They do not reveal anything like the callous complicity that the farmers, railway workers, and villagers revealed in *Shoah* under Lanzmann's clever and persistent questioning. Going through the motions is not the same as reliving their experience. Furthermore, Nath doesn't discuss his own role within the prison. As the official painter of Pol Pot portraits, we want to know if he enjoyed a relatively safer position - it appears that he did. How did he feel about that? How did other prisoners interact with him?

We meet Nath in the film as he is painting a scene from memory of arrested prisoners handcuffed, blindfolded and strung together by a rope around their necks to be led up to their next destination point in S21. Unlike Bomba and the other *sonderkommandos* in *Shoah*, Nath at times was allowed to observe the scenes of torture and execution without contributing to them. He was neither a bystander nor a contributor. In a sense, he was, like the cameramen that Hersonski investigates in *A Film Unfinished*, with one important difference. Nath was also a victim. This is one of the paintings that he made after his release for S21, reflecting the scenes of torture and execution he witnessed there.⁴¹



In the next scene Nath begins to talk to the other survivor, Chun Mey, who appears to be more emotionally distressed by his memories than Nath or the guards. Nath reads Mey the entries in the prison ledger detailing the number of names that Mey gave up to the Khmer Rouge when they tortured him and which he says he had to divulge in order to save his own life. Then, Nath turns to his own records. He reads beside his own name, the word "painter" and the phrase "keep for use." He states that 'If I hadn't been "kept," I would have been dead.' He says the handwriting is that of one of the higher officials in the prison, Kaing Guek Eav, alias Duch. One commentator has observed:

By effectively carrying out his artistic tasks and humbling himself before his guards, Nath managed to survive. Toward the end of 1978, after the Eastern Zone purges had run their course, the pace of torture slackened. Nath finally managed to escape his captors during the Vietnamese invasion. Several months later, he returned to produce the series

of paintings depicting Khmer Rouge atrocities that now line the walls of the Tuol Sleng Museum of Genocidal Crimes. At one point, a museum worker showed Nath a document containing his name: "My hands and feet became cold, It was an execution list. My name was there, but underlined in red ink with brackets at the end saying 'keep.'" The list was signed by Sous Thy with a note written on the top: "Request Peng to destroy." ⁴²

The next scene finds Nath painting a portrait of a young man from a sketch. He is in the room he had used for painting when the prison was in operation. He describes how Duch would sit next to him while he painted Pol Pot, and how he was careful to make the portrait as flattering as possible. Nath reports in the film that his work was more appreciated than that of the many other painters who had been forced to do this in the prison. He wonders why he managed to survive when they didn't and what a "sad fate" it was that so many perished in this way. We do not feel that Nath is reliving the act of painting when he is doing the portrait for Duch. He is not speaking as if he was addressing Duch in the same way that Bomba was reenacting his conversations with the women in Treblinka when Lanzmann set him up in the barbershop in Jerusalem. "I survived because Duch felt good when he walked into my workshop," Nath said in his testimony against the ailing chief of the S-21 prison, whose real name is Kaing Guek Eav." ⁴³ Nath is regretful and despairing, but he is not reliving the original experience in the way Bomba does in *Shoah*.⁴⁴ Nor is the viewer positioned as a bystander in relationship to the reenactments of mass violence in *S21*. There is a distance between the viewer and film that allows for a different type of critical self-reflection.

According to Jacques Rancière, this distance is what makes *S21* a more effective intervention than *Shoah*. Rancière is careful to avoid the standard criticisms of Lanzmann. He

does not want to take sides in the debate between Lanzmann and his critics over whether archival footage of the liberation of the Nazi concentration camps, as Lanzmann has insisted, is "without imagination."⁴⁵ "Accusing the accusers," Rancière argues, "is beside the point."⁴⁶ Nonetheless, Panh's reenactment, according to Rancière, is better than Lanzmann's in that the former uses archival footage to "emancipate the spectator" from the "trial-like atmosphere" that pervades debates over Holocaust film and literature so that the viewer can speak intelligibly about the unspeakable and unimaginable.

