

## The Past and Politics

### – Focusing on “Vergangenheitsbewältigung” in Post-War Germany

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#### The Theme “Vergangenheitsbewältigung”

**A**lthough both Germany and Japan were defeated in the Second World War, they are currently thought of in contrasting ways by international society concerning war compensation and historical awareness. Needless to say, Germany is thought of positively, while Japan is thought of negatively. Why the difference? Is there anything we can learn from Germany?

The efforts of Germany to overcome the negative legacy of its history are collectively called “Vergangenheitsbewältigung (Overcoming the Past).” In this article, the term “negative legacy of its history” is used to refer only to the war of aggression or the Holocaust under Nazi Germany. In regard to such history, “Vergangenheitsbewältigung” encompasses not only war compensation but also the perception of war responsibility, legal regulations on (Neo-)Nazism, history education, and various other aspects.

Although interest in Germany’s “Vergangenheitsbewältigung” is generally high in Japan, there are extremely contrasting views regarding it. On the one hand, there are so-called “idealization” type arguments: they praise Germany for having “repented for their past,” and set it as a model that Japan should imitate. In such arguments, the current state of Japan is criticized based on the model of Germany, which is excessively idealized (and not necessarily based on reality).

On the other hand, there are many “dissenting” type arguments: namely, arguments that Germany has “conducted itself slyly and cleverly,” pointing out and criticizing issues or flaws in its “Vergangenheitsbewältigung.” Such arguments raise as a problem the hypocrisy of Germany’s “Vergangenheitsbewältigung.” A typical example of such arguments is that Germany foisted the blame on Hitler and the Nazis and exempted regular German people from responsibility. There may be some truth to such arguments. However, it is obvious that such arguments cannot justify the current state of Japan.

Nonetheless, Germany has not noble-mindedly promoted “Vergangenheitsbewältigung” out of goodwill alone. Based on this point, those who are the dissenting type insist that it is nonsense to “learn” from Germany. However, what should be noted here is that even the dissenting type people are arguing on the same premise as those who make idealization type arguments. In other words, they are, in reality, on a level playing field with those who idealize Germany, in that their assertion that “we do not need to imitate Germany since they are hypocrites” focuses on moral integrity.

Contrarily, in this essay I would like to emphasize that “Vergangenheitsbewältigung” is not only a moral issue, but also a political one. It seems that there have been very few viewpoints so far that perceive “Vergangenheitsbewältigung” as a political issue, whether they praise or criticize the example of Germany.

As I will describe later, Germany’s “Vergangenheitsbewältigung” reached its present state after many twists and turns, as well as processes of trial and error, in the midst of international and domestic power politics. If Germany has a better reputation than Japan concerning its efforts

to overcome its past after such a history of power politics, we need to squarely look at that fact.

The point I would like to place special emphasis on is the relationship between “Vergangenheitsbewältigung” and international politics. Post-war Germany has advanced “Vergangenheitsbewältigung” while taking its national interests into consideration, within a scope of action prescribed by the international environment. It has determined the responsibilities that it should assume and the scope of compensation, while being subject to external pressure and remaining conscious of its reputation in international society.

Some specific examples will be introduced below.

### **Compensation Agreement with the State of Israel/Jewish Community as the Starting Point**

The starting point of “Vergangenheitsbewältigung” in post-war Germany is the Luxembourg Compensation Agreement (“Wiedergutmachungsabkommen”), which was concluded between the Federal Republic of Germany (West Germany), the State of Israel, and the representative of the Jewish people living outside Israel (the Conference on Jewish Material Claims Against Germany) in 1952. This agreement laid the foundations for “reconciliation” between Israel and the Federal Republic of Germany after the bitterness created as the result of Nazi persecutions of Jews during the Second World War.

It was necessary for West Germany, which was a divided nation that had just been established, to settle its past in order to return to the international community as the “only nation that legitimately represents the Germans.” Under such circumstances, Konrad Adenauer, the first chancellor of West Germany, reached the conclusion of the Luxembourg Agreement with the help of the Social Democratic Party (SPD) and external pressure from Western nations, while fighting against strong objections from ministers or members of the ruling party, as well as public opinion that was reluctant to provide compensation. Adenauer and his aides understood that “whether the new Germany would be able to regain the confidence, reputation, and trust in the world”<sup>1</sup> depended on the negotiations on compensation with Israel.

What was of special importance for Adenauer’s Israel policy was the existence of the United States. For example, John J. McCloy, the U.S. High Commissioner for occupied Germany, said that the new Germany would “be watched very closely and very carefully by the entire world,” and that the relationship of West Germany with the Jewish people would be “one of the real touchstones and the test of Germany’s progress toward the light.”<sup>2</sup> It can be said that Adenauer succeeded in concluding the Agreement by sensitively responding to the intentions of the U.S., and using them as a trump card for countermeasures against opponents.

