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Contested Knowledge, the Politics of Memory, and the Armenian Genocide

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JOACHIM J. SAVELSBERG, *Knowing about Genocide: Armenian Suffering and Epistemic Struggles*. Oakland, CA: University of California Press, 2021.

What exactly is it that we know when we claim to *know* about genocide? This is the deceptively simple question Joachim Savelsberg sets out to answer in this prizewinning book.[1] It should be apparent that this is actually two nested questions, not one unitary inquiry. There is the general epistemological question. What does it mean to *know* anything? And then there is the specific, substantive question. Is there something about genocide as a particular kind of human event that makes knowing about it different—harder, perhaps—than other forms of knowledge? It is the combination of these two questions that makes Savelsberg's analysis so compelling.

He embeds his inquiry into what he terms the "sedimented knowledge" about the Armenian genocide in a broader, sociological framework. Drawing on a wide range of sociological theory, Savelsberg develops a sophisticated theoretical apparatus for understanding (and implicitly generalizing) his empirical material. This gives his book a broad significance for scholars interested not just in the specifics of the Armenian case but also those interested in the sociology of knowledge more generally. Much of this knowledge takes on legal form, whether in contests over free speech and school curricula, in memory laws against denial, or in criminal trials for alleged perpetrators. Savelsberg's sociology of knowledge thus has major implications for legal sociology as well.

HOW WE *KNOW* IN SOCIAL CONTEXT

When Savelsberg asks what it means to "know" something, he frames it as a sociological rather than a philosophical question. He defines knowledge simply as that "which humans take for granted" (2). Whether we are, in some deep epistemological

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sense, warranted in taking these phenomena for granted is beside the point. The question, rather, is what are the social circumstances that cause us to believe certain things about the world. We can, in this sense, "know" things that are wrong or untrue. The actual truth content of knowledge is distinct from, and irrelevant to, the social construction of knowledge.

Based on this initial definition, Savelsberg develops a theory of how knowledge is formed, sedimented (i.e., becomes relatively fixed and stable) and, potentially, transformed again into revised knowledge. This is a three-stage process for him.

Knowledge formation begins as "social interaction" (17), sometimes simply between the Self and the I (in G. H. Mead's sense), i.e., as self-reflection, but more often among personal interlocutors. When people interact, they exchange their "taken-for-granteds" and in so doing, knowledge is formed. At a micro-social level, people tell stories to friends and family, they share their experiences with one another, they exchange information. These interactions constitute and transmit knowledge. Knowledge is formed, in other words, through communication. The communicative nature of knowledge formulation means that it is generally communal in nature.

Over time, these micro-social interactions can create what Savelsberg calls "knowledge repertoires." This is the second phase of knowledge formation. Such repertoires become broadly communal, transcending their micro-social origins. When such knowledge repertoires become generalized in a given community, that group becomes what Savelsberg calls a "carrier group." "Different groups may develop, through millions of interactions and reflections, distinct and at times clashing knowledge repertoires—that is, clusters of taken-for-granted notions of specific phenomena … " (53). At this point, knowledge becomes "sedimented," that is, "*relatively* resistant to change" (53). In short, carrier groups share certain sedimented knowledge repertoires that tend to be stable over extended periods of time and shared broadly within a given epistemic community.

The third phase of knowledge formation is when existing sedimented knowledge changes. When knowledge is ambiguous or the social circumstances of the carrier group change significantly, even sedimented knowledge can shift and new or revised knowledge repertoires emerge. In this regard, one might perhaps think of knowledge as operating in a kind of punctuated equilibrium; it is stable until something creates new conditions, in which case it changes.

While Savelsberg presents knowledge sedimentation as more or less an organic outcome of micro-social interactions, changes in such sedimented knowledge are frequently the work of "knowledge entrepreneurs." Such entrepreneurs generally occupy positions of epistemic authority, as scholars or activists or politicians. "Their institutional position allows them to reach large audiences, and they are chief promotors of presentist adaptations of knowledge to contemporary interests" (60). In times of uncertainty or change, audiences become more receptive to new narratives about the topics of sedimented knowledge promoted by knowledge entrepreneurs.

WHAT CAN BE KNOWN ABOUT GENOCIDE

Savelsberg uses this theoretical apparatus to map out and analyze knowledge about the Armenian genocide.