Rithy Panh therefore brought together two kinds of witnesses on site: some of the very rare survivors of camp S-21 and some former guards. And he made them react to various sorts of archive: daily reports, minutes of interrogations, photographs of dead and tortured prisoners, paintings made from memory by a former prisoner who asks former gaolers to confirm their accuracy...The film links various kinds of words, spoken and written, various forms of the visual - cinematographic, photographic, pictorial, theatrical - and several forms of temporality, in order to furnish us with a representation of the machine that shows us both how it could operate and how it is possible for the executioners and the victims to see it, think about it and feel about it today.⁴⁷

Rancière finds in *S21* an example of political art that breaks free from the "trial-like" question of whether we should exhibit intolerable images - do they create a record or do they humiliate the humiliated yet again? "The images of art do not supply weapons for battles," Rancière argues. "They help sketch new configurations of what can be seen, what can be said and what can be thought and, consequently, a new landscape of the possible."⁴⁸ In confronting the artist and *S21*

prisoner Vann Nath with his former guards and torturers in order to reenact and discuss their shared experiences on film, Panh avoids evoking a shallow sympathy from his viewers for these juvenile guards whose voices have become hollow. We do not get pulled in emotionally the way we do by Lanzmann's reenactment scene in the Jerusalem barbershop. We see the landscape with clearer eyes for what it is and for what it could be. At least, that is one plausible interpretation of *S21*.

There is still a problem. The Khmer Rouge guards, in their 30s at the time of the filming, so easily imitate the thoughtless way in which they followed orders as adolescents that it is not at all difficult to imagine they could do it all over again. They show no more remorse than the property owners and churchgoers that Lanzmann hoped to provoke into a more self-critical dialogue. The "new landscape of the possible" resembles all too closely the old landscape of the unthinkable. Rancière, one fears, is overstating the transformative power of archival rearrangement. Yesterday's torturers may only be today's subordinate pupils as long as they are in class or in front of the camera. That doesn't mean that Panh's reenactment fails, but only that it may be the beginning of a process of democratic political education, not the end. Hersonski allows us to think more critically about the way in which the camera blinds some bystanders commissioned or forced to record systemic mass violence from seeing their own responsibilities clearly.

A Film Unfinished

A Film Unfinished (2010) by the young Israeli filmmaker Yael Hersonski takes us behind the camera. Her proximate subject is an unfinished Nazi film, *Das Ghetto*, made in May 1942 in and about the Warsaw ghetto and only discovered after the war by East German archivists in a hidden vault in the forest. According to Hersonski, this document has been used frequently after

the war to show ostensibly historically accurate images of the ghetto.⁴⁹ The truth, she suggests, is more complicated.

The reels of *Das Ghetto* include outtakes that demonstrate that many of the crowd scenes of Jews in the streets of the Warsaw ghetto were staged by the German film crew and their Nazi directors. *Das Ghetto* appears to be designed to show how some Jews in the ghetto ate well, rode in bicycle taxis, and dressed in fine clothes without any concern for their starving and dying fellow Jews on the street. There are also more overt scenes of humiliation. Jewish men and women are forced to undress and take their ritual baths together on camera, and have sex off camera in front of the film crew and directors. A family is forced to have the circumcision ritual of an underweight and at-risk newborn in their home on camera rather than in a hospital. Finally, seemingly well-fed and well-clothed Jewish women are forced to stand side by side with undernourished and ill Jewish women in order to underscore the callous neglect of the poor by the rich Jews in the ghetto.