Adenauer recognized that the FRG as the legal successor to the German Reich had a duty to accept responsibility for the crimes committed by the German government. Although Adenauer felt deep shame about Nazi persecutions of Jews, he was not simply concerned with German moral debt. A conclusive motive for the completion of the Compensation Agreement was the concern that without such an action Germany’s integration into the West would be endangered.

### **Development of Legal Systems and Education**

Based on the protocol agreed upon between West Germany and the Jewish organization at this time, the system for compensation of people who were persecuted under the Nazi regime for political, religious, or ideological reasons was legally established in the 1950’s (the law of

<sup>1</sup> Herbert Blankenhorn, *Verständnis und Verständigung. Blätter eines politischen Tagebuchs 1949 bis 1979* (Frankfurt a.M. / Berlin / Wien: Propyläen, 1980), p. 138. Blankenhorn was head of the Political Department of the Foreign Office at that time.

<sup>2</sup> Quoted in Michael Brenner, *Nach dem Holocaust. Juden in Deutschland 1945–1950* (München: Beck, 1995), p. 114.

particular importance was the Federal Indemnification Law, established in 1953/1956). Including bilateral agreements or other agreements stipulating individual hardship mitigation measures or compensation for individuals, the total amount of compensation paid by post-war Germany to the victims of Nazi injustice exceeds 7 trillion yen.

In addition, Germany’s “Vergangenheitsbewältigung” is not confined solely to compensation, as was described previously.

First of all, trials were held in West Germany to prosecute Nazi crimes based on domestic penal codes, separate from the Nuremberg trials held during the period of occupation. In order to make it possible to punish killings conducted during the Nazi period as murders, the statute of limitations for murders was abolished in 1979, after long debates about the statute of limitations, which started in 1960. In addition, activities of far right and neo-Nazi groups were monitored by the Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz) as being unconstitutional, and any speech and behavior that praises Hitler or Nazism, as well as Holocaust denial, is banned as the crime of “Volksverhetzung (incitement to hatred)” in Section 130 of the German Criminal Code. Moreover, after 1970, a reconsideration of history education was promoted, and strengthening of modern and contemporary history education, as well as international dialog with countries including Poland (1972 -) and Israel (1985 -) aiming at the improvement of textbook content, was started.

### **Symbolic Words and Actions of Political Leaders**

What should be particularly noted in Germany’s “Vergangenheitsbewältigung” are the initiatives of the political leaders of each era, and their symbolic words and actions that remain in people’s memory.

The most famous among such symbolic words and actions is probably those of Willy Brandt, the first Chancellor after the Second World War who came from the Social Democratic Party (SPD). On December 7, 1970, when he visited Warsaw to sign a treaty on the normalization of mutual relations between West Germany and Poland, he visited the Warsaw Ghetto site, knelt down at the monument of Jewish victims, bowing his head down. Whatever Brandt’s motive was, the image of the Chancellor of West Germany kneeling down in Warsaw spread around the globe, creating an impression of a “Germany that regrets its past.”<sup>3</sup>

In addition, let me mention the speech by President Richard von Weizsäcker during the Ceremony Commemorating the 40th Anniversary of the End of War on May 8, 1985. It is one of the finest speeches given, and the part of his speech: “anyone who closes his eyes to the past is blind to the present” is still often quoted to this day. Here, however, I would like draw your attention to the context of this speech, which tends to be forgotten today. On May 5, three days before this speech was given, U.S. President Ronald Reagan visited West Germany, and offered flowers at the military cemetery in Bitburg with Chancellor Helmut Kohl. This became the cause of great controversy, even before his visit. This was because the soldiers of the Waffen-SS were buried in this cemetery in addition to the soldiers of the German Army. Under such circumstances, the Weizsäcker speech was delivered while the critical eye of the international society was cast upon the conservative government of West Germany. As a result, this commotion in May of 1985 has come to be remembered rather as a symbolic example of “Vergangenheitsbewältigung.”<sup>4</sup>

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<sup>3</sup> For details cf. Christoph Schneider, *Der Warschauer Kniefall. Ritual, Ereignis und Erzählung* (Konstanz: UVK Verlag, 2006); Michael Wolffsohn, Thomas Brechenmacher, *Denkmalsturz? Brandts Kniefall* (München: Olzog, 2005).

<sup>4</sup> Cf. Jacob S. Eder, *Holocaust Angst: The Federal Republic of Germany and American Holocaust Memory since the 1970s* (New York: Oxford University Press, 2016), pp. 62–75.

## **The International Cold War Environment**

The above-described “Vergangenheitsbewältigung” of West Germany was largely backed by the international environment of the Cold War with regard to the following three points. First, for West Germany, it was necessary to reconcile with Western nations in the Western Bloc, including France, which it invaded in the past. Secondly, half of the countries that had suffered much damage by the Nazis, including Poland, were behind the Iron Curtain. Lastly, there was a rival that could not be ignored, East Germany. West Germany was fighting with East Germany concerning which country legitimately represented the German people; they both emphasized a break from the Nazis and competed with each other in terms of moral superiority.