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This is an ideal case study in the construction of knowledge about genocide because knowledge in this case is plural and contested. Genocide denial is the official position of the Turkish state and it mobilizes its resources in an attempt to police not only domestic but also foreign knowledge about the genocide. "Knowledge" about the Armenian genocide is thus plural and contested.

On Savelsberg's account, there are three broad "repertoires of knowledge" regarding the Armenian genocide: silence, acknowledgment, and denial. Silence is a common psychological coping mechanism within victim groups, although even silence is communicative. It transmits "tacit knowledge" about the genocide (22).

Denial, unsurprisingly, is common among perpetrator groups (and, at times, their descendants). According to Savelsberg, there are three broad strategies of denial. The first is "factual denial," the assertion that certain events simply did not happen, or did not happen in the way others contend they did. This can take an extreme form—"Armenians were not massacred during World War I"—or a relative form—"Far fewer Armenians died than standard accounts claim." Either way, this is a rejection of facts claimed by the other side. The empirical nature of this kind of denial would seem to make it vulnerable to "fact checking," but motivated reasoning and confirmation bias tend to make even "factual denial" fairly resilient in the face of challenge.

The second form of denial is "interpretive denial." This form of denial does not reject the facts of the case, but simply reinterprets their meaning, in particular, their *moral* meaning. "Yes, someone argues, many human lives were lost, but those loses were not the result of murderous violence but rather the unavoidable side effect of war" (24). In the Armenian case, pedantic debates over the definition of "genocide" are one common form of interpretive denial.

The third form of denial is perhaps the most interesting from the standpoint of knowledge creation. This is "implicatory denial." This strategy accepts the facts of the case and even the standard interpretation, but "'what are denied or minimized are the psychological, political or moral implications that conventionally follow'" (24–25, quoting Stanley Cohen 2001). This form of denial is common among descendants of perpetrators. "Yes," such a perspective says, "my grandparents' generation murdered many people; yes, this was a deliberate political act; but *my* grandfather had no choice but to participate or did not know what he was doing or was not directly involved, so this does not implicate me or my family."

The final repertoire of genocide knowledge is acknowledgment. While some members of the perpetrator carrier group will acknowledge the genocide, acknowledgment is far more commonplace among the victims and their descendants. In the first survivor generation, acknowledgment often takes the form of testimony, either within the family or publicly, breaking from the psychologically comforting temptation of silence. For later generations, acknowledgment takes the form of commemoration, memorialization, and historical narrative. It is a way to both remember the suffering of their ancestors and to articulate that experience publicly for an audience that increasingly has no direct experience of the events in question.

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THE POLITICS OF GENOCIDE KNOWLEDGE

Because Armenians, both in Armenia and in the diaspora, and Turks have developed distinct, antithetical knowledge repertoires regarding the genocide, there is no way to understand the constitution of knowledge without reference to politics. Both sides deploy political resources and epistemic power to promote "their" knowledge. This is true for both domestic and international audiences.

Savelsberg traces the development of knowledge repertoires about the Armenian genocide in four distinct contexts: Armenian, Turkish, French, and American. He first examines the Armenian community, both in independent Armenia and in the diaspora. Within Armenia, the civil strife and political turmoil that accompanied the Russian Revolution and Armenia's brief flirtation with independence meant that in first decades after the genocide, silence (again, itself communicative) was the rule. But starting in the 1960s, amid the post-Stalin thaw, public memories of the genocide began to emerge, articulated always in a Soviet idiom (e.g., calling the USSR the "savior" of the Armenians). This culminated in the 1967 construction of the genocide memorial in the Armenian capital of Yerevan.

The collapse of the USSR and Armenian independence led on the one hand to a significant increase in "nationalist agendas and associated memories of the genocide" and an effort by knowledge entrepreneurs to mobilize global opinion to push the Armenian government into stronger acknowledgment (73). Overall, Savelsberg argues, "knowledge about the Armenian genocide in Armenia proper showed both stability, due to the slow accumulation of knowledge through everyday interaction, and change. Mnemonic entrepreneurs made sure that private knowledge became public, but they also drove knowledge change" (75).