Hersonski combines this propagandistic footage with her own reenacted interviews of an actor playing one of the cameramen, Willy Wist, who took some of the original Nazi footage for *Das Ghetto*. Another actor reads the transcript from an actual interview of Wist, as Hersonski closes in on the anguished face of Wist's stand-in. We also see notebooks identified as the daily journals of Adam Czerniakow, the head of the Jewish Council in Warsaw, as he is forced to conduct seemingly routine business in his office. Many of the most painful scenes in Hersonski's retelling include readings from Czerniakow's dairies in which the actor, speaking as Czerniakow, describes his anguished participation in these staged scenes for *Das Ghetto*. Czerniakow kept these diaries until the day of his suicide in 1942 when he wrote that he could no longer participate in the mass execution of innocent children.

Five actual survivors also are filmed in *A Film Unfinished* as they watch scenes from *Das Ghetto*. One elderly survivor comments, "I keep thinking that among all these people I might see my mother walking." In a subsequent online interview with Hersonski, the film maker justifies giving the survivors an opportunity to view *Das Ghetto* privately (she used only those survivors who expressed an interest in seeing the unfinished film). She then adds that she did it because it would give them a chance to see where they had lived, despite it all.⁵⁰ Neither argument is very convincing, and Hersonski is not primarily concerned with these survivors. Like Lanzmann, she is less concerned with innocent victims than those in compromised positions, and like Panh she is concerned with those who recorded their views, whether in paintings or in photographs.

Consequently, Wist gradually becomes the central focus of this complex combination of documentary footage, reenactments, and actual interviews. An actor interrogating the actor playing Wist (whose face is intentionally cropped during these scenes, suggesting that he is not fully engaged in this act of remembrance) tells Wist that in Czerniakow's diaries there is a description of the filming of Jewish cultural life.⁵¹ Asked about the filming of the circumcision and ritual bath scenes, Wist's testimony rings hollow. He denies being present for the former but then says he does recall the latter. His only substantive comment is chillingly reminiscent of Adolph Eichmann: the lighting was poor and it made it difficult to film the ritual bath scene.

Unlike Lanzmann's interviews of former Nazi's and complicit Poles, Hersonski's reenactment of Wist's interrogation is designed not to indict Wist but rather to raise another question about bystander responsibility. She reminds us that cameramen and other journalists employed by the Nazis were not charged with war crimes and genocide after the war. If Wist is not legally guilty, then what can we say about his participation? Is it enough to say that he was morally wrong for doing the bidding of the Nazis? That is not the language in which Hersonski's

film speaks, and Wist's partial shadowy image in the film does not allow us to size up his moral character very well. What appears to trouble Hersonski most is the kind of blindness that she believes comes from not recognizing that she, like Wist, is also in the frame. Commenting on one outtake where a cameraman is caught in the background filming another shot, Hersonski says,

When you understand that, when you understand the specificity of the filmmaking — when you understand there's a moment that the cameraman stood behind the camera and someone stood before him and felt something — then the specificity of this moment you can identify with. You cannot identify with the Holocaust, as such. Titles and clichés are tools — educational tools — that distance me from the historical event. Not only distance me but cause me a certain blindness.⁵²



It is not the cameraman caught unaware in this photograph that Hersonski is pointing toward, it is the cameraman taking this photograph who, like the one unaware in the photograph, does not think he or she, is visible.

The blindness that comes from relying on "titles and clichés" is not the "inattention blindness" that can occur when monitoring a dynamic event.⁵³ It is a different kind of attention deficit. We become so accustomed to the convenient truths about moral and legal responsibilities for civil war, slavery, genocide, and poverty that we no longer realize that we, like Wist, play a continuing role in their creation and legitimation. We too easily believe that because we are neither legally nor morally responsible, by default we must be innocent bystanders. However, according to Hersonski, those of us who record and disseminate these images are not innocent, we are only invisible because we are positioned somewhere behind the camera.

"What is my ethical position," Hersonski asks, "when I am sitting very comfortably in my living room and seeing whatever is happening a few kilometers from my city in the occupied territories?"⁵⁴ The fleeting moments when the cameramen caught themselves on film in *A Film Unfinished* reveal more about their inhumanity and our own impassivity than the horrific scenes of suffering that have been reproduced using equally suspect Nazi documentaries. Hersonski cannot identify with the Holocaust as such, but sitting in her apartment she realizes that she too has been behind the camera filming scenes in the Israeli occupied territories. Just because she has not been filmed in the act doesn't mean she hasn't been there. And, unlike Vann Nath, there is much less doubt that she, like Wist, has not benefited from this opportunity to record the suffering of others.

