CHAPTER 5

Memorial Restitution

A Walking Tour of Berlin's Memorial Landscape

Berlin, 2020s. In chapters 2–4, I have examined restitution as it emerges as a textual and visual practice in different genres, forms and materials. I have moved backwards and forwards between continents, describing research work in Berlin, Melbourne, Hobart and Munich. The focus has been on questions of conduct, of taking responsibility and on plural sites of restitution and research. I have been sometimes focusing on institutional language – for instance, the *RzW Journal* in Chapter 2 and, in Chapter 3, Kluge's re-writing of administrative protocols and Bäcker's citation of legal transcripts. But I have also been returning to institutional placement and conduct – writing in my own law school in the introduction to situate my work and methods; my travels to the Berlin library in Chapter 2; my mention of the Stuttgart Literaturhaus for Sebald's restitution speech in Chapter 3; and the extended interludes in the Central Institute for Art History library, MONA, the Haus der Kunst and the Reichstag in Chapter 4.

In this final substantive chapter, I bring these questions back to Germany's capital city. I investigate further accounts of artistic restitution in present-day Berlin, where this book began with Walter Schwarz in the 1950s, and walk the reader through the streets to encounter memorial art. Along the way, I question to what extent the question of institution becomes a question of place and conduct in Berlin. I pay attention to the way official governmental institutions facilitate and interact with memorial art as a practice of German *Wiedergutmachung* and a form of public responsibility.

At the same time, I contend that walking through memorial art in Berlin is a practice of making-good-again, which is embodied, affectual

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and situated. This chapter argues that walking through memorial art helps us think about the way we embody legal movement – writing and making jurisprudence with our bodies – and makes visible different legal relations in a city.

This chapter has four parts. I introduce my methodology regarding memorial jurisprudence and then begin a walking tour through Berlin in part two. Our route through Berlin begins on Unter den Linden and we visit a series of national memorials, including the *Memorial to the Murdered Jews of Europe*. In part three we then move to Schöneberg and walk around the *Places of Remembrance* memorial before finishing by discussing the *Stolpersteine* (Stumbling-stones) memorial project by Gunter Demnig in part four. The trajectory of this chapter is to move from state-commissioned memorials on a federal level (*Memorial for the Murdered Jews of Europe*) to a local level (*Places of Remembrance*) to an individual artist (not commissioned) attempting the work of making-good-again through the *Stolpersteine*.

5.1 METHODOLOGY

5.1.1 MEMORIALS AND WIEDERGUTMACHUNG. I focus on selected memorial art on the Holocaust in this chapter, differentiated from monuments, public art and other forms of memorials in Berlin.[1] The term memorial art means I can focus on the specific artistic and architectural concepts developed for specific sites. Apart from Demnig's *Stolpersteine* which were originally artist-initiated and now come out of community requests, the other memorials I focus on in this chapter were commissioned by varying levels of the German government in a gesture of *Wiedergutmachung*. Recall the German approach to *Wiedergutmachung*

[1] Note in German there are a range of terms which are used for monuments and memorials. *Das Monument* refers to a general monument which may or may not be connected to memory (like in English). *Das Denkmal* refers to a memorial – the literal translation is: 'think-mark'. *Das Mahnmal* is a memorial but carries within it a warning – *mahnen* means 'to admonish' or 'to warn'. *Das Ehrenmal* is a memorial which honours an event or person. On this terminology, see Klaus Neumann, *Shifting Memories: The Nazi Past in the New Germany* (Michigan University Press, 2000) 10–11. The majority of Holocaust memorials under discussion in this chapter are officially called *Denkmal* in their title, but they arguably do all, in effect, function as *Mahnmale*.

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which I discussed in the introduction – in current usage it refers to official, governmental or institutional matters to do with restitution, including through the legal system. Frequently part of processes of restitution on a national level, the installation (or removal) of memorials is often seen to be crucial to the public acknowledgement of atrocity and a gesture of taking public responsibility.[2]

Parallel to this, I demonstrate how walking becomes a practice of making-good-again that carries other orientations of responsibility. Central to my approach is to follow the way these specific memorials have the spectre of a walker embedded within them. Like an invitation to a reader or a beholder held within a text or an art work, these memorials hold within them an invitation to a walker. The experience of the walker, therefore, interacts with the official narratives of German *Wiedergutmachung* that are projected by the creation of these memorials in specific places in the city. In this way, the question of responsibility is complicated through memorial art – these art works provoke and hold parallel moments of institutional and individual impulses towards restitution. To show this, I walk through these memorials in my text and take them seriously as art works, as a 'site of response'[3] – active in the

[2] In recent times, there has been an intense debate around how to deal with monuments or memorials which (to put it mildly) do not reflect a current view of history. For example, in Australia, a prominent memorial to Captain Cook is often vandalised, see, for example, Christopher Knaus and agencies, '"No Pride in Genocide": Vandals Deface Captain Cook Statue in Sydney's Hyde Park', *The Guardian* (26 August 2017) <http://bit.ly/4qvu5YI>. Memorials are increasingly discussed as a form of reparation in international law and transitional justice contexts. For example, victims of violations of international human rights and humanitarian law have the right to the remedy of 'satisfaction', which can encompass 'commemorations and tributes': see UN Resolution, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, GA Res 60/147, UN Doc A/RES/60/147 (Adopted 16 December 2005) Section IX, 22 (e). See further: Maria Chiara Campisi, 'From a Duty to Remember to an Obligation to Memory? Memory as Reparation in the Jurisprudence of the Inter-American Court of Human Rights' (2014) 8(1) *International Journal of Conflict and Violence*, 61.

[3] As Desmond Manderson reminds us, an art work 'is a *site of response* that demands something of, and constitutes something in, us. The responsibility we feel in front of a work of art is not a command that we return it to its own time, but that we continue to experience it in – and as – ours'. *Danse Macabre: Temporalities of Law in the Visual Arts* (Cambridge University Press, 2019) 107 [emphasis added].

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moment. In this way it is possible to notice how they are productive of relations between people in the city and able to do other forms of 'work' with regards to restitution. As Andrew Gross articulates: '[c]ontemporary memorials […] act out the trauma of Holocaust as architecture; *walking through* them is supposed to be a step towards *working through* that trauma as feeling and experience'.[4]

In Berlin, the creation of memorials is part of the social practices of memory and connected to the layers of 'collective' and 'cultural' memory which are overlaid onto the streets.[5] However, the experience of these streets and sites is also an individual experience in the moment.[6] The most useful term for my purposes in this chapter is the concept of 'places of memory', which is a translated term from the French historian Pierre Nora.[7] Nora's work took (at the time for French historians) a radical step beyond an archival, positivist view of history writing to describe the way the dynamic of memory is bound up in a collection of various places. These 'places of memory' are not just geographical locations, but in

[4] Andrew S. Gross, 'Holocaust Tourism in Berlin: Global Memory, Trauma and the "Negative Sublime"' (2006) 7(2) *Journeys* 73, 76. [emphasis in original].

[5] The term 'collective memory' was used by Maurice Halbwachs in 1925: *On Collective Memory*, Lewis A Coser (trans) (University of Chicago Press, 1992). On 'cultural memory', see Aleida Assmann, *Cultural Memory and Western Civilization: Functions, Media, Archives* (Cambridge University Press, 2013). The processes and techniques of memory linked to historical responsibility are a growing area of legal scholarship. See, for example, Mary J. Gallant and Harry M. Rhea, 'Collective Memory, International Law, and Restorative Social Processes After Conflagration: The Holocaust' (2010) 20(3) *International Criminal Justice Review* 265; Kirsten Campbell, 'The Laws of Memory: The ICTY, the Archive, and Transitional Justice' (2013) 22(2) *Social & Legal Studies* 247; Peter D. Rush, 'Dirty War Crimes: Jurisdictions of Memory and International Criminal Law' in Kevin Jon Heller and Gerry Simpson (eds), *The Hidden Histories of War Crimes Trials* (Oxford University Press, 2013) 367. Also: Jeffrey K. Olick, *The Politics of Regret: On Collective Memory and Historical Responsibility* (Routledge, 2007).

[6] See, for example, Karen E. Till's 'Fieldnotes' in: *The New Berlin: Memory, Politics, Place* (University of Minnesota Press, 2005).

[7] The term in French is *lieux de mémoire*. Nora's seven-volume project (1981–1992) has been translated and adapted into a three-volume version in English, see Pierre Nora, *Realms of Memory: Rethinking the French Past*, Lawrence D. Kritzman (ed), Arthur Goldhammer (trans) (Columbia University Press, 1996). In German the translation of Nora's term is *Erinnerungsorte* (memory-places) and is widespread in German memory scholarship, for an overview see Cornelia Siebeck, 'Erinnerungsorte, Lieux de Mémoire' [2017] *Docupedia-Zeitgeschichte* <https://docupedia.de/zg/Siebeck_erinnerungsorte_v1_de_2017>.

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Nora's large-scale work on France, the concept of 'place' encompassed literature, food, art works, living and dead people and different collectivities.[8] There is a general parallel to be drawn with Nora's methodology regarding these different 'places of memory' and my approach to expanding the genres and places of 'restitution' in this book. However, I view memorial art in this chapter as not only being predicated on a moment of memory – a reflection on a past event in the present. Rather, I am interested in how memorial art can cause different affects and movements.

5.1.2 FOLLOWING IN SCHOLARLY FOOTPRINTS. The intersection of law and the monument goes back to the first recorded codes, with the Code of Hammurabi consisting of publicly displayed inscriptions into stone and clay dating back to 1754 BC.[9] In the present day, the outward display of legal power continues through monuments and memorials which commemorate historical figures and events. As Desmond Manderson proclaims: 'What is a monument, after all, but the visual fusion of death, time, and law?'[10] However, I resist writing about memorial art as static objects whose legal work is done once they have been erected. Rather, I am interested in how memorial art can work to 'foreground' law. Through this term I mean bringing legal relationships and events – which are always there in the background – to the foreground of our experience of walking down the street.[11] Building upon Illan Wall's approach, this is a movement of law which happens through affect – through something which is registering in the body, performed by the body. 'Law', in whatever permutation, as we are walking, becomes front of mind, in the foreground, momentarily, perhaps, through an encounter with memorial art, before slipping back into the background. In addition, this movement of the foreground

[8] On Nora's work in English, see Hue-Tam Ho Tai, 'Remembered Realms: Pierre Nora and French National Memory' (2001) 106(3) *The American Historical Review* 906.

[9] The original Stele is displayed in the Louvre Museum, but there is a replica of the Code of Hammurabi in the Pergamon Museum, which is a ten-minute walk from Bebelplatz (the start of our walking tour in this chapter).

[10] Manderson, *Danse Macabre* 240–241.

[11] See further: Illan rua Wall, 'The Ordinary Affects of Law' (2023) 19(2) *Law, Culture and the Humanities* 191.

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and background of law in the street links closely to Philippopoulos-Mihalopoulos's conception of the 'lawscape' – the mutual constitution of law and space which surrounds us, seen as 'the way space and law unfold their tautology as difference. This takes place through an interplay of in/visibilisation'.[12] To use Philippopoulos-Mihalopoulos's terminology, this chapter describes accounts of walking through the memorial art as a way to 'make visible' past and present legal moments on the streets of Berlin.

Therefore, this chapter is situated within the area of 'legal geography' and 'law in the city', whereby scholars are increasingly paying attention to the way law regulates in and with space but also moves and creates ways of 'living law'[13] in an urban environment.[14] This is a fitting focus to bring to the city of Berlin, which is a city of historical frontiers and where the former Berlin Wall is now only two lines of bricks in the street, creating a path through the city.[15]

But to experience these memorials is to not just be in Berlin but to move through it on foot. The key technique explored in this chapter is the way we walk – and how this walking is programmed into the memorial

[12] Andreas Philippopoulos-Mihalopoulos, *Spatial Justice: Body, Lawscape, Atmosphere* (Routledge, 2015) 39.

[13] Greta Olson uses the term 'legality' building on the term 'living law' from Eugene Ehrlich, see Greta Olson, *From Law and Literature to Legality and Affect* (Oxford University Press, 2022) 6–7. 'Living law' has also been taken up by Daniel Matthews as a mode of social association in the city, see Daniel Matthews, 'Law and Aesthetics in the Anthropocene: From the Rights of Nature to the Aesthesis of Obligations' (2023) 19(2) *Law, Culture and the Humanities* 227, 237.