In the diaspora, as in Armenia itself, the first postgenocide decades were marked by silence, which eroded as Armenians came into their own as ethnic actors within their host countries, mainly France and the United States. This made ethnic organizations key knowledge entrepreneurs in formulating and transmitting knowledge about the genocide, above all by pushing for public acknowledgment by the state. They put genocide memory at the center of Armenian identity in the diaspora, a way to unify an otherwise internally divided community and to push for greater integration and recognition from their new homes.

On the Turkish side, the historical trajectory was the inverse of the Armenian experience. During and immediately after the genocide, it was not uncommon for Turks to acknowledge the massacres. So, for Savelsberg, the puzzle is how an early recognition of the "truth" of genocide was transformed over time into "rumors" or "speculation." "Who turned 'truth' into 'uncertainty'? Why and by what means?" (88). Here too, the answer focuses on the role of knowledge entrepreneurs. Early on, direct perpetrators began a campaign of both literal and, especially, implicatory denial in their public statements and memoirs.

In a fascinating aside, Savelsberg examines the failure of the few perpetrator trials that were held in Istanbul after the war to break through the wall of denial and force an acknowledgment of the genocide. He maintains that the many and various trials of Germans for Holocaust crimes, starting with Nuremberg, forced the Germans into a stance of acknowledgment and made any concerted effort at denial impossible.

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This is a generous reading of the history of Nazi trials, whose impact I have argued was more ambiguous (Pendas, 2006, 2020; see also Bloxham 2001; Frei 2002). While it is true that the efforts to bring Nazis to justice for their crimes were vast (Pendas 2009), many Germans rejected the moral and political lessons on offer in such trials. For instance, in German circles, the arguments put forth by the *defense* counsel in the Nuremberg Trials resonated far more strongly than did those of the prosecution (Pendas 2020), helping symbolically transform Germans from perpetrators into victims. This is precisely what Savelsberg contends happened in the Turkish case as well. These trials "strengthened the notion of Armenians as aggressors and the redefinition of former perpetrators as national heroes" (96–97). In this sense, the Turkish trials are simply another example of the limits of what Lawrence Douglas has termed "didactic trials" (Douglas 2006).

Turkish denial was reinforced by the wave of Armenian terrorism in the 1970s. According to Savelsberg, "terrorist violence, motivated by rage about Turkish denial of the Armenian genocide, provided the Turkish government and media with ammunition to advance denial further. It helped knowledge entrepreneurs strengthen, at least domestically, Turkish interpretations of the violence of 1915" (101). The Turkish claim that Armenians had been a violent Fifth Column threatening the Turkish war effort and seeking to carve up the Ottoman Empire was mapped onto the politics of the 1970s, the radicalism of terrorist violence and the "existential" crisis of the Cyprus war. It would have been interesting to see Savelsberg engage in a bit more comparative analysis here. He notes that terrorism in the 1970s was a transnational phenomenon. The West German variant, the Red Army Faction (RAF), was also motivated, in part, by their sense that Germany had not done enough to atone for "Auschwitz." Yet the 1970s mark something of a breakthrough moment in West German acknowledgment of the Shoah. Why did terrorism prompt the Turks to double down on denial, while it did little to impede (and, may, arguably, have even facilitated) West German acknowledgment?

GENOCIDE KNOWLEDGE AND HUMAN RIGHTS

This is a variation on Savelsberg's final major question in the book. Across several chapters, he traces the conflict over the acknowledgment of the Armenian genocide in France, which passed a number of "memory" laws regarding genocide, and the United States, where several court cases were brought concerning school curricula, pitting the "free speech" rights of deniers against the state's power to govern what students are taught. In both cases, the Armenian side broadly prevailed. This has to do with the relative electoral significance of ethnic Armenians in both countries, and in the American case, the ability of Armenians to shape legal interpretations through "friend of the court" briefs.

Savelsberg offers a particularly powerful frame for understanding the stakes of these conflicts. The Turkish state and its allies in France and America invested a great deal of resources and political capital into trying to prevent acknowledgment of the Armenian genocide, or to at least open a space for "debate," to make sure that denialist positions would get a public hearing. Yet according to Savelsberg, any victories they might have

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achieved (which, in the event failed to materialize) would, at best, have been "Pyrrhic" (203).

