



HISTORICAL TRUTH AND ACCOUNTABILITY IN THE POST-COLONIAL STATE

Friday 23rd of September 2022

Faculty Board Room - Campus Aula
Ghent University
Paddenhoek 5, 9000 Ghent, Belgium



Historical truth and accountability in the post-colonial state

In the past years there has been growing attention, in Europe and beyond, for issues related to accountability for and recognition of (post-)colonial violence and its effects on society today.

This symposium seeks to enrich that conversation by creating a space where issues of truth, accountability, recognition, and social change can be addressed in a systematic way to arrive at a more comprehensive understanding of (a) the ways in which the pursuit of historical truth can contribute to accountability and recognition for (post-)colonial harm and foster social change; and (b) how this has been implemented in practice in post-colonial states and settler nations. The symposium consists of three focused round tables addressing both conceptual challenges and empirical cases.

The symposium will consist of three roundtables. The logic of this threefold structure is to first, as a joint effort between participants, develop a theoretical and conceptual framework that explores what are the opportunities and limits of (historical) truth-recovery processes in decolonization struggles. In the ensuing two round tables, we examine a range of concrete initiatives that address this nexus between truth seeking, accountability and social change. The focus here is on what can be expected of these processes, how they have been organized, and – where possible – how they worked out in practice.

Substantive focus

Consolidated democracies are increasingly facing pressures to come to terms with the legacy of their violent colonial pasts, and to address how these pasts bear upon the present. Accountability for historical (and ongoing) wrongdoings and injustices related to colonialism is a crucial component thereof. In these post-colonial contexts accountability could be conceptualized as both diachronic (historical) and synchronic (contemporary) (Rothberg 2019). This means that, although an act of injustice may have originated in a distant past, its consequences are still felt in the present. In the case of (post-)colonial harm this is so because the same systematic inequalities and epistemic structures that inspired colonial harm still affect specific groups within society. The ongoingness of this (post-)colonial injustice problematises mainstream understanding of accountability, which are often rooted in an assumption that accountability relates to acts that happened in a past that lies decisively behind us and that can be traced back to one perpetrator committing one (or a countable series of) delineated unjust acts for which they have to be sanctioned.

When considering (post-)colonial injustice as slow violence that permeates pre-, trans- and post-colonial times and that is inscribed in social and political structures, there is a need to further examine the ways in which these protracted forms of injustice can be addressed. When legal or criminal accountability, for example, are not possible or desirable, complementary forms of accountability should be considered, as well as the very role and meaning of accountability in decolonization struggles.

We need to rethink what accountability looks like in cases where there is need for 'a larger reckoning with both the structures of power (...) and the histories that continue to resonate as afterlives' (Rothberg 2019, p.10). In these contexts, accountability may consist, in the first place, in 'labelling certain practices as unjust in the public domain' (Obel-Hansen 2011) and contributing to the state's efforts of acknowledgement, recognition, and redress of the past wrongdoing (Álvarez-Berastegi 2017; Winter 2014).

Given the recent boom in truth-seeking initiatives, this symposium examines whether and through which mechanisms these historical truth-seeking processes, as part of a broader strategy of state redress of historical injustices, can contribute to these normative aims, and most importantly, to the aim of social change. We explore these topics in a conceptual and empirical manner.

This symposium focuses on European initiatives. On one hand this is because of a gap in literature, which has mostly focused on settler democracies. On the other hand, in the European and EU context, institutional debates around historical truth-seeking and remembrance 'focused very little on the human rights violations committed by member states of the European Union during the colonial period' (Sierp 2020).

Nevertheless, CSO's and other activist groups in Europe, too, have long demanded political action to address the legacies of settler and overseas colonialism. Their actions have entailed a focus on freeing public spaces of statues and other monuments that represent colonial figures, restitution of artefacts from the colonies, and the reparations for the crimes committed during the colonial rule, as well as seeking to establish various kinds of truth-seeking processes. This shows that the debate is very pertinent and alive, also in the European context.

References

Álvarez-Berastegi, A. (2017). "Justicia Transicional en Estados Democráticos: Uso y Abuso de los Límites Conceptuales". In Aranguren, R. J. (ed.) (2017). *Justicia Transicional: Historia y Actualidad*. Thompson Reuters Aranzadi. pp. 69-86.

(2021, March) "Justice Now? Tackling legacies of Europe's colonial past in the wake of Black Lives Matter". Avocats Sans Frontières and Anthropology department at MIT, online.

Obel-Hansen, T. (2011). "Transitional Justice: Toward a Differentiated Theory" *Open Review of International Law*. 13(1).

