History Education Moratoria During Transitions to Democracy

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Abstract: This chapter investigates under which conditions a history education moratorium—a deliberate and temporary suspension of primary or secondary history education in post-authoritarian and post-conflict settings—is democratic. It examines all aspects of moratoria, including their duration and impact, and the reasons to institute them. To be democratic, moratoria have to meet a test: they must be prescribed by law; they must be at the direct service of the realization of peace; and their application must be shown to be necessary and proportional to achieving this interest, that is, they should be limited to recent history, with a short time span, and on as small a scale as possible.

Keywords: peace, social forgetting, transitional justice, post-authoritarian and post-conflict education

Introduction

Societies that endured episodes of war or dictatorship and start moving toward peace and democracy often wonder how to overcome this recent past of violence. In such times of transition, one of the many pressing questions that arise is whether the younger generations should be taught about this violence in their history classes. Most transitional societies feverishly choose to do so, but some opt to temporarily discontinue history education. That little-studied alternative strategy—the imposition of moratoria on history education—is examined here. In fact, it is reexamined, because in 2015 I already studied history education moratoria in post-authoritarian and

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post-conflict settings.[1] Although I still stand by my approach and conclusions of a decade ago, I entirely replicated the operation and reflected on it, while reviewing much of the new literature. For reasons of space, I dropped the thumbnail sketches of individual moratoria,[2] but expanded and entirely rewrote the analysis, hopefully arriving at a more solid foundation for my old conclusions and a more precise answer to my main question: under which conditions are history education moratoria democratic?

To begin with, let me intuitively note that asking for the democratic effect of moratoria is slightly bizarre: given the high potential of history education to young people in fostering a democratic culture,[3] how can its suspension be interpreted as a contribution to an emerging democracy? This is an intriguing and paradoxical question which I intend to tackle as follows. After defining the concept of moratoria and discussing the cases that I studied and their protagonists, I will examine the complexities of the phenomenon in the sections titled transition, historicization, legacy, and baseline. The analysis culminates in a discussion of the wide range of reasons to institute moratoria and their duration and impact. Finally, I will design and discuss a three-part test to answer my main question.

Definition

A moratorium on history education can be described as the deliberate and temporary suspension of history education at the primary or secondary level in post-authoritarian and post-conflict settings. The suspension is intentional, not accidental, and meant to have a time limit, not to last indefinitely. It usually applies to recent history—to descriptions of violence that occurred in the recent past and its immediate causes and effects. Curricula that prescribe this recent history and textbooks and their companion student exercise books and teacher manuals that contain it, are also part of it. In a broader sense, the moratorium can extend to the teaching of history as a whole and, consequently, to all history textbooks, not just those on recent history. In a narrower sense, the moratorium is limited to certain periods and events, hence to certain sections of textbooks which are either

1 De Baets, "Post-Conflict History Education Moratoria."

2 Thumbnail sketches of fifteen moratoria were given in De Baets, "History Education Moratoria," 8–18.

3 De Baets, "Democracy."

omitted or neglected (as in the Italian case) or to the temporary abolition of history exams (as in the Soviet case).

There are three situations that look like moratoria but are not, although they tangentially overlap with them. First, there are transitions to democracy in which history education backslides and that produce numerous effects which are de facto akin to those of moratoria—when large numbers of children drop out after their primary education, thus unable to enjoy history education at advanced levels, when history teaching is informally postponed year after year, when history is not a mandatory subject (anymore) on the curriculum, when its teaching time is slashed, when there is a shortage of history textbooks, when recent history consists of a mere list of dates or of a few insignificant paragraphs, omitting crucial facts, contexts, and interpretations, when only distant history is taught and recent history, on a scale from innocent to less innocent, unintentionally delayed, neglected, avoided, downplayed, or biased or intentionally postponed, or frozen, and, finally, when teachers censor themselves or lack methodological or pedagogical skills to teach the problematic history. The transition in Spain after Franco's death when a political pact to forget the recent past was concluded while the children were largely kept ignorant of the dictatorship for 15 years (they were taught that "we were all guilty") comes to mind as an example.

Second, there are situations where the teaching of recent history is evacuated from history education but reappears under another guise in more flexible courses about civics, peace education, or social science.[4] Depending on the circumstances, this can be either a valid and more viable alternative or the first step toward the complete disappearance of history education. Finally, not a few transitions to democracy are characterized by a policy of censorship of old-regime history textbooks which is virtually indistinguishable from moratoria that include an absence of textbooks. Several full-fledged moratoria have been characterized by aspects of censorship such as the banning of textbooks (as in the German, Italian, and Japanese cases), their pulping (as in the Japanese case), or the blackening of their pages (as in the Japanese, Bosnian, Afghan, and Iraqi cases). The boundary between moratorium and disguised censorship is thin.

Usually, it is difficult to determine whether and when developments of the kinds just described amount to informal moratoria (that is, deliberate and temporary suspensions of history education that nestle themselves informally and almost unnoticed by outsiders). The content of any history class with a limited number of hours is always the product of severe selection

4 Ramírez-Barat and Duthie, *Education and Transitional Justice*, 16.

of available subjects, facts, and interpretations—and this selection requirement interferes with such a determination. At which point do didactic omissions of information become unjustifiable gaps? When do legitimate simplifications in descriptions of events become intolerable distortions? The tipping point from justified omission to informal moratorium is difficult to define. For the observer, this means that the complexity of situations can make it hard to single out moratoria in their pure state.

