

SELF-REFLECTION IN POST-CRIMINAL SOCIETIES:
FROM DENIAL TO MORAL RESPONSIBILITY

Abstract

In the transitional period from collective crime to democracy, the majority of the population engages in strategies of avoiding the criminal past. In this chapter I introduce historical evidence from Nazi Germany, South Africa and Serbia to analyze what this lack of a meaningful response to the evil past reveals. I proceed to argue that it reflects indifference and even contempt toward the victim community and is couched in the 'culture of silence'. I argue that this cannot be justified and cannot be addressed by establishing only criminal and political responsibility for the crime.

Relying on theoretical insights from proponents of collective and shared moral responsibility, I defend the thesis that it is the 'reasonable fear' of the community of victims that grounds the duty to respond. This duty exists for as long as the fear is present. The duty bearers are the fellow citizens, whether they are in politically relevant roles or seemingly distant relations, because they share their identity with the perpetrators. This is so because the community of victims has reasons to be afraid of their fellow citizens still. Silence does not communicate to the victims that they should no longer be afraid. To the contrary: I argue that reasons informed by perverted group ethics (human life is not of equal value) give rise to the morally abhorrent judgment-sensitive attitudes (some do not belong to 'our' moral universe and can thus be violently expelled), lie at the core of the moral predicament faced by transitional societies, which is veiled in silence.

In order to address denial and indifference, which are both morally impermissible in response to mass-scale human suffering, I hold that the transition from collective crime to democracy ought to be conceptualized as a context in which the perverted group ethics, which attempt to justify avoidance to deal with the criminal past, ought to be morally evaluated and disqualified. This is the time when the re-establishment of the moral community becomes the necessary condition of the very possibility of the establishment of democracy. A normative change from denial to acceptance of responsibility is required because victims ask us to acknowledge and to remember. The proper attitude is to respond to these demands in good faith.