Ian Buruma is correct when he says that Hersonski is not saying "that Gaza is like the Warsaw ghetto and she does not suggest that Israeli behavior can be compared to Nazi mass

murder." She is not saying that she is no better than Wist. What she is asking in *A Film Unfinished* is: Are we pretending to be absent from the scenes of suffering we are filming, the choices we are making, and the stories we are telling in order to avoid the uncomfortable questions that Wist so transparently ignores?⁵⁵

Film makers who have taken *Das Ghetto* at face value and used it as documentary footage from the extensive Nazi archive have unwittingly benefited from a propagandistic project. Those wishing to tell the story of *Das Ghetto* have a responsibility to rearrange the archive and place themselves in the frames of their own films that document these and similar experiences so that others don't make a similar mistake when viewing their work. One might say that Lanzmann did place himself in front of the camera. However, this is not what Hersonski is asking for. Lanzmann is never as an intentional object of self-scrutiny in *Shoah* the way Hersonski is in *A Film Unfinished*.

Conclusion

Many documentary films trace the path of tainted commodities and their illicit trade back to their source and forward to the final, sometimes naive consumer. These include commodities such as cotton, diamonds, drugs, food, firearms, human beings, and even human body parts sold illegally as transplant organs.⁵⁶ Many exposés reveal how the tax dollars of citizens from rich countries support activities such as the training of child soldiers by allied governments where it is contrary to the laws and treaty obligations of the governments of these rich countries.⁵⁷ Upon seeing these films and reading these reports, many viewers and readers are motivated to object to the abuses being done in their name. Organizations that support these films provide some ways, often quickly and easily through the Internet, to contribute money for aid and rescue, to lobby politicians, and to inform others. Some, like *Invisible Children*, are less reliable than others.⁵⁸

However, despite the concerted efforts to appeal to a sense of moral outrage and develop laws and regulations that curb these practices, systemic mass violence persists.⁵⁹

The premise of this essay has been that without more active political involvement by bystanders whose greatest sense of responsibility heretofore has been as charitable donors, it is hard to see how this tide can be stemmed. The United Nations Millennium Development Goals continue to recede and the commitment to the Responsibility to Protect doctrine has lost what little momentum it had.⁶⁰ Strenuous moral arguments and tougher laws have not convinced bystanders who have participated in systemic mass violence to meet their political responsibilities.⁶¹ Individuals may respond sympathetically to the tearful face of a suffering child.⁶² Enforcement mechanisms can be written to try, convict, and punish lawbreakers. But, bringing bystanders to the table to discuss the material and political benefits they have received from systemic mass violence with the people who have been harmed by it takes a framework different from the dominant victim-perpetrator framework.

Democratic political education in this age of systemic mass violence must speak to bystander beneficiaries in a language other than that of legal liability and moral guilt. Relying on familiar images of Auschwitz and the Khmer Rouge may prompt feelings of sympathy for victims and anger towards perpetrators, but thus far it has had little lasting effect on bystanders who consider themselves innocent. At the same time, simply rejecting this symbolism because it only encourages bystanders to remember to forget their responsibility for the present is not enough.