Cases

A search for formal and informal moratoria yielded seventeen cases. Four of them were instituted in 1945 after the Second World War ended in defeat for the Axis powers. The regimes succeeding Nazi Germany, Anschluss Austria, Fascist Italy, and Imperialist Japan all installed a period of suspension of the old history textbooks colored by chauvinist nationalism and imperialism. The operation was carried out under international supervision. Five other moratoria were imposed after the implosion of communist regimes in the Soviet Union (1988–), East Germany (1990–), Moldova (1994– and 2002–), Croatia (1995–), and Bosnia and Herzegovina (1995–). Three moratoria were decreed after genocides—in Cambodia (1979–), Rwanda (1994–), and Guatemala (1996–). Finally, five followed racial, ethnic, or religious conflicts: racial conflicts in Zimbabwe (1980–) and South Africa (1994–), and ethnic and religious conflicts in Lebanon (1989–), Afghanistan (2001–), and Iraq (2003–).

While many cases on this list are prototypical moratoria, the inclusion of some is more debatable. In the Soviet case, for example, the teaching of history continued in a revised form but the final history exams for schoolchildren were canceled in 1988–1989: this was not a full-fledged moratorium, but it did affect 53 million students aged six to sixteen. Likewise, some may question the South African case, as history education was "merely" removed from the list of mandatory subjects for a certain period. Others may find the inclusion of Afghanistan problematic as it can be doubted that any serious post-conflict transition has taken root in that country. Similar doubts arise about the inclusion of Iraq. It is uncertain whether cases like these four would survive more detailed scrutiny than I was able to undertake.

If we look at the sample in its entirety, we notice that the distribution of cases over the four types (collapse of Nazism and fascism, collapse of communism, genocide, and racial, ethnic, or religious conflict) is not always waterproof. The typology reveals a certain hybridity: the first two groups

refer to sets of regimes that, linked by similar ideologies, collapsed more or less together, while the last two groups contain regimes unrelated to each other (although the apartheid in South Africa and the color bar in Zimbabwe's predecessor, Southern Rhodesia, were similar in many respects). The moratoria in the first group (collapse of Nazism and fascism) were imposed after an international war, while most of those in the other groups were so after internal conflicts (although they usually were conflicts with an important international dimension). In addition, any typology inevitably produces overlap. For example, Bosnia and Herzegovina was listed as a post-communist case. According to the International Criminal Tribunal for the Former Yugoslavia, however, several municipalities, including Srebrenica, suffered genocide during the 1992–1995 war. In this respect, the case could also have been discussed under the genocide type. More generally, the third and fourth groups overlap because genocide, the focus of the third group, is directed at national, ethnical, racial, or religious groups, thus covering dimensions of the fourth type.

Let us now turn to cases that were not included in the sample. The reasons for their absence are diverse. First, there may be moratoria that escaped my attention. Second, some cases, such as the Libyan and Salvadorean cases, did not yield sufficient information to warrant inclusion. Third, other cases that at first seemed eligible—those in Burundi, Macedonia (now North Macedonia), and Serbia come to mind—were eventually discarded because on balance they did not seem to fit well with the criteria for moratoria. In Serbia, for example, recent history was treated concisely and partially in the 2002 textbooks and a debate about a moratorium was planned but never held. In some countries, such as Belarus in 1995 and Uzbekistan in 2000, measures were taken that superficially resemble a history education moratorium while they were in fact history textbook bans and self-created history textbook shortages (in Belarus with the intent to Sovietize history education, in Uzbekistan with the intent to de-Sovietize it).

The documentation on most cases in the sample was not abundant or not easily accessible to the author. Sometimes, a few newspaper articles were the only trace. In addition, the quality of the information on moratorium aspects was very uneven. Essential information (such as the duration of a moratorium) was often missing. This problem of documentation is inherent in moratoria: in essence, moratoria represent a cessation of activities. And conduct consisting of omissions (such as cessation) is always more laborious to detect than conduct consisting of acts. It is far more difficult to document traces of suspension in the wake of moratoria than traces of innovation during the introduction of new history teaching.

My investigation will emphasize one particular element of history education—namely the history textbook. Without any doubt, this a crucial tool for history education all over the world. At the same time, the fact that it is relatively readily available should not mislead us into thinking that it reflects history education in its entirety: it only gives an indirect glimpse of official textbook policies, of classroom practices, and of the teachers' critical role. This is the price to be paid for a broad, internationally comparative approach. However, it is not a major obstacle for this chapter's purpose, which is to examine under which conditions history education moratoria are democratic.

Protagonists

The most striking feature of the parties involved in the debate about, and execution of, moratoria is that they have first-hand experience of the recent conflict or violence that caused it. Even the students at the receiving end of history lessons may either have personally witnessed the recent violence or suffer from a transgenerational trauma because they heard stories of the violence from their parents or relatives. Let us review the major players.