[14] See especially Alison Young, *Street Art, Public City: Law, Crime and the Urban Imagination* (Routledge, 2014) and Olivia Barr, *A Jurisprudence of Movement: Common Law, Walking, Unsettling Place* (Routledge, 2016). A selection of other authors: David Delaney, *The Spatial, the Legal and the Pragmatics of World-Making: Nomospheric Investigations* (Routledge, 2011); Nicholas K. Blomley, *Rights of Passage: Sidewalks and the Regulation of Public Flow* (Routledge, 2011); Andrea Mubi Brighenti, 'Lines, Barred Lines. Movement, Territory and the Law' (2010) 6(03) *International Journal of Law in Context* 217 and Mariana Valverde, *Chronotopes of Law: Jurisdiction, Scale, and Governance* (Routledge, 2015).

[15] Nicolas Whybrow's work has been instructive for this chapter, especially on Berlin, see *Street Scenes: Brecht, Benjamin, and Berlin* (Intellect, 2005). Whybrow has a similar method of writing/walking and a strong awareness of the way the 'encounter with both art and the city is one that is both relational and embodied'. see Nicolas Whybrow, *Art and the City* (I. B. Tauris, 2011) 8 and especially chapter 5: 'Berlin, Vienna: Performing Holocaust Memory'.

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experience itself. As Olivia Barr's scholarship helps us understand, walking is a legal method – a way of carrying law.[16] All memorials in this chapter involve an experience of walking.[17] Walking brings a body through a space, it is rhythmic motion through time. As Rebecca Solnit states,

> [w]alking shares with making and working that crucial element of engagement of the body and the mind with the world, of knowing the world through the body and the body through the world.[18]

Similar to my analysis of the institutional display of art works in the preceding chapter (Chapter 4), I contend these memorials copy the way a monument 'acts on people', which has the effect of constructing the ways 'where and how they can move, bodily posture'.[19] I attempt to think about the momentary and disjunctive responses which can occur in different audiences in these memorials – paying attention to affectual movements as well as non-movements – the affect which makes us also stand still.[20] This is a way to think with jurisprudence through the body. For instance, Marett Leiboff's theatrical jurisprudence is a mode of approaching law which asks legal selves (to which I include legal scholars) to not only pay attention to 'an act of seeing' but rather 'realise we respond through our bodies'.[21]

[16] Barr, *A Jurisprudence of Movement*; Barr, 'A Moving Theory: Remembering the Office of Scholar' (2010) 14 *Law Text Culture* 40. On walking as an aesthetic method, see Francesco Careri, *Walkscapes: Walking as an Aesthetic Practice*, Stephen Piccolo (trans) (Culicidae Architectural Press, 2017); Laurene Vaughan, 'Walking the Line: Affectively Understanding and Communicating the Complexity of Place' (2009) 46(4) *The Cartographic Journal* 316.

[17] See Ingold's description of the pedestrian: 'most metropolitan societies have transformed their urban spaces into something approximating the parade-ground, by paving the streets. In so doing, they have literally paved the way for the boot-clad pedestrian to exercise his feet as a stepping machine': Tim Ingold, 'Culture on the Ground: The World Perceived Through the Feet' (2004) 9(3) *Journal of Material Culture* 315, 326. See on walking generally: David Pinder, 'Errant Paths: The Poetics and Politics of Walking' (2011) 29(4) *Environment and Planning D: Society and Space* 672.

[18] Rebecca Solnit, *Wanderlust: A History of Walking* (Verso, 2001) 29.

[19] Michael Rowlands and Christopher Tilley, 'Monuments and Memorials' in Christopher Tilley et al (eds), *Handbook of Material Culture* (Sage Publications, 2006) 500, 508.

[20] Alison Young, 'Arrested Mobilities: Affective Encounters and Crime Scenes in the City' (2023) 19(2) *Law, Culture and the Humanities* 210.

[21] Marett Leiboff, *Towards a Theatrical Jurisprudence* (Routledge, 2019) 8. See also Marett Leiboff, 'Towards a Jurisprudence of the Embodied Mind – Sarah Lund, Forbrydelsen and the Mindful Body' (2015) 2(6) *Nordic Journal of Law and Social Research* 77.

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As a result, this approach 'now turns to the body as the first port of call over the rational mind, offers a technique, a jurisprudence that takes us back to law that is imbued with life'.[22]

Responding in our bodies means paying attention to our posture and movement. The connection between restitution, law and changing orientations is held within the etymology of the term itself (in English). In the etymology of restitution, the spatial dimensions of restoring or returning a subject (or object) to a previous position are implied due to its root, 'sta' whose derivatives mean 'place or thing that is standing'.[23] As Derrida describes it: 'Without even looking elsewhere or further back, restitution re-establishes in rights or in property by placing the subject upright again, in its stance, in its institution.'[24] Being 'upright' is a common figure of speech in English which has resonances in the images of legal bodies in the public domain. As Ingold writes, being upright in the western world relates to 'rank and moral rectitude',[25] while 'the squatting position is reserved for those on the very lowest rung of the social ladder – for outcastes, beggars and supplicants'.[26] This applies especially to the legislative and legal process, where the disposition of our body is continuously invoked through language: we 'stand' for office, and, importantly, if we wish to participate in a legal matter, we need to have 'standing' to bring proceedings. We also 'stand' trial, and in the courtroom, we listen to testimony as witnesses 'take the stand' and are then 'stood down'.[27] Posture matters to the rhetorical and literal performance of law.

[22] Leiboff, *Towards a Theatrical Jurisprudence* 25.

[23] *Online Etymology Dictionary*, 'restitution'.

[24] Jacques Derrida, 'Restitutions of the Truth in Pointing [Pointure]' in *The Truth in Painting*, Geoff Bennington and Ian McLeod (trans) (University of Chicago Press, 1987) 255, 283. Fittingly for the trope of shoes mentioned in this chapter, Derrida's comment here relates to his critique of Heidegger's analysis of Van Gogh's painting of a pair of old boots. For an in-depth reading of Derrida's comment on shoes and the Holocaust, see Arleen Ionescu, 'The "Differend" of Shoes: Van Gogh, Beckett, Wiesel, Levi, and Holocaust Museums' (2019) 17(2) *Partial Answers: Journal of Literature and the History of Ideas* 255.

[25] Ingold, 'Culture on the Ground' 324.

[26] Ibid.

[27] See further: Andreas Philippopoulos-Mihalopoulos, 'Flesh of the Law: Material Legal Metaphors' (2016) 43(1) *Journal of Law and Society* 45.

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The political power of this figural 'orthopedia of the upright carriage'[28] was recognised by Ernst Bloch, who used a formulation of postural human dignity in his writings as a rhetorical tool:

> The claim to the upright gait was within all rebellions; otherwise there would not be uprisings. The very word uprising means that one makes one's way out of one's horizontal, dejected, or kneeling position into an upright one.[29]

The opposite of this metaphorical approach of 'taking a stand' or being an 'upstander' is to simply 'stand by', which resonates in discussions of inaction. In relation to the Second World War, the stereotypical categorisation of the German population is into a division of perpetrators, victims, 'bystanders' and collaborators. Importantly for this chapter, collaborators were known by the German term *Mitläufer*, which literally means 'with-walker'.

However, these figural resonances of posture are not just conceptually important, but had murderous consequences during the Second World War. The Jewish body had been historically constructed through racial science as one which has poor posture, stooped over while walking: 'Every view of the Jew's body sees bad posture at its core, reflecting in one way or another the character of the Jew'.[30] This link between posture and character led directly to the atrocities in the eugenics programmes during the NS regime.

In the aftermath of such atrocities, one of the icons of suffering became piles of shoes. On display at Holocaust museums and memorials, empty shoes as a metonymic device simultaneously invite discussion of

[28] Ernst Bloch, *Natural Law and Human Dignity*, Dennis J. Schmidt (trans) (MIT Press, 1986) 174.

[29] Rainer Traub and Harald Wieser (eds), *Gespräche mit Ernst Bloch* (Suhrkamp, 1975) 123ff cited in: Jan Robert Bloch, 'How Can We Understand the Bends in the Upright Gait?', Capers Rubin (trans) [1988] (45) *New German Critique* 9, 10.

[30] See Sander L. Gilman, '*You, too, could walk like a gentile.* Jews and Posture' in Hans Otto Horch et al (eds), *Wegweiser und Grenzgänger: Studien zur deutsch-jüdischen Kultur- und Literaturgeschichte* (Vandenhoeck & Ruprecht, 2018) 17, 18. See also Sander L. Gilman, 'The Jewish Foot. A Foot-Note to the Jewish Body' in *The Jew's Body* (Psychology Press, 1991) 38.

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anonymity and scale as well as inviting personalisation of events.[31] Sara Bloomfield, Director of the United States Holocaust Memorial Museum in Washington, calls the shoes they have on display 'symbolic icons'[32] of the Holocaust: '[o]ur millions of visitors tell us overwhelmingly that the display of victims' shoes was the most unforgettable part of their Museum experience'.[33] In the immediate aftermath, shoes also functioned as rhetorical evidence for law. The exhibition of a pair of child's shoes during the Eichmann trial by Adolf Berman formed a dramatic moment within the context of his testimony and the trial itself.[34]

With all this context in mind, this chapter takes the recent scholarly insights on affect, walking, the city and the embodiment of law a step further. Through focusing on walking and posture, I describe the way the memorial art creates different affects; I contend these are not only conceptual but also literal movements of restitution and jurisprudence.

5.1.3 SITUATING THE TEXT. The analysis which follows is framed as a walking tour through Berlin. Writing an academic text often mirrors the role of a guide through the streets of a city – I choose the terrain, design a route, speak the narrative, proscribe where the text pauses and the direction which you, the reader, is invited to look.[35] In this chapter, therefore, I ask the reader to come with me to stand on the footpath in

[31] See further Ellen Carol Jones, 'Empty Shoes' in Shari Benstock and Suzanne Ferriss (eds), *Footnotes: On Shoes* (Rutgers University Press, 2001) 197; Jeffrey Feldman, 'The Holocaust Shoe: Untying Memory: Shoes as Holocaust Memorial Experience' in Edna Nahshon (ed), *Jews and Shoes* (Berg Publishers, 2008) 119. See also the *Shoes on the Danube Bank Memorial* created by Can Togay and Gyula Pauer (2005), which is an installation of sixty pairs of iron shoes on the edge of the Danube in Budapest.

[32] United States Holocaust Memorial Museum, 'Press Release. United States Holocaust Memorial Museum Shocked and Saddened at the News of the Fire at Majdanek' (10 August 2010).

[33] Ibid.

[34] The Trial of Adolf Eichmann, 3 May 1961, Transcript of Session 26.

[35] Academic writing is imbued with metaphors to do with movement – first step, second step; an excursion; a detour; a logical jump – and this has implications on the structure and expected 'progression' of an argument. See George Lakoff and Mark Johnson, *Metaphors We Live By*, 6th ed, (University of Chicago Press, 2011). See also Alison Young writing about the walking tour: 'Whatever the format, walking tours trade upon the notion that walking-and-looking is an unmediated phenomenon.' *Street Art* 160.

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central Berlin and to perch their shoes on the distinctive design of larger granite blocks and smaller square cobblestones which form the upper strata of the footpath.

'Be Berlin' was the official slogan of the city for twelve years (2008–2020), promoted by Klaus Wowereit, the much loved and much maligned former mayor of Berlin. Be Berlin. It captures the sense of becoming, openness and 'freedom' which is now possible in this layered city. But it also captures the sense of the way I describe that an individual can craft a city (and a memorial) through their experience – you – resident, visitor, migrant – can be Berlin, and whatever 'Berlin' is, it is constantly in flux. Part of the way a city is constantly made and re-made is through walking and moving in it.[36]

I describe the person who is visiting these memorial sites in Berlin as a 'walker' – an open term that is designed to capture the specific technique involved but also the various audiences and categories of people which are present in the city. This is following Warner's approach to creating a public, which simply 'exists *by virtue of being addressed*'.[37] This idea that a 'public is constituted through mere attention'[38] means that for each memorial, I am interested in the form of the memorials but also the process of audience – not only who created it but also who is being addressed and who is paying attention to the memorial art. Memorial tourism is standard in Berlin, where there is a proliferation of memory institutions and sites which are open to an ever-expanding audience of visitors. However, there are other memorials, such as those discussed in parts three and four of this chapter, which are off the beaten tourist path and have different barriers to access, such as knowledge of German: this change of setting necessarily changes the expectations and response of their walkers.

[36] 'Their story begins on ground level, with footsteps. They are myriad but do not compose a series. They cannot be counted because each unit has a qualitative character: a style of tactile apprehension and kinaesthetic appropriation. Their swarming mass is an innumerable collection of singularities. Their intertwined paths give their shape to spaces. They weave places together.' Michel de Certeau, *The Practice of Everyday Life* (Vol. 1), Steven Rendall (trans) (University of California Press, 1988) 97.

[37] Michael Warner, 'Publics and Counterpublics (Abbreviated Version)' (2002) 88(4) *Quarterly Journal of Speech* 413, 413 [emphasis in original].