Lanzmann, Panh, and Hersonski bring their viewers into closer contact with those they may have otherwise only seen as objects of charity and victims of the violence of others. Their films invite us to imagine ourselves, like the artist Vann Nath and the cameraman Willy Wist, on

what Jane Addams once described as a "common road" with others from whom we may have benefited. Only then will we be able to see clearly the burdens that they continue to carry, and we will be in a much better position to imagine sharing in the benefits produced through their suffering.⁶³

This process of democratic political education is not a matter of reconciling victims and perpetrators. These films do not call for the establishment of quasi-judicial truth commissions anymore than they simply indict more collaborators. Their primary contribution is the conversation they open between bystander beneficiaries and those who have been harmed by systemic mass violence. Addams herself was adept at this form of interpretive democratic political education.⁶⁴ It is not an easy conversation to have, and watching these films by themselves is hardly enough. By re-framing the responsibilities of bystander beneficiaries in the various ways I have described, these three films can serve as openings for continued democratic political education led by citizen-teachers such as Addams and shared by bystander beneficiaries and those who have suffered under systemic mass violence.⁶⁵ There are no shortcuts on this road, and very few reliable maps.⁶⁶ That is another reason why the responsibilities of bystander beneficiaries are political. They can only be worked out one step at a time.

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¹ See, for example, the photographs and still images used in *Crimes of War 2.0: What the Public Should Know*, eds. Roy Gutman, David Rieff, and Anthony Dworkin, revised and updated edition (New York: W.W Norton & Co., 2007).

² Barbie Zelizer, *Remembering to Forget: Holocaust Memory through the Camera's Eye* (Chicago, IL: University of Chicago Press, 1998), p.239.

³ Susan Sontag made a similar argument that photographs of systemic mass violence can blind us to our privileges and the benefits we enjoy from them. See Sontag, *Regarding the Pain of Others* (New York: Picador, 2003), pp.102-03. But see Susie Linfield, *The Cruel Radiance: Photography and Political Violence* (Chicago, IL: University of Chicago Press, 2010), p.46.

⁴ For a relatively concise summary of this dominant framework, see Matt Matravers, *Responsibility and Justice* (Malden, MA: Polity Press, 2007). For an extension of this framework to incorporate the guilt of bystanders, see Christopher Kutz, *Complicity: Ethics and Law for a Collectivist Age* (New York: Cambridge University Press, 2000).

⁵ Mark A. Drumbl, "Collective Responsibility and Postcolonial Judgment," in Tracy Isaacs and Richard Vernon, eds., *Accountability for Collective Wrongdoing* (New York: Cambridge University Press, 2011), p.20.

⁶ Bronwyn Lebar, *Judging State-Sponsored Violence, Imagining Political Change* (New York: Cambridge University Press, 2011) and Tracy Isaacs and Richard Vernon, eds., *Accountability for Collective Wrongdoing* (New York: Cambridge University Press, 2011).

⁷ "This group comprises bystanders: those multitudes who comply with the violence, who acquiesce in it, or who idle while it unfolds around them. In many cases these bystanders benefit ideologically and politically from the atrocity. Atrocity actualizes their self-worth through group pride. They feel part of a grand social project without bloodying their own hands. These individuals also gain from atrocity in a more craven, materialistic way. They may, for example opportunistically move into a suddenly vacant apartment, double the size of their farm, or get a promotion at work. One way to describe this subset of bystanders is as beneficiaries. Not all bystanders are beneficiaries, but many are." Mark A. Drumbl, *Atrocity, Punishment, and International Law* (New York: Cambridge University Press, 2007), p.25.

⁸ Political theorists have typically used the term political education in two ways. One refers to how citizens should be prepared for the exacting demands of political life and inoculated against its dangers prior to their entry into the political domain? Plato's *Republic* is the *locus classicus* for this protective conception of political education, and one finds it again in the liberal theory of John Stuart Mill. The other refers to how participation in political life itself can shape the virtues, habits, and beliefs citizens need to attend to the challenges they face as the parties responsible for generating and exercising political power? Rousseau is identified as one of the earliest advocates for this more participatory conception of political education, although there are traces of it in some of Mill's writings. I am using the term political education in the latter more democratic sense. For discussion of the concept of political education, see Stephen L. Esquith, *Intimacy and Spectacle: Liberal Theory as Political Education* (Ithaca, NY: Cornell University Press, 1994), Part 1.

⁹ Iris Marion Young, *Responsibility for Justice* (New York: Oxford University Press, 2011).