Rothberg, M. (2019). *The Implicated Subject: Beyond Victims and Perpetrators*. Stanford, California: Stanford University Press.

Sierp, A. (2020). "EU Memory Politics and Europe's Forgotten Colonial Past". *INTERVENTIONS* 22(6)

Winter, S. (2014). *Transitional Justice in Established Democracies: A Political Theory*. Palgrave Macmillan. United States and United Kingdom.

Programme

Roundtable 1: Conceptual Challenges: Truth, Accountability and Change

9:30 am to 11:00 am

In post-colonial consolidated democracies different stakeholders engage with (historical) truth-seeking processes for different purposes, expecting them to achieve a range of objectives (such as accountability, acknowledgment, recognition, redress, or social change). State-sponsored historical truth-seeking processes, for example, may be pushed by CSOs as a means to achieve political accountability, reparation, restitution, and policy reforms; or they may, on the contrary, be installed by the state itself precisely to ensure the political legitimation of an existing regime (Winter 2014).

A first session will therefore focus on key conceptual issues of approaching historical truth seeking as a form of accountability for, recognition of, and redress for (post-)colonial violence; and ultimately as a vehicle for social change.

We will focus on whether and how historical truth-seeking processes can be seen as a form of accountability for (post-)colonial violence, and if so, whether we should understand them as alternative or complementary to other forms of (legal) accountability. This implies a debate about the very meaning and objectives of accountability. In this context, we examine the relationship between accountability and other normative objectives such as (political, social, and legal) recognition or (state) redress, as well as the ways in which these normative objectives can contribute to social change? We also explore the avenues through which accountability, recognition, and redress might contribute to social change; as well as identifying risks and pitfalls of reframing the normative objectives of (historical) truth-seeking processes in more transformative ways.

Co-Chairs

Prof. Dr. Tine Destrooper, Justice Visions - Human Rights Centre, Ghent University.
Dr. Cira Palli-Aspero, Human Rights Centre, Ghent University.

Speakers

Dr. Sara Amighetti, University of Zürich.
Dr. Thijs Bouwknecht, NIOD Institute for War, Holocaust and Genocide Studies.
Prof. Dr. Nicole Immler, Universiteit Voor Humanistiek.

Roundtable 2 and 3: Empirical Debate

We adopt a practice-oriented focus to explore how these issues have shaped up in concrete cases. Through a conversation about different state-led and CSO-led initiatives we examine how different actors approach the nexus between truth, accountability and social change in the context of historic truth processes, and for which purposes? We also explore which differences and points of encounter can be identified between various kinds of initiatives?

Roundtable 2: Truth-Seeking and (De)colonisation in the Nordic Countries

11:30 am to 13:00 pm

The second roundtable focuses on cases of settler colonialism within Europe and notably at the relationship Denmark Greenland and a set of newly appointed truth commissions in the Nordic countries. The focus of these commissions is on issues of mistreatment of minority groups, indigenous rights, and issues of historical justice.

Co-Chairs

Prof. Dr. Tine Destrooper, Justice Visions - Human Rights Centre, Ghent University.
Dr. Cira Palli-Aspero, Human Rights Centre, Ghent University.

Speakers

Dr. Malin Arvidsson, Linköping University.
Dr. Eva Josefsen, UiT the Arctic University of Norway.
Prof. Dr. Rachael Lorna Johnstone, Ilisimatusarfik, University of Greenland.
Dr. Hannele Pokka, head commissioner of the Finnish Truth Commission on the Sami people.

Roundtable 3: Addressing the Legacies of Overseas Colonial Past

14:00 pm to 16:00 pm

The third roundtable will focus on specific initiatives regarding overseas colonial legacies to explore what has been done, by whom, and for what purpose. The focus will be on overseas colonial legacies of countries such as Belgium, France, Germany, Italy, the Netherlands, Portugal, Spain, and the United Kingdom, is timely given the initiatives that are currently being developed in several of these countries. What kind of openings and opportunities (formal or informal) are being created to address the legacies of colonialism?

Co-Chairs

Prof. Dr. Tine Destrooper, Justice Visions - Human Rights Centre, Ghent University.

Dr. Cira Palli-Aspero, Human Rights Centre, Ghent University.

Speakers

Dr. Itay Lotem, University of Westminster.

Dr. Alana Osbourn, Université Libre de Bruxelles.

Dr. Elise Pape, Lab for interdisciplinary cultural studies, the University of Strasbourg.

Dr. Elsa Peralta, Centre for Comparative Studies, University of Lisbon.

Prof. Dr. Peter Romijn, NIOD Institute for War, Holocaust and Genocide Studies.