[38] Ibid 419 [emphasis omitted].

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Therefore, following in the slipstream of the other chapters in this book, this chapter is also a description of different accounts of restitution; here they emerge through the creation of and the interaction with memorial art. As a dynamic 'site of response' which works across time and space, these objects in the street hold within them a matrix of creators, walkers, materials and locations. In the following sections we walk through different memorials in turn, beginning with the national memorials in the governmental precinct.

5.2 NATIONAL MEMORIALS IN THE HEART OF BERLIN

We start our exploration of Berlin in the former East, at the Law Faculty of the Humboldt University where we walk up, through the Brandenburg Gate, towards the Reichstag and three national Holocaust memorials. Staying adjacent to legal institutions, this route represents the way the German state has made public gestures of *Wiedergutmachung* through memorial art, specifically through commissioning and creating memorials. Keeping to my focus on the multifarious elements of a 'site of response', however, I draw attention to the design and materials chosen by the artists who have made the memorials, as well as the experience of the memorials themselves, examining how participation in the moment is a gesture of making-good-again.

5.2.1 REFLECTIVE STANCES. Take a moment to first look up the boulevard Unter den Linden and at the large plinth which carries a man on a horse: *Frederick the Great* (Christian Rauch, 1851). This statue calls to mind Robert Musil's short, ironic fragment where he muses, 'There is nothing in this world as invisible as monuments'.[39] The ubiquitous man on the horse generally blends into the European streetscape; here it is an example of triumphal memorial art which, from an often elevated height, mutely trumpets its own rhetorical, nation-building role. Another key example of this is the Brandenburg Gate itself (C. G. Langhans, 1788–91), which dominates the view straight ahead

[39] Robert Musil, *Nachlass zu Lebzeiten* (Rowohlt, 1999) 62.

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down Unter den Linden.[40] Take a moment to also look in the other direction down the boulevard Unter den Linden, towards the TV tower and Alexanderplatz. In this direction we can see the *Central Memorial of the Federal Republic of Germany to the Victims of War and Tyranny* (known as the *Neue Wache*). This is the German central war memorial and has had a layered and controversial history.[41] We don't go and visit Käthe Köllwitz's sculpture *Mother with her Dead Son*, which is placed under the occulus and therefore exposed to the Berlin weather, but its sombre stone *pietà* and the events of the Second World War stay behind us as we walk, setting the tone.

We leave the footpath, stepping out of the flow of pedestrians, and enter the sweeping cobblestoned Bebelplatz. This square is the site of the Law Faculty at Humboldt University, and it is also bordered by the State Opera House, a hotel and a church. There is a shuffle of tourists in the centre of the Platz; they are standing in an incomplete circle, bent in half, peering downwards. We join them, our feet on the edge of an expanse of glass. We are looking down and into Israeli sculptor Micha Ullman's work *Bibliothek / Library* (1995) (Figure 5.1). To one side are two brass plaques, both written in German. One contains a quotation: 'That was only the preamble, as where one burns books, one also in the

[40] This gate was a prominent symbol of a divided Germany and is now a key landmark in Berlin. The artist Horst Hoheisel submitted a concept (not successful) in 1994–1995 for the *Memorial to the Murdered Jews of Europe* which involved 'destroying the Brandenburg Gate, grinding it to dust and scattering the remains onto the proposed memorial site'. See Horst Hoheisel, '"The Long Shadow of the Past" in the Short Light of Present' (November 2018) 2 *Observing Memories. European Observatory on Memories* 50, 51. In 1997 on German Holocaust Remembrance Day, Hoheisel projected ARBEIT MACHT FREI onto the Brandenburg Gate. See the cover image and discussion of this project in the introduction of: Aleida Assmann, *Shadows of Trauma: Memory and the Politics of Postwar Identity*, Sarah Clift (trans) (Oxford University Press, 2015).

[41] The *Neue Wache* (New Guardhouse) was built in 1818. It was a royal guardhouse which was then re-purposed by every political regime that followed in the nineteenth and twentieth centuries, including as a Prussian war memorial, a central place for the Nazi regime to celebrate military heroes and then it was re-built and re-opened as a *Memorial to the Victims of Fascism and Militarism* by the GDR in 1960. After re-unification it became the *Central Memorial of the Federal Republic of Germany for the Victims of War and Dictatorship*, re-dedicated in 1993 and with an enlarged version of Köllwitz's sculpture, which she had created in 1937. See further: Christoph Stölzl, *Die Neue Wache Unter den Linden. Ein deutsches Denkmal im Wandel der Geschichte* (Koehler & Amelang, 1993).

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5.1 Micha Ullman, *Bibliothek / Library* (1995). Photo: Laura Petersen

end burns people. Heinrich Heine 1820'. The other plaque states: 'In the middle of this square, on 10 May 1933, National Socialist students burnt the works of hundreds of independent writers, journalists, philosophers and scientists.'

The memorial is a 5 m × 5 m × 5 m closed room set deep into the ground, a room which is empty and has empty white bookshelves on all sides. It is not accessible to the public and can only be viewed from above, looking in and down.[42] The way the glass roof refracts and reflects the mood of the sky means that clouds and shadows often filter the viewing of the room within. The artist, Ullman, deliberately wanted these reflections, describing them 'like smoke. So the books in the library are burning almost every day'.[43] But he also proclaims:

[42] Although Ullman himself gave a rare tour to a group of art students in 2014, recounted at: Ofer Aderet, 'Israeli Sculptor Gives Rare Tour of His Book-Burning Memorial in Berlin' *Haaretz* (7 September 2014).

[43] Ibid.

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> [t]he emptiness is an anti-fire substance. The library is not burning. Ideas and thoughts cannot be burned […]. The library, like the clouds, is hovering in an infinite environment.[44]

This empty space of the library gestures towards 'the void' and the difficulties of Holocaust representation and commemoration – a common architectural trope for recent Holocaust buildings and memorials. For example, Rachel Whiteread's design for the Holocaust memorial at the Judenplatz in Vienna is almost the inverse of Ullman's empty library shelves.[45] As mentioned in my reading in Chapter 4 of Anselm Kiefer's art work *Sternenfall*, Whiteread's empty cube appears to be made out of the casts of books, books which were sitting on the shelves with their spines facing inwards.[46] In addition, voids are a key theme of Daniel Liebeskind's design of the Jewish Museum, nearby in Kreuzberg, where they are structurally enacted by empty spaces and discontinuous stairways.[47] However, in contrast to the Jewish Museum or Whiteread's memorial in Vienna, Ullman's memorial is an actual marker in Bebelplatz. It is a place-holder interred within the site of an event.[48]

[44] Ibid.

[45] *Mahnmal für die 65.000 ermordeten österreichischen Juden und Jüdinnen der Shoah / Memorial for the 65,000 Murdered Austrian Jews of the Shoah* (2000).

[46] Notably, forty-seven place names (names of concentration camps where Austrian Jewish people died) are inscribed in stone around the base of the memorial – their signifiers crowd around the plinth in an attempt to link this designated site of memory with place names of atrocity throughout Europe. On this memorial in Vienna, see Nicholas Whybrow: 'The Silent "H" Word' in *Art and the City* (I. B. Tauris, 2011) 152; James E. Young, *At Memory's Edge: After-Images of the Holocaust in Contemporary Art and Architecture* (Yale University Press, 2000) 107–113.

[47] James E. Young writes regarding the design of the Jewish museum: 'In Liebeskind's case, he has simply built into it any number of voided spaces, so that visitors are never where they think they are. Neither are these voids wholly didactic. […] The voids are reminders of the abyss into which this culture once sank and from which it never really emerges.' *At Memory's Edge* 180.

[48] Ullman's *Bibliothek* is permanent, but it is not the only memorial to have been staged in Bebelplatz. Tina Schwichtenberg on 10 May 2003 (seventy years after the night of the book burning) placed stencils on the ground of Bebelplatz covered with flour. When the letters were lifted up, the names of authors whose books had been burnt were revealed. See Regina Köhler, 'Kunst-Aktionen gegen das Vergessen' *Berliner Morgenpost* (11 May 2003). Also, in 2006, there was a temporary sculpture installed in Bebelplatz which included seventeen giant steel books (12.2 m high) inscribed with the names of

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Due to the multiplicity of meanings, *Bibliothek* could be seen as an example of a counter-memorial. Post-Second World War there was a movement towards 'counter-monuments' in Germany regarding the Holocaust.[49] Despite being commissioned and installed on public land owned by the state, these memorial interventions signalled a change from the traditional state-based memorial forms. The aim of artists involved was to draw attention to the memory-making process and the role of the audience. The beginning of this movement could be seen in the Holocaust memorial made by the Gerz's in Hamburg in 1986, which was a 1 m wide pillar that stood 12 m high. People in Hamburg were invited to write their names and tag the memorial; gradually it was lowered down, into an empty vault. Now there is only the top of the memorial showing, it is buried flush with the ground.

Ullman has also placed the memorial into the ground, burying it but – in contrast to the Hamburg memorial – he has illuminated it and made the underground visible.[50] In this way, the viewing experience is one where the walker has to bend over – our bodies have changed planes – and we are facing the ground for an extended period.[51] Facing down, bowing a head, looking at your feet – each of these movements in Western cultural coding are actions which can be interpreted in various ways. They could be situated on a spectrum of personal and

German authors which was intended to commemorate the invention of the Gutenberg press. See 'WM-Skulptur auf dem Bebelplatz', *Berliner Morgenpost* (26 April 2006).

[49] See generally: Richard Crownshaw, 'The German Countermonument: Conceptual Indeterminacies and the Retheorisation of the Arts of Vicarious Memory' (2008) 44(2) *Forum for Modern Language Studies* 212.

[50] James E. Young writes regarding counter-monuments and the key 'space of memory' they evoke, which 'has not been the space in the ground or above it but the space between the memorial and the viewer, between the viewer and his or her own memory: the place of the memorial in the viewer's mind, heart and conscience'. *At Memory's Edge*, 118–119.

[51] Peter Chametzky, writing about the art of Joseph Beuys, contends that Beuys's work encourages a posture of looking down: 'They literalize in the body a memorial, mournful stance.' Chametzky contends that this 'contrasts with the traditional upward-lifted and lifting position of the monument aspiring towards the sky. Downward orientation has characterized many German memorials since Beuys's reorientation.' *Objects as History in Twentieth-Century German Art: Beckmann to Beuys* (University of California Press, 2010) 192–193.

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5.2 Dani Karavan, *Denkmal für die im Nationalsozialismus ermordeten Sinti und Roma Europas / Memorial to the Sinti and Roma of Europe Murdered by the National Socialist Regime* (2012). Photo: Laura Petersen

cognitive meaning (postures of contemplation or introspection) or could be seen as being relational towards others (postures of deference, shame, mourning or evasion). The movement of looking down sends a cultural signal through a body – a cultural signal engineered by the memorial – and so the walker performs these signals in the Bebelplatz. For me, looking down into this void is to take on a stance of reflection. My shadow and the Law School background constantly intrude onto my view: my standpoint is partial and necessarily mediated.

We straighten ourselves up and continue down Unter den Linden under the Brandenburg Gate and into Tiergarten, stopping before we reach the Reichstag building to enter Dani Karavan's *Denkmal für die im Nationalsozialismus ermordeten Sinti und Roma Europas / Memorial to the Sinti and Roma of Europe Murdered by the National Socialist Regime* (2012) (Figure 5.2).[52] We walk past information boards into the middle of the

[52] In an interview, Dani Karavan expressed extreme unhappiness regarding the long and drawn-out process of building the memorial by the relevant authorities. 'These years of my life were hell, and I am not a young man. I started on it when I was 68; now I am 82.

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memorial and gaze into the pool of water. This has a submergible platform in the shape of a triangle where a fresh flower is placed every day. Names of concentration camps are also printed into fragments of rock around the pool, and due to the way the stone is fragmented, perhaps controversially, one tends to walk on top of the place names to avoid walking in the dirt.[53]

Karavan's concept for the memorial:

> I had the idea that the memorial should be only one flower, but to protect the flower I could have water. The water became an integral part of this memorial. The dark reflection on the water makes it look like a hole in the earth. It reflects the trees and the Reichstag, and anyone who comes close to the water becomes part of this memorial. This is very important for me. *Everyone who comes is not only observing, but part of it.* The flower is also very important, because the Sinti and Roma are buried in huge cemeteries without graves, without signs, only flowers. We don't know where. Maybe only the roots of the flowers know. The flower is on a triangle, representing the triangle they had to carry on their body. The moment they carried this sign, they lost all of their rights as human beings.[54]

Using water as a material is common in memorial art.[55] It lets artists play with various connotations that visitors could bring to this element, such as cleansing, peace, intangibility and infinity. As Karavan explains, the reflection of the Reichstag in the water looms large over one side of the memorial; only 100 m away, there is the hustle of tourist buses and the long queues to get into the Reichstag to visit the dome (sidling

It was impossible to accept what they did. When I tell people the whole story, nobody believes that this happened in Germany.' See Ruth Schneider, 'I Can Say That Because I Am a Jew. They Don't Care about the Sinti and Roma', *THEBERLINER.com* (10 January 2013) <www.the-berliner.com/politics/just-gypsies-dani-karavan/>.