The main brokers of moratoria are, not surprisingly, the government and parliament.[5] After all, during the transition to a post-authoritarian or post-conflict situation they are tasked with creating a new and cohesive national identity and they might see the moratorium as a solution to temper social tensions. Time and again, divided countries that choose the path of transition (Afghanistan, Iraq, Rwanda, Cambodia) tend to emphasize a single, highly selective narrative of national unity, often at the cost of obliterating crucial differences between regions or ethnic groups and neglecting the history of minorities. Education ministries and their apparatus of curriculum developers and inspectors are mostly in charge of the administration of history education moratoria. Given the latter's nationwide repercussions and given that different governmental departments may offer conflicting analyses and solutions, however, it would be preferable if parliament debated and decided independently about their imposition—and that is certainly not the rule. Furthermore, the administrative organization of the country

5 In general, the judiciary only played a minor role in instituting moratoria. In 2024, the Constitutional Court of Bosnia and Herzegovina ordered the temporary suspension of a Bosnian-Serb textbook, citing a risk of discrimination of non-Serb minorities, but this can hardly be called a moratorium.

influences the enforcement of moratoria. The more centralized the education system, the higher the chances of effective enforcement. In decentralized contexts (for example, East Germany, Lebanon, and Bosnia and Herzegovina), enforcement is more difficult to reach and the situation on the ground in some regions can substantially deviate from the official line for better or for worse, either ignoring a moratorium or applying it too tightly.

The executive and legislative brokers at State level face pressure from below and above. At the subnational level, we meet the professional historians (historical-didactic experts, history teachers, academics) demanding respect for the integrity of history, advocating critical inquiry and multi-perspectivity in teaching history, and, if they act responsibly and undistracted by political interests, promoting the values of democracy, the rule of law, human rights, and peace.[6] If, however, these historians happen to have already been active teachers under the previous system, their authority could be undermined by critical students eager to learn about their role in pretransition times. Publishing companies, driven by didactic as well as commercial motives, usually try to avoid controversial content in history textbooks and therefore sometimes exert pressure on those authors most prone to disclose atrocities of the past. Students, parents, and school boards are also important actors, especially during the period in which moratoria are practically instituted and applied, but little information is available about their actual roles.

Apart from these parties directly involved in history education, the media exert considerable influence on moratorium debates. As leading platforms for the formation of public opinion about the past and the outlook of history education, they cannot be ignored. In addition, some action springing from other sectors of civil society can be expected. Initially, in the early stages of transition, civil society groups, interest groups, and nongovernmental organizations may not be strongly organized as they have often been among the primary targets and casualties of the past conflict. Nevertheless, the climate of hope usually engendered by the transition rapidly transforms the landscape, with new movements defending the interests of victims of the past violence and with war veterans' associations representing the interests of combatants in support of the old or new regime. They form advocacy groups and lobbies in the public debate by offering alternatives (such as educational materials, as in Cambodia) or initiating actions (such as organizing demonstrations, as in Moldova). Over time, these interests are channeled into new political associations or embodied by new or refurbished

6 On the phenomenon of transitional historiography, see De Baets, "Open Letters," 169–171.

political parties. In short, knowledge of the politics of history in a country is important to understand the role of all these players.

And then there is the international dimension. Some moratoria were proclaimed after international conflicts, while others were enacted after domestic conflicts with a strong international dimension or after the fall of dictatorships with regional influence. In three cases, the problem of history education was deemed so important that it was incorporated into, or appended to, peace agreements—explicitly in the Taif Agreement for Lebanon (1989), implicitly in the Potsdam Agreement for Germany (1945), and as an addendum to the Erdut Agreement for Croatia (1995). In fact, experts from the international community played some role in all seventeen cases, except the Soviet Union. Indeed, international actors such as the civic branches of occupying military powers, the United Nations, education ministries of neighboring or occupying countries, European institutions, international textbook institutes, and specialized NGOs not infrequently become involved in domestic transitions, either out of solidarity with the new regime or to help safeguard the values at stake—democracy, the rule of law, human rights, and peace. If they operate diplomatically and with the tools of soft power, the price can be that hot historical issues are only discussed in veiled terms. If in contrast they act as occupying powers or peace brokers, especially after a previous regime suffered clear defeat, they can boldly demand that all history textbooks be purged. In both cases, they face the risk that their intervention is perceived as a violation of national sovereignty. Transitory governments often short-circuited these pressures by neglecting or boycotting international or foreign initiatives (as in the Rwandan and Lebanese cases), or by eliciting or using international approval as a pretext for pursuing internal political goals (as in the Moldovan case).

Transition

Now that the theater of the moratoria and the scenery of their protagonists are summarily sketched, we are ready for some deeper reflections. As noted, the process of transition actually covers two phenomena: either a transition from armed conflict to peace or a transition from dictatorship to democracy. Both are deeply intertwined: dictatorial regimes fight wars more frequently than democracies,[7] and their collapse often occurs in a period of crisis akin to armed conflict. Both types of transition can occur either abruptly and

7 Rummel, *Death by Government*, 4, 15 (table 1.6), 70; "Which Countries."

without compromise or after negotiations leading to a compromise. In the literature, the process of transition is usually studied from the angle of justice and therefore named "transitional justice." The United Nations Secretary-General has defined transitional justice as "the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. These may include both judicial and non-judicial mechanisms, with differing levels of international involvement (or none at all) and individual prosecutions, reparations, truth-seeking, institutional reform, vetting and dismissals, or a combination thereof."[8] As we shall see (in the section "Role"), the transitional justice dimensions of reparations and truth seeking include history education.