Final Discussion and Closure

16:30 pm to 17:30 pm

The objective of this last session is to provide a conclusion to the different conversations that have taken place during the day. The aim is to identify the emerging conceptual and empirical aspects of the debate on whether historical truth-seeking processes contribute to the state's efforts of acknowledgment, recognition, and redress of past wrongdoing, and most importantly, to the aim of social change.

Biographies

Dr. Sara Amighetti, is a postdoctoral fellow at the Centre for Ethics at the University of Zurich, and prior to that, she was a Justitia Amplificata Postdoctoral Fellow at Goethe University Frankfurt. She mainly works on egalitarian theories, global justice, and immigration ethics. Her other areas of interest include democratic theory and theories of historical injustice. Her publications have appeared in *The Journal of Political Philosophy*, *Political Theory*, *Ethics & Global Politics*, and the *Critical Review of International Social and Political Philosophy*. She holds a PhD in Political Philosophy from University College London.

Dr. Malin Arvidsson, is a Senior Lecturer in Child Studies at the Department of Thematic Studies, Linköping University, Sweden. She holds a PhD in History from Örebro University and is currently working on the research project Truth & Reconciliation in the Nordic Countries (TRiNC), Danish Institute for International Studies. She has been a member of the Truth and Reconciliation Commission for Tornedadians, Kvens, and Lantalaïset since it was set up in 2020.

Dr. Thijs B. Bouwknecht, is Researcher at the NIOD Institute for War, Holocaust and Genocide Studies (part of the Royal Netherlands Academy of Arts and Sciences, KNAW) in Amsterdam. He is a historian of mass violence, transitional justice, and modern Africa. Thijs is currently finalising his book "Transitional History", covering the history of the uses and abuses of transitional justice phenomena and discourses in Africa between 1890 and 2022.

Prof. Dr. Tine Destrooper, is an associate professor at the Faculty of Law and Criminology of Ghent University and a member of the Human Rights Centre at Ghent University. Her research focuses on victim participation in transitional justice. She currently carries out a comparative study on the long-term and unforeseen effects of victim participation on victims and their communities. Her publications and lectures at various international forums have highlighted the often unforeseen consequences that international interventions can have for local (groups of) rights-holders.

Dr. Eva Josefsen, is a political scientist and professor in Social Sciences at UiT the Arctic university of Norway. She heads the research project "Expectations, Truth and Reconciliation in a Democratic Welfare State" (TRUCOM).

Dr. Itay Lotem, is a senior Lecturer in French Studies at the University of Westminster, London. He is a contemporary historian specialised in the development of the politics of memory in Europe, its gestation, and its relation to transnational circulation of ideas, race, and social movements. His monograph, 'The Memory of Colonialism in Britain and France: The Sins of Silence' was published with Palgrave Macmillan in 2021 and is the first comparative historical analysis of the politicisation of the memory of colonialism in Britain and France. He is currently working on a global history of the idea of 'autocritical memory' from the end of the Second World War to the present day.

Prof. Dr. Rachael Lorna Johnstone, is Dean of the Faculty of Law at the University of Akureyri where she holds a professorship. She is also professor of law at Ilisimatusarfik (University of Greenland). Rachael is an Icelandic citizen of Scottish origin. She attended law schools in Scotland, Belgium, and Canada for a total of eight years but nevertheless graduated with very little knowledge of their colonial histories, the law of decolonisation or Indigenous law. She joined the University of Akureyri in 2003 and later took the masters degree in Polar law (2011-13) during which she learned more about Indigenous Peoples and began unravelling many of the assumptions she had absorbed regarding international law. This is an ongoing process. Having taught and researched at Ilisimatusarfik since 2011, she has learned a lot from Indigenous scholars, in particular her students. She does not speak on behalf of Indigenous Peoples or Greenlanders nor does she present an Indigenous perspective.

Professor specialises in Polar law: the governance of the Arctic and the Antarctic under international and domestic law. She has published widely on the rights of Indigenous Peoples, international human rights law, governance of extractive industries in the Arctic, international environmental law, state responsibility and due diligence, and Arctic strategies. Her books include Regulation of Extractive Industries: Community Engagement in the Arctic (Routledge 2020) with Anne Merrild Hansen, Arctic Governance in a Changing World (Rowman and Littlefield 2019) with Mary Durfee, and Offshore Oil and Gas Development in the Arctic under International Law: Risk and Responsibility (Brill 2015). She is co-editing the Routledge Handbook of Polar Law with Yoshifumi Tanaka and Vibe Ulbeck (Routledge, expected 2023).

Prof. Dr. Nicole Immler, is a professor in Historical Memory and Transformative Justice Department 'Citizenship and the Humanisation of the Public Sector' at the Universiteit Voor Humanistiek. Her work focuses on the afterlife of historical injustice (World War II, colonialism, slavery) in today's society, and the relation between memory, identity, and justice. To date, she has focused on reparation questions in regard to historical injustice.