[53] Demnig's *Stolpersteine* discussed later also involve (controversially) the possibility of walking on top of people's names.

[54] Schneider, 'I Can Say That Because I Am a Jew' [emphasis added].

[55] For instance, the *9/11 Memorial* in New York consists of twin reflecting pools with man-made inverted waterfalls and inscriptions of names. A walking tour of the site has become a key part of the experience. On a smaller scale, the *Bali Memorial* (2003) near the Melbourne Law School (Lincoln Square in Melbourne) projects jets of water.

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5.3 Michael Elmgreen and Ingar Dragset, *Denkmal für die im Nationalsozialismus verfolgten Homosexuellen / Memorial to Homosexuals Persecuted under Nazism* (2008). Photo: Laura Petersen

past Richter's *Birkenau*). Despite this placement in the prime tourist and governmental zone of Berlin, the still pool does not seem to be often visited. It is shielded by trees and discovered by tourists through happenstance. Once you do discover it, however, as Karavan intended, you are projected into the memorial through your reflection on the water.

We leave this memorial and walk across Tiergarten to Michael Elmgreen and Ingar Dragset's *Denkmal für die im Nationalsozialismus verfolgten Homosexuellen / Memorial to Homosexuals Persecuted under Nazism* (2008) (Figure 5.3). It is a granite cuboid in a small clearing. It is surrounded by brush and hidden from the main footpath. Again, this memorial is not easy to see or find – you need to know it is here to look for it. This seems problematic as its setting is an uncomfortable repetition of the concealment and repression of the sexual freedoms it is intended to redeem. We walk up close to peer in to view the short film playing on repeat. Due to the angle of the Perspex in the cube, it is often difficult due to reflections or condensation to see the film playing, or rather, we see ourselves superimposed onto the film: through our reflections we are again interpolated over the image as it endlessly repeats. In a departure from using

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natural, abstract materials such as water, which rely on a visitor's capacity for self-reflection, here the medium of film offers a visitor a tangible representation – an image to hold on to – with the film playing in the cuboid showing two men kissing repeatedly. Instead of focusing on past atrocity, this memorial is oriented towards the present and the future. The action in the film is an act of continuity and defiance.

5.2.2 MEMORIAL TO THE MURDERED JEWS OF EUROPE. We cross the road and approach the *Denkmal für die Ermordeten Juden Europas / Memorial to the Murdered Jews of Europe* (2005), the German national memorial to the Holocaust designed by Peter Eisenman (henceforth 'MMJE') (Figure 5.4). The MMJE is not marked off from the street – there is no entrance, no signage – and it deliberately flows into the footpath, challenging the boundary line between everyday space, memorial space and even bodily space. The MMJE is made up of 2,711 stelae – thick rectangular concrete columns of different heights ranging from 95 cm to 4.7 m high. Apart from one plaque in the ground listing forbidden actions in the space (which is written in German), there is no signage or text in the main part of the memorial.

The process of creating a national memorial to the Holocaust was long, politicised and controversial.[56] The site itself is part of the Ministergärten and was in an area of No-Man's-Land during the time of the Berlin Wall. Opposite the Tiergarten, it sits in between the Reichstag, the Brandenburg Gate and the rejuvenated shopping and cinemas of

[56] See generally: Peter Carrier, *Holocaust Monuments and National Memory Cultures in France and Germany since 1989: The Origins and Political Function of the Vél' d'Hiv' in Paris and the Holocaust Monument in Berlin* (Berghahn, 2005). There was debate not only about the design for the Memorial but also about to whom it should be dedicated. The final resolution decided that it should be for the Jewish victims but included a statement that other victims should be commemorated. To this end, apart from the memorials which are discussed in depth here, there is also another key memorial site in the Tiergarten area. Opened in 2014, the *Memorial to the Victims of the Nazi 'Euthanasia' Murders* is at Tiergartenstraße 4. It is situated at the site of the administrative headquarters – T4 – where these murders were organised and planned, which is also now the site of the *Berliner Philharmonie*, home to the Berlin Philharmonic Orchestra. The Memorial is a 24 m curved blue glass wall with information boards and sound/audiovisual information, designed by architect Ursula Wilms, artist Nikolaus Koliusis and the landscape architect Heinz W. Hallmann.

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5.4 Peter Eisenman, *Denkmal für die Ermordeten Juden Europas / Memorial to the Murdered Jews of Europe* (2005). Photo: Laura Petersen

touristy Potsdamer Platz. This site borders on the edge of the former Reich Chancellery, which had an extensive bunker system built in the 1940s.[57] As such, the memorial site is very close to the site of Hitler's Führerbunker where he committed suicide.[58] In addition, the North-East corner of the MMJE was built partially on top of a bunker which was used by Goebbels. The chief architect responsible on-site for the building of the MMJE, Günter Schlusche, described the approach to the Goebbels bunker: 'Here nothing especially historical happened, it is an empty, damp cellar which stays in the earth as it is. We are building the Field of Stelae over it and leave it untouched.'[59] The idea of this damp bunker resting unseen underneath the ground of the MMJE is an unsettling image: a void of Nazism preserved underneath the Memorial site

[57] 'Ministergärten' <www.visitberlin.de/en/ministergarten>.

[58] The site of Hitler's bunker is now a car park for a block of East German-style apartments and is unmarked except for a small information board which was installed in 2006.

[59] Lothar Heinke, 'Holocaust-Mahnmal: Goebbels Bunker wird überbaut' *Der Tagesspiegel* (9 September 2003) <http://bit.ly/47qRt0H>.

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itself. It also forms a jarring mirror to the pristine whiteness of Ullman's buried memorial bunker only a few hundred metres away.

In 1999, while still sitting in Bonn (but about to move back to the newly renovated Reichstag building), the Bundestag paved the way for the memorial to go ahead, approving the reworked design of Eisenman's Field of Stelae and an Information Centre.[60] The speeches given in the Bundestag that day demonstrate the way, among other issues, the politicians were supportive of the Memorial and grappling deeply with the same questions of form, location as well as responsibility which we are following on this walk.[61] In the words of politician Antje Vollmer, this *Mahnmal* (a memorial designed to warn) was concerned with the 'identity of the Germans; above all their historical responsibility'.[62] Her colleague, Wolfgang Thierse, emphasised the way:

> There is no walking side-by-side between the Stelen; there is no entrance, no exit, no centre. So as contradictory as it may sound, in this way it becomes possible that an understanding of the incomprehensible will come to a visitor.[63]

Regarding the site, his colleague Norbert Lammert described the place of the Memorial as a site of 'irritation' which disrupts the 'moving on' narrative of this area of Berlin:

> Between the re-built Reichstag with the shining dome as a symbol of a re-built self-confident democracy and the Potsdamer Platz as the newly designed pulsing centre of city life: an irritating place – a site of irritation. This makes deep sense to me as an expression of the fragmentations and aberrations in the history of this city and this country.[64]

[60] Deutscher Bundestag, *Beschlußempfehlung und Bericht des Ausschusses für Kultur und Medien* (23. Ausschuß), Drucksache 14 /1238, 23 Juni 1999.

[61] On the MMJE as a site which forms generational communities of memory, especially as represented in the approach of the Parliamentarians, see Ulrike Jureit, 'Generationen als Erinnerungsgemeinschaften' in Ulrike Jureit and Michael Wildt (eds), *Generationen. Zur Relevanz eines wissenschaftlichen Grundbegriffs* (Hamburger Edition, 2005) 244, 262–265.

[62] Deutscher Bundestag, *Plenarprotokoll 14/48* (25 June 1999), 4090.

[63] Ibid 4087.

[64] Ibid 4089.

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Furthermore, the final text of the Bundestag Resolution to allow the building of the MMJE highlights the way the Bundestag expects this memorial to be an active 'site of response' working across different temporalities:

(2) With the memorial we intend to:
- honour the murdered victims,
- keep alive the memory of these inconceivable events in German history,
- admonish all future generations never again to violate human rights, to defend the democratic constitutional state at all times, to secure equality before the law for all people and to resist all forms of dictatorship and regimes based on violence.[65]

In this way, the *Memorial to the Murdered Jews of Europe* is set up by a parliamentary resolution and is, somewhat incongruously, portrayed as a metaphorical battlefield: an arena which should function to 'admonish', 'defend', 'secure' and 'resist' various obligations and threats in legal and public life. For the Bundestag, the gesture of building a national memorial as *Wiedergutmachung*, therefore, also goes beyond the scope of the work of memory. Rather, the Memorial becomes a projection screen for various constructions of the nation, the community and the citizen, all resting upon the rhetoric of legal responsibility.[66]

[65] Deutscher Bundestag, *Beschlußempfehlung und Bericht des Ausschusses für Kultur und Medien* (23. Ausschuß), Drucksache 14 /1238, (23 June 1999), I (2). This English translation is from: <www.stiftung-denkmal.de/en/foundation/founding-of-the-foundation/>.

[66] Peter Carrier contends memorials are 'meeting points of different spheres of communication, that is, communication projected both by the art and onto the art by public discussion'. *Holocaust Monuments* 230. The politicisation of the MMJE in public discourse has intensified due to the rise of the AfD (*Alternative für Deutschland*) far-right political party in Germany. In 2017, AfD politician Björn Höcke described it as a 'Denkmal der Schande' (Memorial of Shame) in a now infamous speech. Later in 2017, a political art collective installed a version of the MMJE with twenty-four concrete Stele onto a property which is next to Höcke's house in Thüringen, so he would have to see it every day when he looked out his windows. See Deutsche Welle, '"Denkmal der Schande" für Björn Höcke', (22 November 2017) <www.dw.com/de/denkmal-der-schande-für-björn-höcke/a-41487274>. The art collective was then controversially investigated by the police on the suspicion they were forming a criminal organisation, with the investigation dropped in April 2019: Berliner Morgenpost-Berlin, 'Holocaust-Mahnmal

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Before we walk deeper into the memorial itself, we pay attention to the material of its construction. In the first two memorials we encountered, the use of elemental materials was striking – the use of air and water – while the *Memorial to Homosexuals Persecuted under Nazism* relied on the technology of film. Such a choice of materials reflects the difficulty in containing concepts of memory which are ephemeral, slippery and mediated. This contrasts with the giant concrete and immovable slabs of the *Memorial to the Murdered Jews of Europe*, which initially project a sense of stability and durability of a German national approach. However, the concrete used to build the memorial is decaying and despite being made out of a special compound concrete, most of the stelae are beginning to develop large cracks.[67] This decay is fitting, and, in my opinion, it should not necessarily be remediated unless for safety reasons. The cracks demonstrate the way materials get in the way of gestures intending to finish and enclose – in a way, the decaying concrete is reminiscent of Anselm Kiefer's sculpture *Sternenfall* in Tasmania, where the impossibility of restitution is presented in the form of a monument that appears unstable and precarious.

5.2.3 (DIS-)ORIENTATIONS OF RESTITUTION. We move to the middle of the memorial (Figure 5.5). We are standing on uneven ground that undulates through different levels of concrete pillars. Walking in between the different levels of stelae, we become separated from each other – one becomes isolated and individual – and the layout leads to disorientation. A walker is forced into haptic, accidental experiences through physical and personal interactions with the concrete.

vor Haus von Björn Höcke – Ermittlungen eingestellt' (8 April 2019) <http://bit.ly/48Moqam>.

[67] In 2014, it was reported that 80 per cent of the concrete blocks were cracked, and dozens had been modified with steel collars for safety reasons: DPA/The Local, 'Berlin's Holocaust Memorial Is Falling Apart' (23 May 2014) *The Local* <www.thelocal.de/20140523/berlin-holocaust-memorial-crumbling-falling-apart>. Note there was controversy regarding the materials used to build the memorial. The building process was delayed as the anti-graffiti coating used to coat the Stele was manufactured by Degussa AG whose parent company was involved in the manufacture of Zyklon B during the Holocaust. For a case study which uses this scenario to teach ethics in business, see Al Rosenbloom and Ruth Ann Althaus, 'Degussa AG and Its Holocaust Legacy' (2010) 92(2) *Journal of Business Ethics* 183.