¹⁰ James Waller, *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing* (New York: Oxford University Press, 2002).

¹¹ Karl Jaspers, *The Question of German Guilt*, trans. E.B Ashton (New York: Fordham University Press, 2001 [1948]).

¹² To paraphrase Jaspers: War is an inevitable part of human existence and to criminalize one people for waging war is self-righteous hypocrisy which will only "breed future wars;" the trial will be viewed as a national disgrace by Germans unless there are Germans on the tribunal; the trial of one sovereign nation by another undermines the divine rights of rulers; there can be no crime unless there already is an established law; and, finally, this is just another case of might pretending to be right or victor's justice. Jaspers, *The Question of German Guilt*, pp.47-50.

¹³ Jaspers, *The Question of German Guilt*, p.46.

¹⁴ Jaspers, *The Question of German Guilt*, p.54.

¹⁵ Jaspers begins with expressed feelings of guilt, but does not leave it at that. "Feeling as such is unreliable. To plead feelings means to evade naively the objectivity of what we can know and think. It is only after we have thought a thing through and visualized it from all sides, constantly surrounded, led and disturbed by feelings, that we arrive at a true feeling that in its time can be trusted to support life." Jaspers, *The Question of German Guilt*, p.23

¹⁶ Jaspers, *The Question of German Guilt*, pp.45-64.

¹⁷ Jaspers, *The Question of German Guilt*, p.64.

¹⁸ Jaspers, *The Question of German Guilt*, pp.66-67.

¹⁹ Larry May, *Sharing Responsibility* (Chicago, IL: University of Chicago Press, 1992), pp.62-64.

²⁰ Jaspers, *The Question of German Guilt*, p.65.

²¹ Jaspers, *The Question of German Guilt*, p.94.

²² May, *Sharing Responsibility*, p.150.

²³ May, *Sharing Responsibility*, p.151.

²⁴ May, *Sharing Responsibility*, p.151.

²⁵ Young distances herself from this kind of existentialist moral responsibility, which she labels moral refusal. She objects to Jaspers' argument and its reformulation by Hannah Arendt, although she finds some traces of a more participatory conception of political responsibility in Arendt's *Eichmann in Jerusalem*. Young, *Responsibility for Justice*, pp.75-93.

²⁶ Jaspers, *The Question of German Guilt*, p.56.

²⁷ See Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil*, revised edition (New York: Viking, 1963), p.270. I have not discussed Arendt's views on political responsibility in this essay, although one could argue that they are in part a response to Jaspers'. I leave aside this question and the details of Arendt's discussion of political responsibility, except to say that she insisted on a sharp distinction between individual moral and legal guilt on the one hand and collective political responsibility on the other. See Hannah Arendt, "Collective Responsibility," in *Responsibility and Judgment*, ed. Jerome Kohn (New York: Schocken Books, 2003), pp.147-158 .

²⁸ David Miller, *National Responsibility and Global Justice* (New York: Oxford University Press, 2007).

²⁹ Douglas A. Blackmon, "From Alabama's Past, Capitalism and Racism in a Cruel Partnership," *Wall Street Journal*, July 16, 2001, A1. Also, see Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928* (Columbia: University of South Carolina Press, 1996).

³⁰ Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black Americans from the Civil War to World War II* (New York: Doubleday, 2008), p. 396.

³¹ Daniel Butt, "On Benefiting from Injustice," *Canadian Journal of Philosophy*, Vol. 57, No. 1, 2007, pp.146-52.

³² For example, see Richard D. Kahlenberg, ed., *Affirmative Action for the Rich: Legacy Preferences in College Admissions* (New York: The Century Foundation, 2010).

³³ Tony Horwitz, *Confederates in the Attic: Dispatches from the Unfinished Civil War* (New York: Pantheon, 1998).

³⁴ Trevor Ponech, "What is Non-fiction Cinema?" in Richard Allen and Murray Smith, eds., *Film Theory and Philosophy* (New York: Oxford University Press, 1997), pp. 202-220.