When the 17 cases are observed, a first remarkable conclusion—so essential that it features in my definition of moratoria—is that, although they come from all continents and geopolitical areas, the moratoria appear to occur exclusively in societies undergoing such a transition from war to peace and/or from dictatorship to democracy. This conclusion is not the result of methodological myopia: I did not search exclusively for moratoria imposed during periods of transitional justice but rather for moratoria plain and simple. If moratoria always start in a context of transition to democracy, then the title of this research, "History Education Moratoria during Transitions to Democracy," could be shortened to "History Education Moratoria" without any loss of information. This makes sense if we divide all states on the globe into three simplified groups: either they are dictatorships, or democracies, or countries in transition between both. Consolidated democracies and consolidated dictatorships actually do not have good reasons to impose moratoria. Moratoria are not introduced in consolidated democracies because democratic settings in which human rights are respected offer better conditions for free historical debate and quality history education. In addition, many of their painful periods of history are necessarily located in the more distant past (otherwise these democracies would not be called "consolidated"). With the exception of three examples of limited scope, no hard cases of moratoria were found in democracies[9]—which does not imply that textbooks in these democracies did and do not contain egregious omissions.[10] In most consolidated dictatorships, on the other hand, history

8 United Nations Secretary-General, *Rule of Law*, paragraph 8.

9 I came across a few cases of moratoria with limited scope in France, the United Kingdom, and the United States (Arkansas).

10 See De Baets, "Censorship."

education is a willing tool of repressive authorities. There, censorship is commonplace and history education is, as we shall see, absent, abolished or distorted, but seldom merely suspended. No moratoria seem to have been installed by consolidated dictatorships.

At second glance, however, this reasoning with three types of political regimes may be too simple. In reality, many societies in transition display a mix of authoritarian and post-authoritarian and of conflict and post-conflict traits that affect and dominate the outcome of discussions on history education. For example, we may well prefer to label some of the countries that are now in the sample (Iraq and Afghanistan, for example) as "authoritarian" rather than "in transition to democracy." And, to take another case, the countries of the former Yugoslavia on closer scrutiny did not go through one but through three transitions: from communism to post-communism in 1989, from war to peace in 1995 (and, for Kosovo, in 2000), and, generally, from federation to fragmentation. The moratoria in Croatia and Bosnia-Herzegovina reflect that complexity. What I called "a remarkable conclusion" earlier should be nuanced then. Although in theory transitions are characterized by a logical chain of components leading from the end of conflict and dictatorship to the beginning of consolidated peace and democracy, in reality most are severely fluctuating, complicated, hybrid, and messy.

Historicization

Moratoria are not only strongly associated with transitions, they are also relatively recent: no pre-1945 examples were found, and with the exception of the four cases situated immediately after World War II, all were promulgated after 1980.[11] Although I may not have spotted some of the pre-1980 moratoria, by and large the design of post-conflict and post-authoritarian strategies, including tools such as moratoria, is a recent phenomenon. In retrospect, the four cases of 1945 were likely exceptions. My hypothesis is that most transitions to democracy taking place before the 1970s were not characterized by exceptional moments of historical awareness: forgetting was the rule and amid this generalized culture of silence and oblivion, moratoria were superfluous and irrelevant. Some presently consolidated democracies have survived surprisingly long without coping at all with the

11 Frequencies for the term "moratorium" in the *Oxford English Dictionary* were highest between 1970 and 2010 (year of the last available data), with a peak in 1980.

violent parts of their past or with the distorted old versions of their history. Since the 1970s, however, thinking about how to deal with post-atrocity impunity (for perpetrators of these atrocities) and post-atrocity reparation (for their victims) has markedly evolved under the impetus of the United Nations (as we shall see in the section "Role"). Hence, instances of transitional justice with their tribunals, truth commissions, administrative purges, and in some cases moratoria, proliferated rather suddenly after 1980. Even in this relatively recent, more favorable international context, the drive for a responsible transition did not surface in each and every new or restored democracy.

Legacy

The reasons for the sensitivity of teaching about a recent past full of violence and repression during a transition to democracy may lie in either that past itself (I will call this the legacy) or in the starting point of the transition (I will call this the baseline). If we look into the legacy, we can find three reasons for the sensitive nature of history education during transitions: its previous absence, abolition, or distortion.

A first reason lies in the absence of a tradition of teaching recent history. Such an absence is not uncommon, and we find it in Cambodia, Guatemala, and Lebanon, for example, where it has been the rule for decades. In itself, this is not surprising: until the 1970s, a tradition of teaching contemporary history was missing nearly everywhere, even in consolidated democracies. This omission was deliberate, usually epistemologically justified with the classic argument that recent history was not over yet, and that teachers and students were part of that ongoing history, with the undesired consequence that the distance required to properly understand it was lacking. According to this reasoning, the study of the recent past was a subject for journalists rather than a recognized part of the discipline of history. Although the argument of critical distance holds a hard kernel of truth, it is disproportional if it serves as an easy excuse for evacuating recent history from history education.

