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### **Truth, Justice & Performative Knowledge Chokri Ben Chikha's Theatrical 'Truth Commission' on (Neo)colonial Injustices**

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Chokri Ben Chikha is a Belgian theatre director, with Tunesian roots. Last December, he defended successfully a PhD-thesis in the Arts, dealing, in both a creative and a reflective way, with the phenomenon of the ‘human zoo’, the exhibition of so-called ‘exotic people’ in cardboard replicas of their natural environment, their villages. As a part of his research, Chokri Ben Chikha created, together with his brother Zouzou Ben Chikha, the theatre performance *De Waarheidscommissie* (“The Truth Commission”). *De Waarheidscommissie* took place the *cour d’assises*, the room for jury trials for serious crime, of the old ‘palace of justice’ in Ghent.

*De Waarheidscommissie*, in its final performative form, was the result of a lasting research process by Chokri Ben Chikha and a team of scholars, writers, dramaturges and actors. The process included the collection of archival material about the ‘exotic villages’, in Ghent 1913 and on other world exhibitions, discussions about the presence of ethnic difference in contemporary performance and analysis of the ‘format’ of a truth commission as a political and legal instrument. In this paper, I will not focus on this research process, but on the performance itself, on the question of ‘performative knowledge’. What kind of plus-value a performance, structured as a investigative commission aimed at truth-finding, generates, in terms of knowledge political actors can subsequently deal with? Chokri Ben Chikha explicitly situates his exercise in a political context that isn’t reduced to working through a traumatic past – the scars of colonialism – but also deals with the contemporary representation of cultural diversity, in daily life, on the level of policy and on the arts scene. This question of plus-value is thus put in a double sense: firstly, the possibility of restorative justice, with regard to post-colonial transition, secondly, the possibility of memory, i.e. how history deals with these facts, futile as they are, compared to acts of genocide and similar horrors in colonial times. Does performance deal differently with these facts then classical, mediatised political debate? Do political actors react differently with regard to this performative knowledge?

The construction of *De Waarheidscommissie* is simple: an introduction, a series of testimonies, cross-examination, conclusive suggestions by the commission and an epilogue. The commission is composed of five experts with very diverse backgrounds. President Herman Balthazar is a retired history professor and the former governor of the province of Eastern Flanders – an intellectual and a politician. Omar Ba is coordinator of African organizations in Ghent and a Belgian with Senegalese roots. Marijke Pinoy is a professional actress, Camille van Uytfanghe owns of a news-stand in a popular neighborhood in Ghent. Liesbeth Clara organizes workshops on cultural inclusion. This last member is the only fictional character, the others participate under their own name, and with their real background. In front of the commission, on the witness bench, two Senegalese men and a Senegalese woman are sitting, representing their ancestors, once exhibited in Ghent. The president opens the debate with a speech in which he tries to explain the work of his commission. Reminding

us that the term ‘truth commission’ has, since the South African Truth and Reconciliation Commission, a strong moral impact, he speaks about the necessity to rewrite history continuously. The political status of the commission with regard to its dealing with the past, should be acknowledged, since it will decide what should be remembered and what could be forgotten. The Senegalese are welcomed and the president refers to the mortal remains of an ancestor, who died in Ghent, exhibited in the courtroom. They honor him with dances and chants. After the ceremony, the president presents the members of the commission and he sums up the investigative questions of the commission:

- Were the exotic villages of the world fair of 1913 ‘human zoos’ or can we consider them as a form of cultural exchange?
- What is the legacy of the phenomenon of the ‘human zoos’ in our own contemporary culture of diversity?
- Can our commission formulate and suggest guidelines for future intercultural representations?

These are not the questions a ‘real’ truth commission faces, as these are usually created in the framework of the transition from a dictatorial to a democratic regime. The South African TRC never asked whether apartheid was evil or benign, since the legitimacy of the transition itself was based upon the inhumane nature of apartheid. The TRC judged historical acts of violence in the context of apartheid. The TRC testimonies were elements in the construction of a reconciled nation and a therapy to heal individual and societal trauma. Chokri Ben Chikha’s commission however asks whether contemporary uses of cultural difference do not continue the traumatic relation between the western world and, in this particular case, Africa. The TRC concentrated on the excesses, not on the social scars, open wounds and structural ruptures a regime, based upon racial humiliation, has left in South-African society. The issue of the continuity of a culture of neocolonialism will be constantly present in the performance. The first, historical, part confronts two visions of the past. A informs the commission and the audience about the facts on the human zoos in 1913. This story tells us the bare facts about the presence of the Senegalese and Philippine villages in Ghent, about the commercial mechanisms behind these ‘human zoos’ – a popular and global form of entertainment in early 20th century Europe –, about the humiliating comments on their ‘primitiveness’ in local papers. A famous Flemish writer, the socialist Cyriel Buysse, is quoted comparing them with ‘mongoloids’ and ‘monkeys’. The academic also gives details about their medical conditions and about their tragic fate after the closure of the exhibition. Three people died during the world fair, most of them were left without food or shelter while waiting for the journey home. A hint of a context is given, referring to the case of Saartjie Baartman, the so-called ‘Black Venus’, an object of both scientific and popular voyeurism in the early 19th century. The actress in

the commission wonders about the neutrality of the professor, considering the responsibility of science itself in creating racial prejudices. The scientist accepts this responsibility, discussion closed, for the time being. A more vicious comment comes from a member of the 'Cyriel Buysse society', denouncing the atmosphere of political correctness of this 'truth commission'. He and explains the racist remarks of the writer as representative for the spirit of the age. He observes that the official 'constructivist' paradigm most contemporary historians adopt is quickly exchanged for a claim of immovable objectivity, a claim the same historians usually denounce if used by a powerful establishment. He goes even one step further, pleading for 'amnesty', a term ferociously rejected by the African member of the commission. 'Amnesty' has special connotations. In Belgium it refers to Flemish nationalists asking for impunity for their spiritual friends who collaborated with Nazi Germany during World War II. In the broader context of transitional justice, it refers to the South African TRC's power to grant amnesty for perpetrators of politically motivated acts of violence telling the truth.