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5.5 Peter Eisenman, *Denkmal für die Ermordeten Juden Europas / Memorial to the Murdered Jews of Europe* (2005). Photo: Laura Petersen

Art critic Hal Foster writes regarding minimalism that the 'viewer, refused the safe, sovereign space of formal art, is cast back on the here and now',[68] and so they have to work to interact with the actual physical world to produce any sort of meaning or understanding. This confluence of time and space is common to all memorials – as we are exploring in this chapter, memorials function as sites of response – but here it means that a walker necessarily needs to engage strongly with present.[69] In this vein, Andrew Gross contends the idea is that the past has to be felt because it can never be understood; the absence of didactic content means this memorial relies on 'supplanting of content over form and the elevation of personal experience and emotion over historical understanding'.[70]

[68] Hal Foster, 'The Crux of Minimalism' in *The Return of the Real: The Avant-Garde at the End of the Century* (MIT Press, 1996) 35, 38.

[69] See also Anne M. Wagner writing on Maya Lin's minimalist *Vietnam Veterans Memorial* (1982) where she describes how the layout of the memorial challenges linear progression and time, meaning the 'ending is also the beginning (and vice versa)' (at 70). Wagner asserts: 'Lin built into her memorial a way to visualize, even physicalize, time.' Anne M Wagner, *House Divided: American Art since 1955* (University of California Press, 2012) 70–71. My thanks to one of the anonymous reviewers for this reference.

[70] Gross, 'Holocaust Tourism' 89.

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It is this personal experience and affect which can lead to historical understanding – a type of bodily understanding – which is promoted by this type of design. For instance, the unevenness of the waving ground (due to the small stones as well as the angle of the stelae) leads to a sense of one being off-balance, and the muffling of sounds in the middle of the memorial means sensory perception is delayed, encouraging a sense of 'time being out of joint'. This is an experience of losing your footing and being unanchored by time, place or identity: a cast away, or perhaps more relevantly to the historical context, an expellee – left to drift by oneself, one becomes a body detached from a persona, and can easily lose one's bearings.[71] Eisenman stated: 'I wanted the footsteps on these particular cobbles to resonate with other footsteps'.[72] These encounters, therefore, are experiences and encounters with the self in the present but are also choreographed postures that are designed to resonate with historical experiences in the past. In this way, one can experience Eisenman's design as the inverse of traditional conceptual modes of restitution, which involve a restoration of balance, a 'righting' of the wrong (in the sense that 'ships are "righted"'[73]) and a bringing of parties together on a level plane. Here, making-good-again is held in the experience of disorientation; a deliberate weighing down of the walker towards the horizontal plane and a forced recalibration of their sense of self in relation to space and time. Making-good-again in the moment is an experience of being put off-balance.

We come back together and line up with the crowd to go down the stairs to the Information Centre underneath the stelae.[74] The

[71] In this way, the experience of MMJE is similar to the *Garden of Exile*, which is part of the Jewish Museum in Berlin. It also is made up of slanting planes and tipping points which deliberately put one off-balance.

[72] Margaret Olin, 'The Stones of Memory: Peter Eisenman in Conversation' (2008) 2(1) *Images* 129, 129.

[73] Linda Radzik contends: 'perhaps wrongs are "righted" in the sense that ships are "righted". To right a ship is to restore its balance. To right a wrong might be to restore interpersonal balance or to bring a relationship or a community back into harmony.' Linda Radzik, *Making Amends: Atonement in Morality, Law, and Politics* (Oxford University Press, 2011) 6.

[74] Georgio Agamben asserted that the key zone in this memorial is the staircase, the threshold which transports you in-between the two spaces. Giorgio Agamben, 'Die zwei Gedächtnisse' *Die Zeit*, Andreas Hiepko (trans) (4 May 2005).

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Information Centre deploys a traditional narrative approach towards historical events, tracing a handful of personal stories that rely strongly on a static visual mode of photography. These photographs address us face-on. We have to only stand and gaze forward and in this way are moved through with others in the usual mode of museums controlling your route. Before leaving, it is important to understand the audience and address of the MMJE. As this is a tourist site the majority of the time, the question of who is actually working through the past as they walk through – or run through, jump on the stelae, write their names in the snow, or take a selfie – is not fixed.[75] There are innumerable and different responses to the memorial which one can observe on a regular basis, and oftentimes there is a lack of solemnity of disposition or conduct. The choice of site is therefore important: the placing of the memorial in this prominent location is a rhetorical statement by the Bundestag regarding Germany's commitment to institutional *Wiedergutmachung*.[76]

The implications of the choice of site, however, mean that a resident of Berlin would not come past here on a daily basis but would have to come here deliberately. As a result, this is a memorial mostly inhabited by tourists, which brings with it a tourist economy (souvenir shops and take-away outlets are on one side) and a tourist disposition – due to the constraints of time and money, it becomes one more 'attraction' within a busy day in Berlin, and one can give a review of the MMJE on websites such as Google Maps or Tripadvisor.[77] Eisenman, the architect, has

[75] In 2017, there was a prominent campaign by an Israeli artist who attempted to shame people taking selfies at Holocaust memorials. He photoshopped their selfie pictures onto backgrounds of Holocaust pictures: Shahak Shapira, 'Yolocaust' <http://yolocaust.de>. There is also long-standing controversy regarding people on Grindr and other dating sites taking photos posing at the MMJE: Meredith Bennett-Smith, 'Gay Hookup App Users Taking "Sexy" Pics At Extremely Solemn Location', *HuffPost* (31 January 2013) <www.huffpost.com/entry/grindr-holocaust-pictures_n_2590761>.

[76] The Information Centre, in particular, could also be described as a 'site of conscience' – a global movement of historic memory sites – which has the aim 'to be effective agents of social change by connecting past to present'. See Linda Norris, 'What Does It Mean to Be a Site of Conscience? "Good Trouble" Across the Globe' (2022) 25(2) *Space and Culture* 161, 164.

[77] Rated 4.6/5 with 46,487 reviews (at 16 November 2024): 'Denkmal für die ermordeten Juden Europas', *Google Maps*; Rated 4.5/5 with 36,932 reviews (at 16 November

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stated that his intention in making the memorial was one 'cannot easily synthesize it into your normal experiences'.[78] This means any visitor to the MMJE takes on, perhaps, the same mindset as a visitor to somewhere new – perhaps the point is to take on a tourist mindset. The MMJE is a national, centralised response, it is a destination as well as an experience 'outside' of normal life. In this way, the MMJE stands in stark comparison to the next two memorials we encounter in this chapter, which are spread throughout neighbourhoods and everyday locations – and not specifically visited by tourists.

5.2.4 REFLECTIONS OF WIEDERGUTMACHUNG. In this section of our walk, we have visited striking examples of national Holocaust memorial art commissioned by the German state. A fitting image for this section is the reflection of the Reichstag looming over the Memorial Pool as this captures the way the image of the state is reflected in these works. However, my tour of these art works deliberately shifted the emphasis away from this account towards the haptic and accidental experience of a walker in an attempt to describe how one may respond to the materials and design of the memorials themselves. My intention was to notice how each of these memorials invites the audience to take particular affective stances and, through walking and engaging with the sites, prompts momentary accounts of making-good-again.

5.3 EVERYDAY PRACTICES OF LAW: *PLACES OF REMEMBRANCE*

We get on the U-Bahn, travel to Schöneberg and emerge at Bayerischer Platz. Here there is a map mounted on the footpath showing green dots. It is part of a memorial, designed by artists Renata Stih and Frieder Schnock and mounted in 1993, with the full title: *Orte des Erinnerns:*

2024): 'The Holocaust Memorial – Memorial to the Murdered Jews of Europe, Berlin', *Tripadvisor*.

[78] Olin, 'The Stones of Memory', 129.

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Ausgrenzung und Entrechtung, Vertreibung, Deportation und Ermordung von Berliner Juden in den Jahren 1933–1945 / Places of Remembrance: Exclusion and Deprivation of Rights, Expulsion, Deportation, and Murder of Berlin Jews from 1933 to 1945. Their design won a local competition after intensive research work and an oral history project was done in the neighbourhood around Jewish history and events in the Second World War. This project drew attention to famous Jewish residents such as Albert Einstein, Hannah Arendt and Walter Benjamin and calculated that there were over 6,000 deportees during the Nazi era from the so-called 'Bavarian Quarter' neighbourhood.[79] Occurring parallel to the controversies surrounding the national Holocaust memorial – the MMJE discussed earlier – the brief for the local council competition 'specifically required that the memorial express the historical conditions that had preceded the deportations and made them possible'.[80] It also requested designs for a decentralised memorial, placed throughout the streets of Schöneberg and not just located in one spot, which is in direct contrast to the MMJE.

Places of Remembrance consists of eighty aluminium signs measuring 50 × 70 cm mounted throughout the Bavarian Quarter. They are mounted on the side of existing lampposts, high up, at a level where usually only street signs or traffic signs intrude into your sight. They are two-sided signs. One side has an excerpt from a regulation or legislative provision from the NS regime and (in a smaller font) the date it came into effect.[81] The other side has a coloured pictogram connected to the legislation. The date range of the signs is from 1933 to 1945, but they

[79] See, for example, Elissa Rosenberg, 'Walking in the City: Memory and Place' (2012) 17(1) *The Journal of Architecture* 131, 138ff; Margit M. Sinka, 'The "Different" Holocaust Memorial in Berlin's Bayerisches Viertel: Personal and Collective Remembrance Thematizing Perpetrator/Victim Relationships' in Laurel Cohen-Pfister and Dagmar Wienröder-Skinner (eds), *Victims and Perpetrators, 1933–1945: (Re)Presenting the Past in Post-Unification Culture* (De Gruyter, 2006) 197.

[80] Rosenberg 'Walking in the City' 139. For the ten-year process leading up to the creation of the memorial, see Sinka, 'The "Different" Holocaust Memorial', 200ff.

[81] The artists paraphrased orders, regulations and laws from the NS regime for the purposes of the memorial signs. The original source was Joseph Walk (ed), *Das Sonderrecht für die Juden im NS-Staat. Eine Sammlung der gesetzlichen Maßnahmen und Richtlinien – Inhalt und Bedeutung* (Heidelberg, 1996). Note that five out of the eighty signs do not have excerpts from laws but are fragments of narratives.

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are not mounted in chronological order and there is no designated route to follow; in keeping with the deliberate openness of the memorial, the completion of a set path is not possible. There are three stands throughout the Bavarian Quarter which depict a street map from 1933 overlaid with the street map of 1993 (sixty years later) with green dots where the signs have been placed. These maps are representative of the layers of legal relations which are invoked by the memorial: the past intrudes on the present in concrete and spatialised locations.[82] This is restitution as overlay – similar to the layering of buildings in Munich in Chapter 4 – but here it is working backwards: past events are intruding onto present sites.

5.3.1 SIGNS OF LAW ON THE STREET. The memorial's first sign, if you were to put them into chronological order, has a pictogram of counting days in prison. Proclaiming a law which applied to Dr Walter Schwarz, the jurist who was the protagonist of the second chapter of this book, it states 'Jewish lawyers and notaries may no longer have legal responsibilities concerning the city of Berlin. March 18, 1933' and underneath 'Jewish judges are suspended. March 31, 1933'.[83] Beginning the timeline of their memorial with this sign demonstrates the way artists are drawing attention to the legal landscape, a 'lawscape'[84] which surrounds one as one walks through on the streets – both in the past and in the present day.

Underneath every memorial sign there is another miniature sign that indicates it is part of a memorial project. This was due to concern from residents after their installation that the signs were part of Neo-Nazi propaganda. In response to the controversy,

[82] As Sinka comments, the maps also document the changes since the rebuilding of this area, which was bombed, but keep the focus on the present: 'the superimposed maps do not "return" burned and bombed buildings to the district. They simply replace them with new ones.' 'The "Different" Holocaust Memorial', 213.

[83] Schwarz discusses this law in his autobiography: *Späte Frucht: Bericht aus unsteten Jahren [Late Fruit: Report from the Unstable Years]* (H. Christians, 1981) 49. All the English translations for the signs are taken from the booklet which accompanies the Memorial: Renata Stih and Frieder Schnock (eds), *Orte des Erinnerns*, 4th ed (Stih & Schnock – VG Bildkunst, 2009).

[84] Philippopoulos-Mihalopoulos, *Spatial Justice* 39.

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> the artists pointed out that these same laws had been posted and announced no less publicly at the time – but had provoked no such response by Germans then. At least part of the artist's point was that the laws then were no less public than the memory of them was now.[85]

The move to display these legal regulations on the streets in a textual and visual way is a moment of foregrounding law. Laws affecting us and our everyday movements and activities are always there as we walk down a street: they often fluctuate in and out of our notice depending on our legal persona. However, these memorial signs explicitly make discriminatory laws from a specific time visible and tangible to a walker.

