Erratum

Crime, Law and Social Change, 1994/95 (22:3), 291–293

Unfortunately this book review was published with some printer's mistakes.
The correct version is printed below.

Alain Finkelkraut, *Remembering in Vain: The Klaus Barbie Trial & Crimes Against Humanity*, translated by Roxanne Lapidus, (New York: Columbia University Press, 1992), 102 pp.

A half century has now passed since the time of the Holocaust. As the twentieth century approaches its inglorious end the Holocaust continues to be quite widely viewed as one of the central events of the century, and continues to give rise to an endless stream of books, articles, and films. Making sense of this monumental event is surely one of the enduring challenges confronting all those who write about it or contend with it in some other medium, and when all is said and done may be an insurmountable challenge. The last major trial of a ranking Nazi officer is the specific point of departure for the work under review that undertakes the challenge, once again, of addressing some of the questions raised by the Holocaust and its aftermath.

Alain Finkelkraut, the author of *Remembering in Vain*, is a professor of literature at the Ecole Polytechnique and a prominent member of a younger generation (under 50) of French intellectuals. The perspective, style and specific preoccupations of this generation are quite different from those of earlier generations of post-World War II French intellectuals, including existentialists, Marxists, and deconstructionists. The somewhat eclectic and idiosyncratic philosophical outlook of Finkelkraut and his peers has not lent itself to facile labeling, although they have rejected some of the extreme, totalizing and confrontational positions associated with their predecessors. Alice Kaplan (of Duke University), in her incisive and helpful introduction to this book, suggests that Finkelkraut synthesizes a traditionalist repudiation of moral relativism with a postmodernist love of paradox. The term "postjournalism" has been applied to Finkelkraut, and may be especially apt with reference to the present work, because he is concerned with examining a "journalistic" event but transcends typical concerns of journalists by probing the deeper, under-

lying meaning of the event. It is also pertinent to note here that Finkelkraut himself is the son of Holocaust survivors, and has published earlier books on Jewish identity and Holocaust denial.

The 1987 trial of Klaus Barbie, in Lyon, provides the author with a basis for an intense, almost tortured meditation on some of the issues generated by the trial. This book, which is really an extended essay with 73 pages of text, apparently provoked considerable debate in France following its original publication (Hannah Arendt's book on the Eichmann trial, appearing in the 1960s, also generated much controversy). The Barbie trial was a painful event for the French because it once again regurgitated the memory of the trauma of the Nazi occupation and the shameful choices at least some of the French people made during that period. And Finkelkraut is especially concerned with the paradoxical relationship between historical events, the memory of them, and attempts (through the medium of a trial) to recast the meaning of such events. Allusions are made to the Dreyfus case, and the Nuremberg trial, in this context.

Klaus Barbie was the Nazi captain in command in Lyon during the occupation. Of the many terrible crimes committed under his command the two most notorious were the torture and execution of the legendary Resistance leader, Jean Moulin, and the deportation of 44 Jewish children to the death camps. Barbie escaped to South America after the war. Although he was tried and convicted in absentia, he was only finally arrested and deported from Bolivia in 1983. He was ultimately convicted and sentenced to life in prison in the 1987 retrial which was staged at least in part for the purpose of educating a younger generation of Frenchmen. The author of *Remembering in Vain*, however, devotes little space to a narrative of the events surrounding the trial or the specific details of the crimes with which Barbie was charged. Rather, his principal concern is with the strategy of Barbie's defense lawyer, Jacques Verges, to deflect attention from the Nazi crimes and direct it instead to the alleged hypocrisy of the French, many of whom cooperated with the Nazis and were guilty of terrible crimes committed in their colonies. More generally, Verges and his third world partisans attempted to recast the acts of Barbie and the Nazis as essentially acts of war. In their view the special concern over the fate of the Jews is a "Eurocentric" preoccupation not shared by the peoples of color and third world nations who have been historically victimized by Western European civilization. Finkelkraut regards this whole approach – which emphasized alleged analogies to the Nazi atrocities in many other historical contexts – as a grotesque trivialization of the Holocaust. He argues quite passionately that the true nature of the Nazi crimes against humanity were often obscured in this trial by the conflation of crimes of war with acts related to a systematic genocidal campaign. And he is quite persuaded that

the media too often portrayed the trial in ways which promoted this historical distortion. Indeed, Finkelkraut believes that television coverage inevitably trivializes the Nazi crimes because “one can sit and eat an apple while watching television.” It transforms a momentous historical event into a form of contemporary entertainment. Finkelkraut believes that an authentic world law and universal court, building on the Nuremberg tradition but compensating for its limitations, is needed to clarify the nature of “crime against humanity” and dispense a historically valid form of justice in cases involving such crimes.

The style of Finkelkraut’s meditation on the Barbie case is dense and intensely serious, evocative, discursive, and intellectually sophisticated. In short, it is a style much at odds with that of most American writing on crime, law and social change. The author places considerable faith in the institution of law to address the problem of “crimes against humanity.” He does not here attend to the role of law and legal entities in facilitating as well as responding to these crimes. He also does not fully engage with the complex issue of the uniqueness of the Holocaust, although inferences can be made about his own views on this matter. Altogether Finkelkraut’s book – which concerns horrendous crimes, laws and legal institutions responding to such crimes, and the effects of changing historical contexts in our reconstruction of these crimes – has the potential to stimulate a deeper understanding on our part of some especially important issues.

[A personal postscript: For the reviewer, a somewhat improbable sequence of events coinciding with a reading of this book led to the discovery that the death of his Jewish grandfather, who was a silk manufacturer in Lyon, was not due to natural causes in 1943, as he had always understood, but occurred under more ambiguous circumstances in January, 1944, most probably a suicide in anticipation of arrest by Barbie’s henchmen. This brief review, then, is dedicated to the memory of Emil Bruell.]

University of Scranton, PA

David O. Friedrichs