The other two reasons are ideological. In not a few dictatorships, history education risks abolition if it is perceived as a channel for unwelcome criticism and unrest. In armed conflicts, attacks on educational personnel and the willful or accidental destruction of school infrastructure, including its supplies of textbooks, perform the same role. Finally, if taught at all, much in consists recent history is distorted and falsified in dictatorships and during

wars with the purpose of buttressing the incumbent regime with historical arguments (in Nazi Germany, the USSR, and many other countries).

The negative and often drawn-out legacy of these three reasons—absence, abolition, distortion—shattered and mutilated historical education, leading to two opposite options on the D-day of transition: either the legacy could lead to a desire for change, culminating in a determination to teach recent history more responsibly, or it could survive and possibly contribute to moratorium decisions. Despite their versatile character, the combined reasons show how an armed conflict, or an authoritarian regime, produces legacies that heavily affect, even determine, the baseline. The bleaker that legacy, the stronger the support for moratoria.

Baseline

If the legacy on the D-day of transition is negative in one of the ways just discussed, the very idea of history education risks being widely discredited from the start. Usually, such a lack of trust in history education is part of a wider crisis of confidence in the historical profession, especially if the leading historians appear to have provided propaganda services to the ancien régime and contributed to its secrets and lies. During this crisis of trust, the feeling may gain wider traction that a period of reflection and distance must precede discussions of the recent violence in society, and especially in schools.

Accordingly, the baseline—the starting point of the transition—has four modalities: it inherits a mild negative legacy or a harsh one, it emerges under the stimulus of an incipient democratic context or not, it is characterized by public debate about the recent past in general or not, and it is supplemented by a debate about history education or not.[12] These modalities combine into many more scenarios, oscillating between the extremes of a situation with a mild trust deficit, a democratic determination, and vibrant debates about the recent past and history education on the one hand, and a situation with a large trust deficit, profound doubts about democracy, and poor debates about the past and history education on the other. The worst scenario would be the imposition of a moratorium without civic trust, democratic transition, or public debate. In fact, it would amount to complete narrative silence, de facto amnesia, and censorship of the next generation. Like the distorted history education of the previous period, such a moratorium could plant

12 For a global overview, see Bentrovato, "History Textbook Writing," 42–45.

the seeds of new violence. Thus, the baseline is complex, and the scenario chosen affects the quality of the moratorium.

Reasons

There are strong reasons not to impose a moratorium. A democratic future is not conceivable without confronting the past, especially its dark sides. Such a future presupposes that historical traumas are dealt with frontally—that is, in an open public debate—so that the facts of the past violence are disclosed and digested rather than concealed. For school children that are confronted with the historical traumas of their parents and may develop derivative traumas of their own in particular, the classroom ideally offers a safe setting that often does not exist in their families and local communities. Only with such a proactive approach of the recent past can genuine reconciliation, peace, and non-repetition of violence be achieved. I will come back to this later and ground the frontal approach to the past of violence in principles elaborated by the United Nations (under the section "Role").

Against this view, a broad range of stronger and weaker arguments have been put forward in defense of moratoria. These arguments are often also applicable to, and mobilized for, their more shadowy look-alikes, discussed above, broadening their shooting range. A first set of reasons is political. Some politicians advocating moratoria bluntly say that they do not want to waste time in discussing the past, claiming that future-oriented measures such as the material reconstruction of society and its infrastructure are more urgent. Other politicians and military—especially when they are part of the new government—defend moratoria in an attempt to conceal their own roles during the dictatorship or armed conflict (for example, in Guatemala and Cambodia). Although the dark past of such protagonists is often widely known, it can be assumed that it is a dominant though unstated background factor in many moratorium decisions.

A second set of reasons is didactic: teaching recent history, the didactic argument goes, is too difficult or too painful. The cognitive factor ("too difficult") refers to the lack of intellectual preparedness of students and the risk of confusing them. The emotional factor ("too painful") presupposes that students are emotionally not mature enough to confront memories of violence and historical traumas.

A third set of reasons circles around the already mentioned argument that nearness in time forms an epistemological obstacle to knowledge about the recent past. This argument—"it is too early to teach recent

history"—presents itself in three varieties: it is too early because a critical distance is needed so as to temper emotions and cultivate objectivity (this argument was already mentioned above), it is too early because other mechanisms of transitional justice (such as truth commissions and tribunals) must first complete their work and bring clarity, or it is too early because academic historians must first agree on an authoritative version of the recent past.[13] Although the core of the argument holds a hard kernel of truth—some distance is necessary for understanding—it obviously serves as an easy excuse for doing nothing. This is so because it raises the question of when exactly the time is ever ripe: after a decade, a generation, a century?

A fourth set of reasons relates to safety. Sometimes, history teachers may tacitly support moratoria because they shy away from covering recent history in the class out of fear of becoming the targets of libel and genocide denial charges. When libel and genocide denial laws are instrumentalized against responsible historical statements, they have chilling effects on the freedom of expression in class. This was the case in Rwanda after the government introduced genocide denial laws to prevent a repetition of the 1994 genocide. Elsewhere, threats by parents or lobbies who disagree with the versions of the past taught at schools jeopardize the latter as safe spaces, leading to either social ostracism of, or self-censorship by, teachers and students (Cambodia, Guatemala)—possibly leading to their informal backing of moratoria.