As such, the memorial at the outset is making a statement through its form: the sign.[86] Signage, for example in the front window of shops, was a visible means of racial exclusion in the Nazi era. Signs often carried the text: 'Jews are unwanted here'.[87] In the same vein, other public signage marks changes in legal and political regimes – legal practices are visible through markers in the street.[88] For example, the process of putting up new street signs with new names and new fonts is a way of asserting political dominance. An illustration of this is the memorial sign placed above the corner of two streets. The text of the memorial sign

[85] Young, *At Memory's Edge*, 115.

[86] Note that Grupo de Arte Callejero (GAC) in Buenos Aires over many years have also used 'the "visual language" of traffic signs as protest actions designed to draw attention to genocide and illegal detention in Argentina', see: <https://parquedelamemoria.org.ar/en/memory-signs/>. They have also done the mapping project 'Aquí Viven Genocidas'. In contrast to *Places of Remembrance*, this was a map of specific addresses of perpetrators and was designed as denunciation, see: <https://grupodeartecallejero.wordpress.com> My thanks to one of the anonymous reviewers for this reference.

[87] The wording was usually *Juden sind hier unerwünscht*. One of the signs as part of this memorial draws attention to the role of such signage, highlighting a regulation from before the Olympic Games: 'To avoid giving foreign visitors the wrong impression, signs with strong language will be removed. Signs, such as "Jews are unwanted here" will suffice. January 29, 1936.' This is paired, ironically, with a jovial *Herzlich Willkommen* (Warm Welcome) pictogram.

[88] 'Permutations of in/visibilisation are standard lawscaping practices: from signs on the streets to uniformed (or not) bodies strategically positioned, to makeshift corridors, to street barriers, to open doors in shops, to phone tracking to rituals and habits, these are variable valves in the in/visibilisation mechanism that shift according to the needs of the lawscape.' Philippopoulos-Mihalopoulos, *Spatial Justice*, 77.

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reads: 'Streets named after Jews are to be renamed. Haberland Straße – after the developer of the Quarter – will be renamed Treutlinger and Nördlinger Straße. July 27, 1938.' The two streets, however, where the memorial sign hangs, have now both been returned to their original name of Haberland Straße.[89]

As a way to make visible the signs of past laws, this memorial works through an 'interaction among text, image, location, and everyday practice'.[90] The signs are placed at 'generic sites'[91] – these are everyday locations, relevant to the *present* in a way that is directly or indirectly connected with the signs. These locations range from a public park, the post office, the shopping strip, or purely residential streets, as well as in front of institutions such as the courthouse and the church. There is often a muted colour palette and the presentation of memorial signs that we will see as we walk around, for example, the cake,[92] the wedding rings,[93] the mortarboard,[94] or the dog,[95] have a level of shading which suggests they are found images superimposed on a background. This sense of reproduction printed onto the aluminium does not necessarily give them a

[89] On political and legal toponymy in Germany, see Maoz Azaryahu, 'Renaming the Past in Post-Nazi Germany: Insights into the Politics of Street Naming in Mannheim and Potsdam' (2012) 19(3) *Cultural Geographies*, 385. See also Lawrence D. Berg and Jani Vuolteenaho (eds), *Critical Toponymies: The Contested Politics of Place Naming* (Ashgate, 2009). In Berlin, this ritual of changing the semiotics of the urban streetscape was exemplified by the changing over of the *Ampelmännchen* ('traffic light men') East German traffic lights to the standard West German traffic lights. The process became a symbol for the increasing loss of East German identity and part of the movement of *Ostalgie*. However, the East German traffic lights became a quirky local and tourist favourite through merchandising. They have now been returned to the streets and have even been installed in West Berlin and other cities in Germany that were in the former West.

[90] Henry W. Pickford, *Sense of Semblance: Philosophical Analyses of Holocaust Art* (Fordham University Press, 2013) 127.

[91] Rosenberg, 'Walking in the City', 143.

[92] 'In bakeries and cafés, signs must be posted stating that Jews and Poles may not purchase cakes. February 14, 1942.'

[93] 'Citizens of German descent and Jews who enter marriages or extra-marital affairs with members of the other group will be imprisoned. As of today, mixed marriages are not valid. September 15, 1935.'

[94] 'Jews may not receive academic degrees. April 15, 1937.'

[95] 'Jewish veterinarians may not open practices. April 3, 1936. General employment ban. January 17, 1939.'

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nostalgic edge but does contrast with the advertising signs with modern fonts on the streets of the neighbourhood shopping strip.[96]

5.3.2 LEGAL PRACTICES OF EVERYDAY LIFE (AND THEIR AUDIENCES). Enough pre-amble – let's begin our walk. Leaving Bayerischer Platz, one of the first signs we see across the street is a loaf of bread. On the other side is a regulation governing the time period during which Jewish people are allowed to buy food.[97] This is representative of the type of laws typically depicted on the signs: regulations attending to activities and neighbourhood commerce, school, services and even clothing and jewellery – the intrusion of the state into the actions, objects and intimacies of everyday life. The memorial demonstrates the way domestic concerns systematically became public legal concerns; the signs show the way all the rituals of the day to day were gradually encroached upon and procedurally taken away from the Jewish inhabitants of this neighbourhood. In fulfilling the brief for the memorial to 'express the historical conditions that had preceded the deportations', the artists draw attention to the way law created an atmosphere of exclusion, an affectual realm. In line with these sentiments, the 'guiding idea for the work was "making visible circumstances" […] "which in their treacherous inevitability were steps towards the annihilation of the Jewish inhabitants."'[98]

We look again at this bread sign (Figure 5.6). The memorial has a striking approach to temporality and spatiality. For instance, the signs are not only situated in a location relevant to the *present* (our bread sign

[96] Sinka describes them as containing 'lively colours, everyday objects as they might appear in a children's storybook'. 'The "Different" Holocaust Memorial', 197. I find the colours are deliberately faded, and the depictions simple, but not playful. In some ways they are an allusion to the card game of memory, where you need to find two of the same images to get a match. One of the pictures is shown on the sign, but to then get a match, you have to search the 'real' streetscape nearby to find its pair.

[97] 'Jews in Berlin are only allowed to buy food between four and five o'clock in the afternoon. July 4, 1940'.

[98] From the *Bericht der Vorprüfung zum Kunstwettbewerb im Bayerischen Viertel*, 1991. Cited in: Barbara Straka, 'Normalität des Schreckens. Eine Denk-Installation für das Bayerische Viertel in Berlin' in Renata Stih and Frieder Schnock (eds), *Orte des Erinnerns* 4th ed (Stih & Schnock – VG Bildkunst, 2009) 15, 15.

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5.6 Renata Stih and Frieder Schnock, *Orte des Erinnerns / Places of Remembrance* (1993). Photo: Laura Petersen

is in front of an actual supermarket), but also there is a continuity of institutional address – they speak to us in the *present* tense. This continuity of address occurs on a pictorial and textual level, as apart from pictures of objects, there are current official symbols represented.[99] The texts themselves are raw citations in the present tense (albeit absent the usual framework which designates a citation). As a result, these signs

[99] For instance, the village sign of Werder, denoting the regulation that 'Jews require a police permit to leave their place of residence', matches the black and yellow signs used today. Also, the pictogram of a 'U' for U-Bahn, placed very close to the U-Bahn station of Bayerischer Platz, is almost the same as the official U-Bahn sign, only it is slightly more rectangular and it has a second side, which recounts the gradual restrictions and then ban on Jewish people using public transportation. Similarly, the green capital H on a yellow background designating *Haltestelle* (Bus stop) is found throughout Germany, but here it signifies that 'Jews may only use public transportation if their place of work is more than seven kilometres from their home. March 24, 1942'. Other signs use institutional symbols from the past, such as the DR for *Deutsche Reichsbahn*, which marks the first mass deportations of Berlin Jews and the first deportations to the death camp at Auschwitz. In this vein, the sign relating to appearances in court uses the *Fraktur* typeface (on *Fraktur* and other typefaces in Germany, see above in Chapter 2).

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5.7 Renata Stih and Frieder Schnock, *Orte des Erinnerns / Places of Remembrance* (1993). Photo: Laura Petersen

would look the same if they were quoting legislation that is currently in force: 'Jews in Berlin are only allowed to buy food between four and five o'clock in the afternoon.' It means the audience are doubly implicated (if you speak German), and the immediacy of the citations forces the walker into a position of involvement (Figure 5.7). If you speak German and are familiar with the icons of everyday German life, you appreciate the way these continuities of address are being performed: you understand the signs. As such, the memorial is a specifically neighbourhood memorial: it has been created by a local council for its residents and draws on the rituals and practices of residential life, resisting the pull of a broader narrative of *Wiedergutmachung*. This is a form of making-good-again, which is not open to a broader tourist audience.[100]

However, this present tense mode is, in effect, displaying racist laws without any mediation. Other audiences must be affected. The last sign (if they were to follow a chronology) is a Leitz folder with the text: 'All files dealing with anti-Semitic activities are to be destroyed. February 16,

[100] However, in 2014 a re-modelled Bayerischer Platz U-Bahn station opened, with a second level that includes the 'Café Haberland'. Here there are exhibitions held on topics of commemoration and local history as well as an information stand (including information on the *Places of Remembrance* memorial in English).

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1945.' This sign demonstrates how there was not meant to be any trace left behind of these events in this neighbourhood to document and to archive.[101] Nevertheless, it is unclear to me how a Jewish person walking through these streets today would react to the memorial. They would be excluded again through these discriminatory signs. Margit Sinka describes the memorial as being able 'to elicit questions about the perpetrator/victim relationship without resolving them',[102] but it is unclear who exactly would fit into these categories in the neighbourhood of present-day Schöneberg.

The images are open, universal images: they are not specifically Jewish.[103] The iconography of the Holocaust is noticeable by omission – there is no pictogram of the yellow star, no lettered 'Jew', no black and white stripes, no barbed wire, no train tracks and no empty shoes.[104] On one level, you could see the choice of everyday objects and locations means the signs function as a form of 'Aesopic device' which enables an audience to 'perforate this cultural baggage' surrounding the Holocaust and 're-engage with the horror of what occurred' on an immediate, local, level.[105] However, it also means that these objects have a resonance and timelessness which reside in their everyday locations. As such, perhaps this is restitution not only as a move of return – an overlay – but also as

[101] However, the permanent exhibition *Wir waren Nachbaren* ('We Were Neighbours') in the Schöneberg Town Hall (five minutes from the Bayerischer Platz U-Bahn station) stands now in direct contrast to these aims. The impetus for installing a memorial in Schöneberg came out of ongoing research and archival efforts which are now part of this documentation and archival project. *Wir waren Nachbaren* includes over 170 biographical albums and listening stations where one can hear recordings about Jewish life in Schöneberg. See 'Startseite zur Dauerausstellung – Wir waren Nachbarn' <www.wirwarennachbarn.de/>.

[102] Sinka, 'The "Different" Holocaust Memorial', 200.

[103] As noted by Sinka, apart from the letter J which was stamped on passports, these are open images; they 'do not refer directly to Jews'. Ibid 216.

[104] Stih and Schnock do include the decree relating to the yellow star: 'All Jews over the age of six must wear a yellow star with the word "Jew" on it. September 1, 1941.' However, they do not use the star as the pictogram, rather they have a red and white striped t-shirt on the other side of the sign.

[105] Laura Petersen, '"We Are Story Animals": Aesopics in Holocaust Literature by Art Spiegelman and Yann Martel' in Gert Reifarth and Phillip Morrissey (eds), *Aesopic Voices: Re-Framing Truth Through Concealed Ways of Presentation in the 20th and 21st Centuries* (Cambridge Scholars Press, 2011) 174, 175.

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an act of continuity: a warning for the present. The choice of location for each memorial sign means that they are not just attempting to manufacture an experience of restitution concerning the past by walking through, but they are also making a statement about the present.

We stroll through quiet, calm streets, full of parked cars, leafy trees and *Altbau* – old-style renovated multi-storey apartment houses. It is the time of a European football tournament and so I point out German flags in the windows of one of the parked cars – it has only recently become acceptable to fly a German flag openly in Germany and it still gives me a jolt to see them in a public space. I notice how this flag (another symbol of law on the streetscape) seems incongruous next to one of these memorial signs. In fact, the whole experience feels incongruous – it is hard to reconcile the pleasant experience of walking through these streets with the knowledge of events of the NS regime and the atmosphere of that time. However, these memorial signs also feel relevant to the current German political climate in the 2020s; even more than the *Memorial to the Murdered Jews of Europe*, this memorial feels like it is an active 'admonishment' regarding safeguarding democratic freedoms.[106] These signs are presenting to us the way an eradication of freedom in 1933 started very small, with seemingly trivial incursions into daily rituals, a gradual normalisation of exclusion. As such, Wiedemer's contention about viewing these signs resonates strongly with me. She argues they make you feel like you are involved – a 'with-walker'. She explains:

> Along with the re-staging of past events in the present goes the role assignment to the passerby. This role is not an easy one to play. In contrast to more traditional memorials […] which ask simply that one be a rememberer, a mourner, or even a survivor, this memorial, by matter-of-factly presenting the anti-Semitic rules and laws from the point of view and within the context of an orderly and safe modern environment, asks its beholder to assume the role of a potential collaborator or *Mitläufer*.[107]

[106] See the wording (discussed earlier) of the Bundestag's Resolution to create the centralised Holocaust memorial.