Dr. Alana Osbourne, is a F.R.S-FNRS post-doctoral fellow at the Anthropological Laboratory for Contemporary Worlds (LAMC) at the Université Libre de Bruxelles (ULB). As an FNRS fellow at the Laboratoire d'Anthropologie des Mondes Contemporains (LAMC) at the Université Libre de Bruxelles (ULB), Alana currently focuses on the Belgian Parliamentary Commission on the Colonial Past, where elected officials seek to find narrative consensus around the country's colonial past and contemporary forms of racial injustice. Within this context, Alana probes the affects and emotions that inform the testimonies voiced during the commission. Her research highlights how violence and racialized inequities are linked to coloniality, but also how urbanites subvert these legacies through sensorial and affective negotiations. With a background in film directing, she alternates her academic work with film and theatre projects.

Dr. Cira Palli-Aspero, is a historian specialised in contemporary political history. Her work lies at the nexus of historiography and transitional justice with focus on state-sanctioned historical commissions as mechanisms to address the legacies of the past. She is currently a postdoctoral research fellow at the Human Rights Centre at Ghent University where she investigates what are the implications of framing historical commissions as instances of transitional justice in consolidated democracies, when these are set up to inquire into the legacies of the colonial past.

Dr. Elise Pape, holds a PhD in sociology from the University of Strasbourg and the Goethe University in Frankfurt. She is specialized in the field of sociology of migration, in socio-anthropological research and in Franco-German comparative approaches. Since 2012, she has conducted empirical research on (post)colonial memories in Cameroon, France, Germany and the United States. In this context, she has worked more closely on postcolonial memories in Germany today and on the struggle for the recognition and reparations of the Ovaherero and Nama genocide. She is an associate researcher of the Lab for interdisciplinary cultural studies (LinCS) at the University of Strasbourg and a Fellow at the French Collaborative Institute on Migration.

Dr. Elsa Peralta, PhD in Anthropology (University of Lisbon, 2006), is a Senior Researcher at the Centre for Comparative Studies (CEComp), School of Arts & Humanities, University of Lisbon, and an Associate Researcher of the Institute of Social Sciences (ICS), also of the University of Lisbon, Portugal. In CEComp she is the coordinator of the CEComp's Research Group CITCOM-Citizenship, Critical Cosmopolitanism, Modernity/ies, (Post)Colonialism-and she also coordinates the Research Line Legacies of Empire and Colonialism in Comparative Perspective. Her work draws on crossed perspectives from anthropology, memory studies, cultural studies and postcolonial studies and focuses on postcolonial cultures, memories and identities. At the moment, she is the PI of the FCT funded project Constellations of Memory: a multidirectional study of postcolonial migration and remembering (PTDC/SOC-ANT/4292/2021) and is part of the research network COST Action, HIDDEN. Her most recent publications are *The Retornados from Portuguese Colonies in Africa: Narrative, Memory, and History* (Routledge, 2021), and *Legacies of The Portuguese Colonial Empire: Nationalism, Multiculturalism and Citizenship* (Bloomsbury, Forthcoming 2023) (with Nuno Domingos). In addition, she was the curator and scientific coordinator of the Exhibition *Return: Traces of Memory* produced by EGEAC/Lisbon City Council in 2015.

Dr. Hannele Pokka, is the Commissioner Chairperson of the Sámi Truth and Reconciliation Commission in Finland. Pokka is a Doctor of Law and has a long history of working on Sámi affairs: she has worked as Minister of Justice in Esko Aho's centre-coalition government in 1991-1994, during which the current Act on the Sámi Parliament was drafted. Pokka has been chairperson of the committee that investigated Finland's possibility to ratify the ILO 169 convention, and Lappi province governor between 1994 and 2008, when she led the advisory board on Sámi affairs.

Prof. Dr. Peter Romijn was until his retirement in June 2022 Head of Research at the NIOD Institute for War, Holocaust, and Genocide Studies in Amsterdam and part-time Professor of 20th Century History at the University of Amsterdam. He has published on the history of the politics and administration during and after the Second World War, including political trials and purges, as well as the reintegration of former collaborators, on the persecution and annihilation of Dutch Jewry, on the Srebrenica genocide, and on Dutch late-colonial warfare and post-colonial controversies. Presently, together with Professor Remco Raben (Universities of Utrecht and Amsterdam), he is preparing a monograph on the 'management of information' concerning Dutch extreme violence, including war crimes, committed in the Indonesian War of Independence (1945-1949).