A fifth set of reasons is practical. Recent history, the argument runs, does not fit in the history curricula because they are already overloaded. Another frequently heard practical reason is the shortage of textbooks, either because they were destroyed by the prior regime, because they were full of lies, or because they never existed in the first place. Complementary to this is the argument that the production of new textbooks is time-consuming. Historical research typically requires much time and therefore its results usually come too late to influence the first debates about recent injustice. Similarly, historical education suffers from delays: replacing "tainted" history textbooks full of erratic interpretations and unfounded speculations with new ones takes time because, if done in earnest, it is a process with many stakeholders. Some moratoria have been the outcome of protests against attempts to reintroduce old historical content (as in Moldova).

The last set of reasons is the most important and revolves around reconciliation (understood less as the capacity of a society to reconcile itself with the atrocities of the past than as the capacity of different groups within a society

13 Lässig, "Peace Education," 13; Haider, "Rewriting History Textbooks," 141.

to live together in relative peace—although both are related). Intervening in transitional societies and classrooms while the recent violence lingers in the collective memory still vividly, while many of the surviving victims are deeply traumatized, and while many of the perpetrators are still at large and powerful, can be a hypersensitive operation. In such circumstances, there may be disagreement about whether to confront the problems of the past heads on or not. In particular, the public disagreement over historical facts and interpretations can stand in the way of the goal of social harmony. Indeed, large sections of the population may polarize as they profoundly differ on the historical facts and widely contest how those facts should be interpreted.

This deep lack of consensus is most obvious in the choice of terms: is the label for the conflict at hand international war, civil war, liberation war, rebellion, uprising, riot, mutiny, or catastrophe? Is the motive for the conflict independence, liberation, revolution, counterrevolution, occupation, conquest, or ethnic cleansing? Are the combatants belligerents, liberators, rebels, terrorists, or bandits? Is the violence called self-defense, aggression, invasion, atrocity crime, terror, pacification, operation, police action, or disturbance of public order? Is the transition baseline a democratic turn, a peace pact, a truce, a coup, or a revolution? Authoritarian regimes themselves are sometimes given names, usually laudatory or euphemistic while they are unfolding, mostly condemnatory after their demise. Needless to say, also the labels of atrocity crimes—genocide, crimes against humanity, and war crimes—can orient discussions compellingly. Specific names to label them (Holocaust, Nakba, Holodomor) can be very revealing. Words matter. Semantic debates such as these took place in Iraq, Rwanda, Croatia, Cambodia, and Bosnia and Herzegovina, among others. A minimum agreement on basic facts and interpretations should be reached in the academic as well as public debate. I deliberately speak of "minimum agreement" rather than "consensus" as the latter is unrealistic most of the time. When compromise is beyond reach, voices emerge with the plea to protect the fragile peace and reconciliation with moratoria.

In this debate about historical facts and interpretations, professional historians and history teachers widely share a belief in the cognitive and affective value of multi-perspectivity—the presentation of different views on crucial events so as to create a mild sense of the relativity of one's own views and a critical appreciation of those of others—as a tool to sharpen the critical and reconciliatory attitude of students. However, the notion of multi-perspectivity has been sharply criticized by politicians and others—and frequently condemned as the impermissible relativization of suffering

of one's own group (Croatia), as the false and confusing equivalence of "historical truths" and criminal responsibilities (Bosnia and Herzegovina), as a threat to national identity (Serbia), or as a form of extreme cultural relativism leading to apartheid (South Africa).[14] Therefore, the value of multi-perspectivity has to be applied prudently so as to find a balance between unification and diversification perspectives appropriate to each specific situation. This also implies that differences between the versions of recent history taught at school and told at home, if they come to light in the classroom, are compared and frankly discussed. No small feat.

Finally, the argument that moratoria are necessary to reach the goal of reconciliation can be turned on its head, because if the vacuum left by moratoria is filled with pseudo-historians and demagogues who overtly or covertly feed prejudice, polarization, denial, and narrow-mindedness, and exploit the gaps in the historical narrative, as is not infrequently the case, then moratoria hamper rather than fuel reconciliation and reinforce divisions. In sum, the reasons pushing in the direction of a moratorium vary widely: they are political, didactic, time-related, safety-related, pragmatic, and societal (reconciliatory); if they converge, they become a powerful force.

Duration

Remarkably, what should be one of the easiest parts of the study of moratoria—the calculation of their actual duration—is one of the toughest: usually, it is difficult to calculate the actual duration of moratoria for three reasons. To begin with, the actual duration of the moratorium should not be confused with the actual duration of the total deprivation of history education, in which the pre-moratorium period (the "legacy") is added to the period of the moratorium. Both estimates are important but should not be conflated. A second complication is that many transitions—and, accordingly, many moratoria—do not have clear beginnings (especially if a demarcation such as a peace agreement is missing). In addition, a moratorium can start when the transition begins—and even become a defining feature of it—but it can also start years later (Moldova is an example). And, as we noted earlier, whereas some moratoria are formally declared, others nestle informally (as in Austria and East Germany). In other cases (Burundi, Sierra Leone), no moratorium, whether formal or informal, was imposed, and yet the

14 Cajani et al., "Introduction," 7, 21, 47. See also Šuica, "Slovakia," 557–558, 560–563; Batarilo-Henschen, "Bosnia and Herzegovina," 118; Koren, "Croatia," 197; Siebörger, "History," 45.

situation on the ground virtually amounted to one. A third complication is that many moratoria do not have clear endings. In theory, their end is marked by the introduction of new curricula and history textbooks and an accompanying framework for teacher training. With drawn-out moratoria, the return to normalcy is often diffuse, gradual, and marked by different deadlines for different education levels. By their very nature, moratoria may become permanent due to inertia and the absence of social pressure. And protracted moratoria cast doubt on the quality of the transition itself.