[107] Caroline Wiedmer, 'Remembrance in Schöneberg' in Renata Stih and Frieder Schnock (eds), *Orte des Erinnerns*, 4th ed (Stih & Schnock – VG Bildkunst, 2009) 7, 10.

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Finishing our meanderings, we return to Bayerischer Platz to sit down. We see the sign of a painted red bench. On the other side is the text: 'Jews may only sit on yellow marked park benches. Eye-witness report 1939'.[108] We look around for the yellow benches, but of course by now they have been painted over.

This was a fictional tour – I had the map of the streets and directed our gaze upwards at specific points. However, in order for this memorial to work, it relies on a person on the street altering their gaze (or even stopping) to notice the sign. How does one notice a memorial embedded in the street – how does it register in the body? Is it an interruption, a frown or a step closer? An 'irritation'?[109] Does one stop moving altogether?[110] Alison Young, trying to capture the moment of seeing street art by oneself, *in situ* on the street, writes:

> Irrespective of variations in emotional temperature and character, each of us is *arrested* by the street art work, halted in our passage through public space and everyday life, suspended in a momentary relation with an image or a word.[111]

However, rather than a feeling of an 'aesthetic encounter', which can be provoked by street art,[112] the *Place of Remembrance* signs could lead to different responses and affective states, including anger, confusion, empathy or recognition.[113] If one does notice the signs, one's posture

[108] 'The effect of spatialising this history, that is, of linking each law with a physical site or location, is to bring it into the present'. Rosenberg, 'Walking in the City', 143.

[109] See above for Norbert Lammert's description of the site for the *Memorial to the Murdered Jews of Europe* as an 'irritation'.

[110] Sinka describes the way they are 'places to jar or jolt residents, even more so than visitors, to remembrance of the past in the present'. 'The "Different" Holocaust Memorial', 213. On stopping walking in the street, see Young, 'Arrested Mobilities'.

[111] Young, *Street Art* 45 [emphasis in original].

[112] Ibid 44.

[113] This is a very different tour to the one experienced by Diana Taylor at the Villa Grimbaldi in Chile. She recounts the way a survivor (Matta) gives a walking tour around the former torture and extermination camp. Taylor notices the orchestration, musing over the relationship between walking, reiteration and trauma. Most interesting for this chapter is Taylor's question: 'What does Matta's performance want of me as audience or witness? What does it mean about witnessing and the quality of *being in* place?' (at 244, emphasis in original). She concludes: 'As the multi-tiered space itself invites, I recognize the layers and layers of political and corporeal practices that have created these places,

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is affected: you are looking up. It is generally on the vertical plane that one reads street signs, traffic signs and other ordinances, and so one is used to looking up to see legal regulation and signs in urban space. It is a nice conceit to think that the German residents of the Bavarian Quarter may literally 'face up' to their past if they notice a memorial sign. However, like any landmark close to home or on familiar streets, these signs may have now simply blended into the street – it is over thirty years since their installation. When one is rushing to get on the U-Bahn, or to get the kids to school, would one still stop, look up and be momentarily arrested?

5.3.3 RESPONSIBILITY FOR LAW. Walking through the streets of Schöneberg looking at the *Places of Remembrance* memorial signs is to experience acts of making-good-again which were commissioned by a local community and are embedded within a local community. This is an account of restitution that uses the idioms of overlay and return: the movement of restitution in these streets takes its shape in a visual confrontation with racist laws. Placing the signs in locations relevant to the present means that the continuity of institutional address is emphasised – these are sites of response which not only direct the gaze up towards the past but also straight ahead. In that sense, Wiedemer's assertion that a walker becomes a 'collaborator' is important. Here the residents of Schöneberg are collaborating in the memorial art – they undertake their own moments of making-good-again through walking. But also, the signs make law momentarily visible – if you notice it, your role changes. You are implicated. The memorial makes you imagine what it might mean to live in a neighbourhood where these laws are in force, where your neighbours are being actively discriminated against, where they are not allowed to own a pet or sit on a bench in a park. And so, this memorial is not just about making the past visible, but it is also a public warning: a call to pay attention to the effect of these signs. This memorial asks the residents of Schöneberg to not only think about what

the histories I bring to them, and the emotions that get triggered as we walk through them in our own ways.' Diana Taylor, 'Trauma as Durational Performance' in James M. Harding and Cindy Rosenthal (eds), *The Rise of Performance Studies* (Palgrave Macmillan, 2011) 237, 246. My thanks to one of the anonymous reviewers for this reference.

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it might mean to enact restitution through everyday movements but also to take responsibility for law.

5.4 CITIZEN'S RESTITUTION: *STOLPERSTEINE*

In this final part we look for *Stolpersteine* (Stumbling-stones), which are small brass memorial stones set into the footpath. Led by the German artist Gunter Demnig, the *Stolpersteine* have become a phenomenon: there are over 75,000 *Stolpersteine* now laid in 2,000 European cities.

Demnig (born in 1947) laid his first *Stolpersteine* in Berlin in Kreuzberg in 1997. In German, *stolpern* means to stumble or to trip. Their name therefore refers to an interrupted gait, an impeded movement. It also has a second meaning (corresponding to the second meaning of stumble in English) relating to come across something, often by chance, which fits the serendipitous nature of these memorials. To view a *Stolperstein*, we walk over to Treuchtlingerstraße in the Bavarian Quarter, where there are *Stolpersteine* for the Henoch family embedded in the footpath outside the apartment house at Number 5.

The stones measure 10 cm × 10 cm and are made out of concrete with a layer of brass on the top. Demnig initially mounted them illegally into the footpath as part of a Holocaust art intervention project.[114] Despite their enormous success, the *Stolpersteine* remain his project, run through his foundation and he is involved in installing each one. In this way, in contrast to the other memorials discussed in this chapter which have been commissioned by the state or local authorities, the *Stolpersteine* are a form of memorial street art, undertaken by citizens for citizens. They function like a historical 'ghost bike' or a white cross at the side of the road – but these are 'stones' inlaid onto the street.[115] The strong nexus between place and the art work means they are memorial art in the form

[114] The first *Stolpersteine* have been given retrospective planning permission, and now all the *Stolpersteine* are only laid with the permission of the local authorities.

[115] The phenomenon of objects to remember death being left in the streetscape is not a new one: 'In addition to shrines, memorials, and graves, the site of an unexpected, senseless death may become a location where people leave objects'. Miles Richardson, 'The Gift of Presence: The Act of Leaving Artifacts at Shrines, Memorials, and Other Tragedies' in Paul C. Adams, Steven D. Hoelscher and Karen E. Till (eds), *Textures of Place: Exploring Humanist Geographies* (University of Minnesota Press, 2001) 257, 257.

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5.8 Gunter Demnig, *Stolpersteine / Stumbling-stones*. Photo: Laura Petersen

of 'situational' art work as discussed by Alison Young, a term which shows 'the importance of the spectator's encounter with the work in a situation quite unlike other forms of viewing art, the artist's interest in placing the work in a public space rather than a gallery, and the law's desire to situate the street art work as legal or illegal'.[116]

Demnig's calendar to lay new *Stolpersteine*, available online, is fully booked.[117] His foundation has also now begun laying *Stolperschwellen* ('Stumbling-thresholds') for sites where there would be a need for hundreds or even thousands of *Stolpersteine* in the one place.[118] However, even more so than some situational art works, Demnig's art works are placed as a marker in the streetscape: they are generally laid in front of a residential house. Their simple inscription is hammered by hand, letter by letter, and includes the consistent details (as much as is known), as transcribed and translated from the Lilli Henoch[119] stone (Figure 5.8):

[116] Young, *Street Art* 8.

[117] See the *Stolpersteine* website: <www.stolpersteine.eu/en/>.

[118] These are based on the dimensions of the *Stolpersteine* and so remain 96 mm wide but can be up to 1 m in length with up to five lines of text.

[119] Note the spelling on the stone uses 'Lili'.

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Here resided
Lili Henoch
Year of birth (abbr.) 1899
Deported 5.9.1942
Riga
Murdered 8.9.1942

Viewing this stone, we contemplate how Demnig's *Stolpersteine* are objects that form a 'site of response' between the past and present. They rest on a central idea of making-good-again through the return of an individual to their status as a citizen, to their home, enacted through an artist taking on their own sense of responsibility for the past through their craft.

From the beginning, Demnig's choice of hard, durable materials – brass and concrete – meant that the *Stolpersteine* were not meant to be an ephemeral form of memorial street art but were designed to solidify into the footpath and be immovable and implacable in their place. Crucial to their adoption by the community is the notion that they are handmade, that they are crafted by an individual person. In the film *Stolperstein*,[120] Demnig states that the fact they are all made by hand contrasts with the production lines in Auschwitz: 'here is a way of giving back a sense of individuality'.[121] From this film footage, it is clear that putting the stones in the footpath is physical work involving digging, moving cobblestones, cutting concrete and marking the earth. There is often an initiator of the stone next to Demnig (discussed later) as he undertakes the placing of the stone into the street. But there is no spoken ceremony which he undertakes, and due to the constraints of his timetable, Demnig often has to move on quickly to the next stone. In this way the memorial stones are crafted, hammered and installed by Demnig, but their restitutive meaning is not fixed: they are left in the footpath for others.

[120] Dörte Franke, *Stolperstein* (ARTE, Hanfgarn & Ufer Film und TV-Produktion, Norddeutscher Rundfunk, 2008). Note that the title of the film is in the singular – 'Stumbling-stone'.

[121] Due to the popularity of the *Stolpersteine*, it is shown in the film that Demnig has had to ask someone else to handmake them and struggles with this decision.

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5.4.1 RESIDENCY AND RETURN. All the letters are capitals; the person's name is hammered in a bigger size than the other information on the stone. In direct contrast to the numbering systems used by the NS regime, the *Stolpersteine* recognise the dignity which is involved in using a person's name. Calling the stones *Stolpersteine* means their name is a play on the word *Grabstein* – grave stone – but in contrast to a grave stone, the inscription is not necessarily an epitaph.[122] There is scarce information on the stone, including no full date of birth, which now, given the popularity of the stones, means the repetition of form also has its own power.[123] However, the stones are treated, at times, as forms of *ersatz* grave stones for people who don't have a grave, with some bystanders laying fresh flowers or lighting candles on the ground next to them at the time of their installation. In the film *Stolperstein* mentioned earlier, one child fittingly describes the stones as *Trauersteine*, which translates to 'mourning-stones' or 'sadness-stones'. The stones speak from the present about the past and, in contrast to the memorial in Schöneberg, the words are hammered into the brass in the past tense. The inscription changes language depending on which country they are mounted in, but it is the same information in the same format. The stones address anybody who notices them if they can speak the language of the country in which they are placed. They are primarily mounted in residential streets.

'Hier wohnte' is the first line of the stone. Demnig chose the verb 'wohnen' which means to live, but to live in a residence, so it means specifically to reside, to dwell.[124] This choice of verb means that it indicates this person had a place to dwell – they had an apartment in this apartment house on this street. It was their 'home' – maybe they had a family, had possessions and built their life here. This link, which creates a connection between a stranger viewing the stone and a person that had

[122] Note there are also stones for survivors, but usually they are for victims.

[123] Dora Osborne, however, is critical of this format: 'The named individual is reduced to the format and formula designed by Demnig. Indeed, this inscription, made by hand, also functions as a kind of signature for the artist, who effaces the identity of the named victim even as he (re)inscribes it': Dora Osborne, '*Mal d'archive*: On the Growth of Gunter Demnig's *Stolperstein*-Project' (2014) 37(3) *Paragraph* 372, 381.

[124] This is carried over into the foreign language versions of the stones, for example, in France: *Ici habite*. The location is the last known 'freely chosen' place of residence.