³⁵ <http://www.kony2012.com/>.

³⁶ See Carlos Torner, "The Silence of Abraham Bomba," *Words Without Borders*, trans, Edward Gauvin, <http://wordswithoutborders.org/article/the-silence-of-abraham-bomba/>.

³⁷ Claude Lanzmann, *The Patagonian Hare: A Memoir*, trans. Frank Wynne (New York: Farrar, Straus, Giroux, 2012), p.435.

³⁸ Claude Lanzmann, 'From the Holocaust to "Holocaust"' in *Claude Lanzmann's Shoah: Key Essays*, ed. Stuart Liebman (New York: Oxford University Press, 2007), p. 35.

³⁹ David Denby, "Shoah and a New View of History," *The New Yorker*, January 10, 2011, p.81.

⁴⁰ Christian Delage, "The Place of the Filmed Witness: From Nuremberg to the Khmer Rouge Trial," *Cardozo Law Review*, Vol. 31, 2010, p.1106.

⁴¹ "Rithy Panh - L'Élimination," *C'est entendu*, Mardi 21, Fevrier 2012,

<http://www.cestentendu.com/2012/02/un-livre-rithy-panh-lelimination.html>

⁴² Alexander Laban Hinton, *Why Did They Kill? Cambodia in the Shadow of Genocide* (Berkeley and Los Angeles, CA: University of California Press, 2005), p.176.

⁴³ Ek Madra, "Pol Pot paintings saved my life, S-21 Prisoner says," *Reuters*, June 29, 2009 , summary of testimony, Extraordinary Chambers of the Courts of Cambodia, Phnom Penh; June 29, 2009. http://khmernz.blogspot.com/2009_06_29_archive.html.

⁴⁴ None of the documentary records and none of the paintings by Nath raise questions about Nath's position in the prison or about the degree of guilt of the 12 and 13 year old guards. Instead, we are left with Nath's unqualified judgment that what these teenagers did under these circumstances was simply an act of immoral destruction. Vann Nath, http://wn.com/Vann_Nath. 2011. To be sure, Nath's work as a human rights activist testifying before the United Nations tribunal for the Khmer Rouge and working in schools to educate young children through art about the horrors of the genocide has been unexceptionable. His own memoir has been invaluable for understanding this genocide and the United Nations prosecution of the Khmer Rouge leaders. See, Vann Nath, *A Cambodian Prison Portrait: One Year in the Khmer Rouge's S-21*, trans. Moeun Chhean Nariddh (Bangkok, Thailand: White Lotus Press, 1998). My comments on Nath's role in the film are not meant to impugn his personal integrity since the war or depreciate the practical impact of the film as a whole on some of the major perpetrators.

⁴⁵ Tim Blake Nelson, director of *The Grey Zone* (2001), disputes Lanzmann's view that one should not try to reproduce the Holocaust on film, even using archival footage, because one can

never capture its uniqueness. To Holocaust filmmakers from Resnais to Spielberg, Lanzmann has this to say: "I have always said that archival images are images without imagination. They petrify thought and kill any power of evocation." Quoted in Georges Didi-Huberman, *Images in Spite of All: Four Photographs from Auschwitz* (Chicago: University of Chicago Press, 2008), p.93.

⁴⁶Jacques Rancière, *The Emancipated Spectator*, trans. Gregory Elliott (New York: Verso, 2009), p.95.

⁴⁷ Rancière, *The Emancipated Spectator*, pp.101-102

⁴⁸ Rancière, *The Emancipated Spectator*, p.103

⁴⁹ For example, see the self-described documentary, *Irena Sendler: In the Name of the Mothers* which includes footage from *Das Ghetto* as if it was unstaged.

⁵⁰**Leonard Jacobs, "How Yael Hersonski Finished 'A Film Unfinished'," *The Clyde Fitch Report*, September 6, 2010, <http://www.clydefitchreport.com/2010/09/how-yael-hersonski-finished-a-film-unfinished/>.**

⁵¹ One of the survivors speculates that this series of scenes including circumcision, weddings, funerals, and other rituals was designed to prove to a German audience that the Jews would never be assimilated and must be destroyed.