A problem related to the actual duration of moratoria is their ideal duration: what can actually count as a short, what as a long moratorium (without considering the absence of responsible history education in the pre-moratorium period)? It is impossible to identify a precise criterion in the abstract. If the duration of the average educational cycle (five to six years for both primary and secondary levels) and the duration of the average curriculum review cycle (five years) is not too arbitrary a criterion, then five to six years could mark the boundary between short and long. A moratorium, then, is short if it lasts less than five to six years. For comparison, the average lifespan of truth commissions is between six and twenty-four months;[15] legal cases before international criminal tribunals, in contrast, can take as long as a decade. If we look at the cases of our sample with this ideal duration criterion in mind, six of the moratoria examined were short (Italy, Japan, USSR, South Africa, Zimbabwe, Moldova in 2002), but sometimes with important reservations: in Italy, for example, the situation was de facto prolonged for thirteen years after 1947 because it was politically convenient; in Japan, the content of history textbooks remained an almost constantly divisive issue until today. In five other cases, the moratoria lasted longer: six to twelve years (Croatia), ten to fourteen (Rwanda), twenty-five (Lebanon), thirty (Cambodia), and about fifty (Afghanistan). In the remaining countries the exact duration of the moratoria could not be estimated reliably, but they all seemed to tilt toward the longer term.

If pre-moratorium periods without or with poor history education and the inertia during post-moratorium periods are included in the calculation, the actual duration of the period in which children are deprived of any history education worthy of the name is stretched to one or two generations in Austria, Lebanon, Cambodia, and Afghanistan. In the cases of Austria and Cambodia, teaching recent history was avoided during one generation; the Afghan case points to two generations; the Lebanese case, if we also

15 See Hayner, "Fifteen Truth Commissions," 640–641; Hayner, "International Guidelines," 178–179.

calculate the decade-long avoidance of recent history, to three. No wonder that—after two generations without recent history education—the 1989 Taif Agreement explicitly stipulated the need to reform history education; now that more than three generations have passed, we must conclude that even this remarkable step was not successful because advanced proposals for a unified history textbook were later killed at the political level.

It is misleading to infer from these rough estimates that it inevitably requires a new generation (25 to 30) less affected by the conflict to break the deadlock. Long moratoria are unnecessary and risky: waiting for the next generation shows the failure of the current one to come to terms with the violent past. Moratoria lasting longer than five to six years deprive successive cohorts of students of essential historical knowledge and skills, and stealthily become instruments for generalized social forgetting—a process in which specific historical facts or opinions are or seem collectively (but not individually) forgotten or avoided—and for continued exposure to outdated and misleading historical content or to none at all. They are tools of de facto censorship in the hands of those aiming at a monopoly of memory and facilitating the selective denial of past atrocities. In this way, the next generation of students remains deliberately un- or undereducated about the darker sides of recent history. The relationship between these long moratoria and any meaningful transition to democracy becomes frail and finally nonexistent.

Impact

Given the complex legacy and baseline, the multiple protagonists and their different motivations, and the laborious calculation of duration, it is difficult to draw up a balance of the impact of moratoria in the abstract. Moratoria must be evaluated on a case-by-case basis. Measures which fit one situation, may turn out a mistake in others. Nevertheless, a certain disappointment creeps in when observing the seventeen moratoria. They may have fulfilled a useful function here and there, but in too many cases the imperfections of moratoria in place create doubt about their usefulness.

On top of this, there is one generally unnoticed and unintended consequence of moratoria: if discussions of recent violence are prohibited in the classroom, then every instance of violence from the distant past, every massacre, every dictatorship from the depths of history risks becoming an analogy for the recent violence. Sometimes the historical analogies are so obvious that speaking about the distant past becomes a successful

substitution for speaking about the recent past. And if the analogies are hard to find, some teachers will detect them anyway and find relevant or less relevant long-term trends of hostility. Alternatively, other teachers may invent nonexistent analogies.[16] With impacts so difficult to calculate, it is therefore time to ask the crucial question: under which conditions can moratoria achieve their purpose, that is, contribute to the buildup of a peaceful and democratic culture during a fixed period of time? We need more clarity here.

Role

In determining the conditions to which moratoria must correspond in peaceful and democratic societies, let us recall our earlier observation that consolidated democracies rarely or never imposed moratoria as they do not have good reasons to do so. As a first step, let us clarify what we understand by democratic societies. The United Nations defines them as societies that recognize and respect the human rights set forth in the Universal Declaration of Human Rights.[17] Simple as this definition may seem, it is strong in fact because it means that any valid conception of democracy must be infused with a demanding human rights-oriented application of the rule of law.