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a place to live, is perhaps a key reason behind the power and popularity of this memorial. The underlying force of an idea like a 'home' seeps through cultural consciousness: 'there *is* no place like "home" because people construct its image in memory and imagination'.[125] Here, walking down the street, looking down at the stone and then up to the apartment block: a process of constructing a 'home' for someone else becomes a process of identification.[126] It is a way to individualise the experience of deportation and murder listed on the stone, it turns a name into a person. This attempt at personalising narratives about the Holocaust is common to Holocaust museums and is exemplified by the approach in the Information Centre under the MMJE. However, here it is intrinsically linked to a place – this building, this 'site' – but in another time. It creates a sense that this is not only a stone about a 'victim' but an individual, a citizen who had a home here and was part of a neighbourhood. In that way, the *Stolpersteine* are different to memorials in places of atrocity or death, which focus on the general horror of the actions of the perpetrators and the death of the victims. The *Stolpersteine* return people's names, not only to a memorial site but also to their homes – and therefore work to return them to being seen as people who lived and were alive, with all the beauty and complexity which life can entail.

5.4.2 PARTICIPATION AND AUDIENCE. The inscription relies on the viewer's knowledge of the significance of particular dates and places relating to the Holocaust to make meaning of the words. There are no exhortations to remember. Rather, these stones are tiny but direct testimonials regarding the past that engineer a dialogic relationship with the viewer and the surrounding neighbourhood and community. But in contrast to other fixed memorial projects, this is an ongoing and ever-increasing project which uses the terrain of European footpaths. The shift in language depending on location means this is an attempt

[125] Tony Chapman, 'There's No Place Like Home (Review Article)' (2001) 18(6) *Theory, Culture & Society* 135, 138.

[126] David Delaney offers the reminder that the 'home also occupies a special place in the spatial imaginary of law'. 'Home as Nomic Setting: Seeing How the Legal Happens' (2010) 48(2) *English Language Notes* 63, 65.

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at creating local meaning for local people – even though you can't, of course, determine who might pass by on a public street or whether they will even notice the glint of brass among the cobblestones.

The *Stolpersteine* are, however, markedly different to traditional memorials because the community can get involved and commission them. Demnig's website sets out the steps to follow to arrange a *Stolperstein* – anyone can participate if they have done the research about a person involved in the Holocaust, can pay the 120€, and get the planning permission.[127] Other Holocaust memorials are not able to be initiated, steered and tended by ordinary people in the same way. The archival nature of the project means that it crosses generations and that people have a sense of ownership and care for the stones, even if they are not personally connected to the street or relatives of the persons. For instance, there are groups of *Putzpaten* ('cleaning-godparents'), which take up the responsibility for cleaning the brass. As shown in the film *Stolperstein*, after squeezing white foam onto the brass and looking on at the now shiny stones, one older German woman mentions the inability to discuss the past with her family and remarks: 'Our parents should be standing here.'[128]

5.4.3 ORIENTATIONS OF RESTITUTION. Despite the generally positive reception of the stones and their belated acceptance by the local planning authorities, they attract controversy.[129] Notably in Munich there is a longstanding ban on their installation in public ground dating from 2004, due to the opposition of the Chair of the Jewish Council, Charlotte Knobloch. In July 2015, this ban was upheld despite a change in mayor and increasing support for the laying of the stones.[130] Knobloch's opposition relates to the placement of the stones in the

[127] From 2020, there has been a 10 per cent surcharge for *Stolpersteine* outside of Germany to help cover costs.

[128] See Franke, *Stolperstein*.

[129] See some of the examples which range from house owners not wanting the stones in front of their houses to Neo-Nazis digging up the stones in: Petra T. Fritsche, *Stolpersteine – Das Gedächtnis einer Straße* (wvb Wissenschaftlicher Verlag Berlin, 2014).

[130] Stav Ziv, 'Munich to Continue Ban of Stumbling Stone Holocaust Memorials' *Newsweek* (29 July 2015) <www.newsweek.com/munich-continue-ban-stumbling-stone-holocaust-memorials-358176>.

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footpath, contending that it could be disrespectful to walk over these names, and it was reported that Munich will install the stones on private ground next to the footpath.[131] Defiantly, Demnig stated in the film *Stolperstein* when asked about Neo-Nazis possibly stamping on the stones: 'skin heads can trample on the stones as much as they want, the stones will only become shinier'.[132]

This is not, however, a 'site of response' which finishes with the laying of the stone – like the other memorials in this chapter, the *Stolpersteine* also carry within them the spectre of someone who walks. Where people walk is integral to the project. Viewing the *Stolperstein* film, it is made clear there are often various options as to where to precisely place the stones outside of the apartment buildings. As part of one discussion, Demnig states: 'we will put them here, because that is where people walk'.[133] Putting these small stones into the footpath means they are made specifically for pedestrians – due to their size, they are hard to see from the road. The glinting quality of brass makes them stand out against the grey dirt of the cobblestones, but they are not easy to see. Nevertheless, you can't trip over them (*stolpern*) as they must be level with the city street – immersed and normalised into the footpath – as otherwise they would not be permitted to be laid.

The posture needed to look at these stones is one of turning back, of moving your body closer to the ground, of peering down, of stillness: a 'mournful stance'.[134] You need to stop walking. In the *Stolperstein* film, Demnig describes the posture required as a 'Verneigung vor dem Opfer' – 'a bowing down in front of the victim'.[135] In this case, the symbolic resonances of bowing and even bending close to the ground relate to respect, sorrow, a carrying of burdens and a return to the earth.[136] However, in the film a local historian takes issue with this and argues that

[131] Ibid.

[132] See Franke, *Stolperstein*.

[133] See Franke, *Stolperstein*.

[134] This term is from Peter Chametzky writing about the posture needed to view the art work of Beuys: *Objects as History*, 192.

[135] See Franke, *Stolperstein*.

[136] On the other hand, Shaun McVeigh helpfully reminded me this movement also invokes the stereotype of a crooked, bent-over Jew (see earlier discussion regarding Jewish posture).

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it is simply a bending of the knee in order to read the inscription – 'you can't bow down to something if you don't know what it is'.[137] In any case, the walker, if they stop and look back and down at the stone, is enacting an individual affectual gesture of making-good-again.

5.4.4 A RETURN TO STANDING. The *Stolpersteine* project remains controversial. A German studies scholar, Dora Osborne, is not convinced about the depth of the *Stolpersteine* project, contending:

> Created as part of local initiatives to recover traces of those once excluded from the community, and then made part of regular or symbolic cleaning initiatives, these stones become an emblem of a 'victim' who is made 'glänzend' in the eyes of the 'perpetrator', the other is symbolically *reinstated* in the community and the dirt of Nazi history removed in a gesture of cathartic exertion.[138]

Osborne's comment demonstrates the way the stones as memorial art can hold multiple and perhaps contradictory meanings as they lie in wait for their walker in the street. Further, Osborne's assertion that the *Stolpersteine* work to 'reinstate' is a perceptive comment. The 're'-prefix refers to again – while 'instated' refers to the moment of putting someone back into a certain position or condition. Described as 'reinstate', therefore, the account of restitution which unfolds through the *Stolpersteine* project is not only to acknowledge the fate of these victims but also to return them to the *status* of being a fellow citizen – a neighbour. The term *status*, itself, contains within it the root Latin meaning 'way of standing, posture'. As a result, these stones hold within them an account of restitution which is about a return to standing – a reinstatement to the neighbourhood – which is, fittingly, itself the literal movement of the body enacted by the walker after they have encountered these stones on the street.

[137] See Franke, *Stolperstein*. There is a deeper metaphoric resonance to these words as they point to the integration of research into the project. In this memorial, knowledge and education are a prerequisite to a stone being laid – the archive is called upon to legitimate the craft of restitution – but the research used to justify the laying of a stone does not then appear to be then published or accessible in the public domain.

[138] Osborne '*Mal d'archive*', 383–384 (emphasis added).

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These stones are the afterword – the *Nachschrift* – they are the continuation of the law stories told by the *Places of Remembrance* memorial. We walk back towards the Bayerischer Platz U-Bahn station through the streets of Schöneberg and sense the *Places of Remembrance* signs just above the level of our gaze and the *Stolpersteine*, just below, resting for now. Our walking tour ends.

5.5 CONCLUSION: MOVING ON?

This chapter described different accounts of *Wiedergutmachung* and making-good-again which are offered by memorial sites in Berlin. I have attempted to capture this momentary experience of walking through, past, on and around in words. The dilemma is how to express a grounded methodology which relies on affectual response and a sense of bodily 'being there' as an individual: how to express these moments in the typeset page. I used the device of a walking tour as an explicitly constructed frame; a way to again draw attention to the partial standpoints through which scholarly research is undertaken and communicated.

Although my route reproduces a top-down scale (national, local council, citizen artist), mapping the streets of Berlin like this is not intended to endorse a hierarchy of responses. Rather, it is a way to notice how each memorial has been placed by a different legal form in the streetscape, addresses different audiences and may evoke different responsibilities. For instance, the first section of the walking tour was through national memorials which are situated in the centre of Berlin, adjacent to and in the shadow of legal institutions. These memorials offered multiple accounts of making-good-again which interact with the official gesture of *Wiedergutmachung* held within installing a memorial. I focused on their form as counter-memorials, their materials, the way we can access them and their interpolation of the walker who becomes part of 'making' the memorial, as Karavan stated: 'Everyone who comes is not only observing, but part of it.'[139] For example, I described moments of disorientation in the *Memorial to the Murdered Jews of Europe* as a way a restitutive response can be momentarily held in the body.

[139] Schneider, 'I Can Say That Because I Am a Jew'.

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In part three we moved to the Bavarian Quarter of Schöneberg and walked around, looking up at the *Places of Remembrance* signs which are mounted on the lampposts throughout the streets. The account of local *Wiedergutmachung* offered by this memorial is one of overlay and return – with the layering, this time, of the past on top of the present. Here I bring the legislation of the NS regime to the forefront, paying attention to the way law on the street is always operating within a dynamic of the foreground and background. I argue these memorial signs are a 'site of response' which calls for responsibility – their emphatic address makes us notice law in the present.

To finish, we walked around the *Stolpersteine* embedded in the footpath. In contrast to a national 'site of response' which is meant to be *visited*, these memorial stones spread throughout neighbourhoods are meant to be *discovered*. Here the gesture of making-good-again is one of handmade craft by an artist, with the individual involvement of Demnig crucial to their popularity. But walking is also integral to the stones, it is the only way they can be seen. Their technique of restitution is one of reinstatement – a return to standing, using the power of a name to bring a neighbour back to a home.

Names are a theme running throughout this chapter: names of places are used as a synecdoche for atrocity in these memorials (for example, in the *Memorial to the Sinti and Roma*), which recalls the use of the title *Birkenau* by Richter in Chapter 4. But noticing names means noticing the way the toponymy of urban space carries legal and restitutive force in a public way. This connects back too into a concern for terminology – a concern to giving the correct name to what happened – and the long, explanatory titles carried by these memorials reflect the way that language matters to restitutive practice.

In this chapter I played with the way the idioms of direction (back, stop, forward) link to idioms of time (past, present, future) and also to movements of the body (turn around, bending down, jolt, standing, looking up) as a way to try to express the integration of affectual gestures with their symbolic legal connotations. Our walking tour, like every day of walking in the street, was a momentary public dance choreographed by law.

However, we did not leave the city edges in this tour; we were not able to walk beyond, we do not *move on* – we were grounded and just kept

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going, walking again. There is an inherent tension between this sense of motion and the traditional concept of a memorial. A memorial could be seen as preservation: a site which evokes but also yokes memory. But these memorials do the opposite, they encourage exploration, a walking through: they broaden the terrain of memory, responsibility and restitution across time.

I leave you with a description of an image. In 1970, the West German Chancellor Willy Brandt was visiting the memorial to the victims of the Warsaw Ghetto Uprising in Poland. Brandt spontaneously knelt down and remained silently kneeling on the wet concrete. This act is known now as the *Warschauer Kniefall* ('Warsaw Bended Knee'). This act of unplanned kneeling on the steps was so unusual it is now commemorated itself through a bronze plaque. Brandt wrote in his memoir about the way his body reacted: 'From the bottom of the abyss of German history, under the burden of millions of victims of murder, I do what human beings do when speech fails them.'[140]

As discussed in relation to accounts of literary restitution, words have been often felt to be inadequate as a mode of response to the Holocaust. Brandt's gesture therefore took a different form to the standard, word-filled, governmental apology – it was a moment of embodiment. Brandt, of course, as the Chancellor, 'stood in' for West Germany at that ceremony, he already embodied a nation, and he felt the 'burden'. But to kneel down was to literally lose standing. This was instinct, affect: it wasn't choreographed, the stones were all wet, everyone was unsure how long he was going to stay there on the ground. In this way, Brandt unbalanced a planned ritual of state memory and turned it into something personal, accidental, a report offered and held by a body to a stone. In this chapter, prompted by these memorials in Berlin, it is the walker in their own shoes – the resident, the visitor – who undertakes these spontaneous gestures of making-good-again through movement.

[140] Willy Brandt, *My Life in Politics*, Anthea Bell (trans) (Hamish Hamilton, 1992) 200.

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