⁵² Jacobs, "How Yael Hersonski Finished 'A Film Unfinished'."

⁵³ On the cognitive problem of "inattentional blindness," see Daniel J. Simons and Christopher F. Chabris, 1999. "Gorillas in Our Midst: Sustained Inattentional Blindness for Dynamic Events," *Perception*, Vol. 28, pp.1059-74 and Morris "Play it Again, Sam (Re-enactments, Part Two)," *New York Times*, April 10.

⁵⁴ Jacobs, "How Yael Hersonski Finished 'A Film Unfinished'."

⁵⁵ Ian Buruma, "The Twisted Art of Documentary," *The New York Review of Books*, November, Vol. 25, 2010 , p.45.

⁵⁶ For example, Ed Zwick, director, *Blood Diamonds*, 2006.

⁵⁷ Jeffrey Gettleman, "Children Carry Guns for US Ally, Somalia," *New York Times*, June 13, 2010.

⁵⁸ For example, , Guy Jacobson, director, *Holly*, 2007; also see *Redlight Children*, 2007.
<http://redlightchildren.org/>.

⁵⁹ Steven Pinker has argued that over the long run violence has actually declined. See *The Better Angels of our Nature: Why Violence has Declined* (New York: Viking, 2011). For a rebuttal, see Jeremy Waldron, "A Cheerful View of Mass Violence," *The New York Review of Books*, Vol. 59, no. 1, January 12, 2012.

⁶⁰ See Gareth Evans, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All* (Washington, DC: Brookings Institution Press, 2008); Alex Bellamy, *Global Politics and the Responsibility to Protect: From Words to Deeds* (New York: Routledge, 2011); James Pattison, *Humanitarian Intervention & the Responsibility to Protect: Who Should Intervene?* (New York: Oxford University Press, 2010); and Anne Orford, *International Authority and the Responsibility to Protect* (New York: Cambridge University Press, 2011).

⁶¹ James B. Steadman, "Moral Responsibility and Motivational Mechanisms," *Ethical Theory and Moral Practice*, online 19 July, 2011.

<http://www.springerlink.com.proxy2.cl.msu.edu/content/7367657934j32848/>.

⁶² Paul Slovic, "'If I look at the mass I will never act": Psychic Numbing and Genocide,' *Judgment and Decision Making*, Vol. 2, No. 2, April, ,2007, pp.1-17.

⁶³ Jane Addams, 2002. *Democracy and Social Ethics* (1902; repr., Urbana, IL: University of Illinois Press, 2002).

⁶⁴ See the Marilyn Fischer, "Trojan Women and Devil Baby Tales: Addams on Domestic Violence" in *Feminist Interpretations of Jane Addams*, ed. Maurice Hamington (University Park, PA: Pennsylvania State University Press, 2010), pp.81-105.

⁶⁵ For examples of the work that citizen-teachers can perform that is inspired by and builds on films such as these as well as photographs, novels, and poetry, see Stephen L. Esquith, *The Political Responsibilities of Everyday Bystanders* (University Park, PA: Pennsylvania State University Press, 2010).

⁶⁶ For example, "Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016," The Hague Global Child Labor Conference, 2010.

http://srsg.violenceagainstchildren.org/sites/default/files/documents/201005_Roadmap_2016_Adopted_En.pdf. Some have argued for what I would call shortcuts, hoping to stop the bleeding in some cases and make as much progress as possible, even if it is not enough. See, Abhijit V. Bannerjee and Esther Duflo, *Poor Economics: A Radical Rethinking of the Way to Fight Global Poverty* (New York: Public Affairs, 2011) and Dean Karlan and Jacob Appel, *More Than Good Intentions: How a New Economics is Helping to Solve Global Poverty* (New York: Dutton, 2011).