The basic question, determining all others, is whether a recent history of violence, war, conflict, and repression ought to be taught in a democratic society at all. The view of the United Nations is unambiguous in this respect. Their Principles on Impunity—a set of guidelines adopted by the United Nations Commission on Human Rights in 2005 to investigate past human rights violations and punish their perpetrators—consider it a state obligation "to preserve … evidence concerning violations of human rights and humanitarian law and to facilitate knowledge of those violations" in order to protect "the collective memory from extinction and, in particular, at guarding against the development of revisionist and negationist arguments."[18] And their Principles on Reparation—adopted by the United Nations General Assembly in 2006 to repair harm done to victims of past human rights violations—list as one of its recommended measures of symbolic reparation

16 For examples, see De Baets, *Crimes Against History*, 91–118. See also Pingel, "Can Truth Be Negotiated?" 188–189. And, obviously, (distorted) historical comparisons also played a role in public polemics. During the history textbook wars of 2001–2002 in Moldova, for example, history textbook authors were compared to Nazi propaganda chief Joseph Goebbels.

17 See *Siracusa Principles*, principle 21; *Limburg Principles*, principle 55.

18 *Updated Set of Principles*, principle 3.

that States "[i]nclu[de] an accurate account of the violations that occurred … in educational material at all levels."[19] From these combined soft-law principles we may infer that as a rule the United Nations assigns history education, including the teaching of recent history, an important role in making the transition to democracy responsibly. And there seems to be very little room for exceptions to that rule. As late as 2023, the United Nations Secretary-General affirmed that transitional justice is fostered by the teaching of history "based on textbooks and curricula that acknowledge the abusive past, encourage critical and multiperspectival thinking and affirm a commitment to human rights."[20]

Test

Given this unambiguous state obligation to protect and promote the role of teaching recent history, any exceptions such as moratoria should be painstakingly justified. To decide whether they meet that exception status, we should apply a test with three criteria: moratoria should be lawful, serve a cardinal interest, and be necessary in a democratic society.[21]

The first criterion is that any moratorium should be firmly and explicitly embedded in the official peace and transition strategy of the new State and the legislative framework that accompanies it. Moratoria must be integrated in such a framework alongside other transition measures such as tribunals to investigate and try the suspects of atrocities and truth commissions to hear their victims. It is therefore essential that all treaties, laws, and plans refer to the basic principles of the United Nations expounded above.

The second criterion is that history textbook moratoria should be accompanied by open and inclusive debates about the recent past and the causes of past atrocities in parliament and on public, scholarly, and didactic fora. Such debates should seek widely shared minimum agreement on the facts (answers to the question of what exactly happened during past episodes of violence) and aim at separating plausible historical interpretations of that past violence from implausible ones or from the outright denial of corroborated crimes. In addition, these debates should balance any requirement to organize

19 *Basic Principles*, principle 22(h).

20 United Nations Secretary-General, *Guidance Note*, 20.

21 This test is designed by analogy to the one used in international human rights law to check whether state interference with freedom of expression is applied according to human rights criteria. See De Baets, *Human Rights View*, 19–23.

such history education against another cardinal state interest during the transition to democracy, the pursuit of peace through compromise and reconciliation, which is a public order (and sometimes a national security) interest. Other state interests should be excluded from the equation. If the debates convincingly conclude that the interest in teaching recent history is outweighed by the interest in peace and public order, the second criterion is fulfilled. Obviously, the determination that the debates are "convincingly concluded" is a political one, subject, in the last instance, to judicial review.

The last criterion must help decide whether the moratorium is effectively related to this cardinal interest of peace and really necessary to fulfill it. An answer to that necessity test should be sought by applying the proportionality principle: the moratorium should be put in place only to the extent strictly required by the exigencies of peace. Proportionality is achieved only if the moratorium has explicit start and end dates and is as short and limited as possible. While five to six years is the maximum, the upper limit is conditional upon the progressive introduction of a new history curriculum after, say, two years. A moratorium is never an empty time of waiting but rather a period of busy preparation for the post-moratorium situation a few years later. This is only feasible if plans are drawn up with sufficient allocation of human and financial resources and with strict timelines for the production of new teaching materials (curricula, textbooks, student exercise books, teacher guides), for teacher training and for the establishment of quality control mechanisms. Delaying tactics should be thwarted by anticipating phases with interim curricula, emergency textbooks, compilations of supplementary materials, and teacher guides for the short term.[22]

Conclusion

Moratoria should suspend history education, not abolish it. They are instruments whose use carries many risks, among which improper interests and reasons, loss of democratic drive, inertia, social forgetting, and outright censorship are the most salient ones. On condition that they are carefully

22 Several countries—Guatemala, but also countries without moratoria such as Peru and Sierra Leone—have experimented with the publication of school versions of truth commission reports, but this was not a great success: in Guatemala and Peru the experiment was discontinued after the intervention of politicians and the military; in Sierra Leone a strip version of the report was deemed too difficult. In Guatemala, thousands of copies had already been printed.

justified, they can exceptionally serve as a short incubation period to achieve minimal compromise and reconciliation and thus contribute to the mitigation of conflict and to peace in societies in transition to democracy. To that end, democratic moratoria have to meet a test with three criteria:

- They must be prescribed by law.
- They must be at the direct service of the realization of peace.
- Their application must be shown to be necessary and proportional to achieving this interest, that is, they should be limited to recent history, with a short time span, and on as small a scale as possible.

Only under these conditions are moratoria democratic. Only under these conditions are they a step back to jump better.

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