## **End of the Cold War and a Globalizing World**

Lastly, I would like to mention the situation after the Cold War. Before that, however, I am going to briefly explain the difference between “reparation” and “compensation (Wiedergutmachung),” as a premise for my argument. As is often pointed out, the compensation paid by post-war (West) Germany was not reparation between countries for war damages, but was based on a concept of compensation peculiar to post-war Germany, which is “compensation for injustice under the Nazis.” War compensation by West Germany, a divided nation that had not concluded peace treaties with its former enemies, started to enter into a framework of being obligated to provide compensation for Nazi injustice under the Adenauer regime, while postponing war reparation until the future conclusion of peace treaties (in this respect, it has a different starting point from that of the case of Japan, which accepted its obligation for reparation in the San Francisco Peace Treaty).

According to this framework, the victims of persecution on the eastern side of the Iron Curtain could not receive compensation during the Cold War. During that period, the recipients of compensation by West Germany were mainly only the victims in 12 countries on the western side and Israel.

This situation had dramatically changed by the end of the Cold War and the unification of East and West Germany. Due to these changes, it became necessary to incorporate the victims of Nazi injustice residing in the former Soviet Union and Eastern European countries, particularly forced laborers, into the subject of compensation.

To address this situation, a foundation called “Remembrance, Responsibility and Future” was established. It was jointly established in 2000 by the German Government and businesses (approximately 6,500 German companies), in order to help the victims of forced labor during war, which had not been considered as a Nazi injustice, and compensation payments were made. The number of recipients was approximately 1,660,000, mainly in the former Soviet bloc countries, and the total amount of compensation payments was approximately 4.5 billion euros (the payment of monetary compensation was completed in 2007).

External pressure and the response to it were also important here. From the mid 1990’s, the victims who moved to the U.S. after the war filed a succession of class action lawsuits against German companies in U.S. courts. Major German companies that were conducting global business had to face the reality that they were involved in criminal acts under the Nazi regime through the lawsuits, and had no choice but to respond to them due to the pressure of international public opinion, including boycotts.

## **Lessons Learned from Germany**

In present Germany, prosecution of Nazis and monetary compensation have been completed, while the generation that directly experienced Nazism and war is dwindling. Under such circumstances, emphasis is shifting from “Vergangenheitsbewältigung” to “Erinnerungskultur (Culture of Remembrance).” For example, in recent years, memorials or monuments, such as

the Memorial to the Murdered Jews of Europe located at the south end of the Brandenburg Gate in Berlin or the Documentation Centre for the History of National Socialism in Munich that just opened in May 2015 (the construction cost of approximately 4.0 billion yen was shared among the federation, states, and cities), have been built successively in Germany. The characteristic of memorials based on Erinnerungskultur is that they are places for presenting the past they wish to pass on to the next generation by means of explanatory panels or images, rather than displaying the items from the era, like traditional museums. In other words, Germany has entered into an era in which they strive to make the generation that has not experience war “remember” the past.

So far, I have discussed Germany. However, Germany’s “Vergangenheitsbewältigung” cannot serve as a model for Japan as it is. For example, the international environments in which Germany and Japan exist are different, and the difference in the natures of the crimes committed by the two countries cannot be ignored. Simply arguing that “Japan should become like Germany” is unreasonable in many ways, and can be even harmful at times.

In addition, there used to be intense confrontation within Germany concerning their past, and what impacted their “Vergangenheitsbewältigung” the most was pressure from international society. I would also like to emphasize that Germany has not necessarily been successful either. Rather, the image of a Germany that is always facing its past has become established through repeated trial and error.

What we can learn from Germany now after acknowledging such aspects is, I believe, how politics or the public sphere should function, and how they are composed.

Governments and politicians are required to have the ability to discern the underlying logic of international politics and determine the position that they or their country should take, as well as the ability to communicate such information inside and outside of their country. Needless to say, it is out of question for them to engage in falsehoods. Even if their words or actions are based on their beliefs, such words or actions are not politics if they are not conscious of the political functions or consequences of such words or actions.

If “public” means to be open to everyone, then “international publicness” exists already in that sense. Discourses that cater only to one’s own people (or a part of one’s own people) would only worsen the situation in such a world. In the modern international society, strict monitoring and checks are in place regarding the “forgetting of the past.” For statespersons, the ability to make their behavior conform to such values in the modern world is required. Figuratively speaking, politicians are required to have “acting skills.” It can be said that the German statesmen mentioned in this paper are those who had perfectly acted out their roles to the end.

In addition, the media should also function as an active leader of publicness, and above all, the citizens (or the “Japanese people”) should realize that they have kept choosing politicians who so far have engaged in falsehoods and that they have consumed sensationalistic media.