Why? Because according to Savelsberg, Turkey paid a high price for these actions. Against the backdrop of what he terms "human rights hegemony," genocide denial is swimming against the current of history. In both cases, "massive opposition to genocide recognition, in an age of human rights hegemony, backfires. Acknowledgment of the genocide intensifies and is diffused. The knowledge repertoire of the victimized group enters into the edifice of hegemonic thought. It solidifies and becomes further sedimented" (196). Denying the genocide actually increased its acknowledgment.

Here is the one place where I think there might be grounds for modest skepticism regarding Savelsberg's argument. On the one hand, his contention that we live in an era of human rights hegemony would, at a minimum, call for more evidence. He acknowledges that human rights hegemony experiences "blowback," but argues that the fact that human rights violators go to the trouble to deny and cover up their misdeeds shows that human rights values remain hegemonic. Perhaps. But, as things like the so-called Confucian values debate or the growth of an avowedly theocratic form of political Islam show, not all global political actors accept the validity of human rights norms, even in their breach.

On the other hand, Savelsberg's contention that Turkey has paid a price for its international genocide denialism also invites scrutiny. It is certainly true that in France and the United States, Armenian genocide denial has weakened in recent years and acknowledgment grown. But what if controlling public discourse in these countries was only one, perhaps not even the most important, Turkish goal? What if the primary audience for such foreign endeavors was not really foreign at all, but Turkish? We know that China, for example, uses Western critiques of its human rights record to shore up domestic political support and to promote Chinese nationalism. Is it improbable that Turkey is doing the same thing? Perhaps the Turkish state is, in effect, saying to a domestic audience, "support us and we will defend your honor against foreign slander." This is an area where Savelsberg's need to rely on English-language sources weakens his otherwise powerful analysis. We hear what the Turkish press said about the Armenian genocide in general (based on secondary sources), but what did it have to say about the conflicts in France or the United States? What is in the Turkish foreign ministry archives or in correspondence between Ankara and its ambassadors? We never learn the answers to these questions. So, there is no way of knowing the relative weight of domestic vs. foreign policy considerations in Turkish policy. Obviously, as a sociologist, Savelsberg's concerns are as much theoretical as they are empirical, and no one can conduct research in every conceivably relevant language, but it is hard to tell how much of a price Turkey paid for its denial without a stronger sense of the internal politics of Turkey itself.

In the end, though, this is a minor issue. Savelsberg set out to present a sociology of genocide knowledge. In this task, he succeeds admirably. The book is in many ways empirically robust. (There is a lovely little section on how the geographic distribution of French legislators and the ethnic composition of their constituencies affected their votes on memory legislation.) The theoretical framework Savelsberg develops not only illuminates his case study effectively but, as all good sociological theories should, offers a model that could be extended to other case studies. Indeed, this is a book that calls for

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companion research into other cases using similar theoretical frameworks. It would be fascinating to see what came of a similar inquiry, not just into the Shoah, but into the Rwandan or Cambodian genocides as well. In that sense, Savelsberg has initiated what should become a very powerful line of research.

REFERENCES

Bloxham, Donald. *Genocide on Trial: War Crimes Trials and the Formation of History and Memory*. Oxford: Oxford University Press, 2001.

Cohen, Stanley. *States of Denial: Knowing about Atrocities and Suffering*. Cambridge, UK: Polity Press, 2001.

Douglas, Lawrence. "The Didactic Trial: Filtering History and Memory in the Courtroom." *European Review* 14, no. 4 (2006): 513–22.

Frei, Norbert. *Adenauer's Germany and the Nazi Past: The Politics of Amnesty and Integration*. New York: Columbia University Press, 2002.

Pendas, Devin O. *The Frankfurt Auschwitz Trial, 1963-1965: Genocide, History, and the Limits of the Law*. Cambridge, UK: Cambridge University Press, 2006.

—— "Seeking Justice, Finding Law: Nazi Trials in the Postwar Era, 1945-1989." *The Journal of Modern History* 81 (June 2009): 347–68.

—— *Democracy, Nazi Trials, and Transitional Justice in Germany, 1945-1950*. Cambridge, UK: Cambridge University Press, 2020.

https://doi.org/10.1017/lsi.2022.71 Published online by Cambridge University Press