In the next testimony, Saartjie Baartman is back, in a performance, on a small stage built in the back of the courtroom. Dancer Chantal Loial, born in Guadeloupe, and choreographer Koen Augustijnen created a performance dedicated to Saartjie Baartman, half impersonation, half commentary, visually situated in a grey zone between clichés about African bodily expression and European romanticism. Marijke Pinoy, the actress in the commission, feels immediately insulted. In her eyes, Loial's performance reproduces power relations between white producers and black performers, even when she is clear about her full-hearted participation in Augustijnen's dance piece. Koen Augustijnen gets angry, he takes off his clothes and spreads them on the floor, as a 'red carpet' Loial should walk upon. The president interrupts the incident and insists upon serenity of the debates. Augustijnen, calmed now, concludes by proposing to make the issuing of visa for African artists a lot less bureaucratic. This scene anticipates, in a polemic setting, the normative questions formulated in the beginning: what lessons can we learn from the historic experience with 'racist voyeurism' in Ghent 1913? Chokri Ben Chikha refers, with the Saartjie Baartman polemic, to Exhibit B, an performative exhibition of tableaux vivants by South African artist Brett Bailey, in which he shows scenes of colonial horror, including an impersonation of Saartjie Baartman as a statue. Apart from its tremendous emotional impact, this 'exhibitive performance' ignited a debate about African performers representing their historical exploitation. The 'privilege of art' isn't considered as a plausible defense.

In the second part, the jury retires for a brief moment, and the Senegalese dance and sing, which causes indignation: they are there because they can entertain us with their exoticism. When the commission returns, the president reflects upon the issue of stereotyping. Neocolonialist imagery continues to be used in advertising, but are these phenomena, even when they appear out of the

sphere of marketing, really as naïve as they are perceived by the general public? The scientist shows an excerpt from the Flemish TV-program *Toast Kannibaal*, a reality show with Flemish families which are confronted with ways of living far from their (sub)urban civilizations. The fragment is extremely humiliating. Flemish visitors try to convince the villagers in Papua New Guinea, traditionally dressed of course, that a compact disc is both a mirror and a magical fetish. The Senegalese witnesses feel directly attacked and react by staging their own commercial show. They try to sell so-called tribal art, in fact nothing but touristic kitsch. The cultural chasm is transformed into a marketed relationship. The difference between both lies in the perceived naivety of the consumer. The Senegalese denounce the abuse of exoticism, but they affirm their own insight in the mechanism by taking advantage of the exotic desires we all share.

After the economic argument, Marijke Pinoy intervenes, in an attempt to redefine the commission as a ‘truth commission’ as we know it. Following Martha Minow’s analysis of transitional justice, she distinguishes four options for truth commissions:

- They can judge and punish
- They can create an environment for stories of injustice to be told and promote societal healing through them
- They can raise material and/or virtual monuments, in order to fix memories
- They can pay reparations, based upon the simple law of liability: who causes damage by his fault, pays a reparation.

Pinoy elaborates on the fourth alternative – reparations – and makes a calculation for a sum to be paid to the Senegalese descendants, based upon the evolution of wages and prices since 1913. Her exercise results in the quite colossal amount of almost 12.000.000 €. The president adds her proposal to the list of suggested measures.

The next intervention is the most direct political scene of *De Waarheidscommissie*. Witness Mourade Zeguendi presents himself, truthfully, as a Belgian actor with Moroccan roots. Zeguendi is mostly cast as a Moroccan brawler, but he has also become a role model for youngsters from Mahgrebine origin in Brussels. He calls himself a ‘professional Moroccan’. Zeguendi shows a fragment from an instructive film, made by the Flemish government to inform Moroccan immigrants. The film stereotypes Moroccans as always drinking tea, wearing kaftans, and being uninformed about basic social rules in Belgium. In Belgium you put your garbage on the street just before the arrival of a garbage truck. In Belgium you keep quiet in the streets after 10 p.m.. In Belgium you don’t beat your wife. Zeguendi denounces, with all the aggression of his own stereotype as a ‘professional Moroccan’, these implicit prejudices about anti-social behavior. But commission member Liesbeth Clara defends vigorously the official film. The only way to pass this message, she claims, is by using stereotypes. So the question if stereotyping has any pedagogical

value, is now put from a contemporary perspective. Some historians agree to that, with regard to the historical 'human zoos', and here it becomes clear that this argument continues to have political value. But Zeguendi interrupts her apology, when she reduces his critique to personal frustration. The president intervenes to stop the incident, Zeguendi returns shortly after with a pragmatic proposal. Schoolbooks should include stories of racist exhibitionism, then and now.

Finally, Omar Ba intervenes, trying to refocus on the historical injustices under scrutiny. He also favors revision of colonial history, not by 'enlightened' white historians, but by the Africans themselves. His speech is directed to the Senegalese witnesses, it is their responsibility. The president thanks Omar Ba for his 'wise words'. Before closing the session, he announces a filmed intervention of Daniel Termont, the mayor of Ghent, who apologizes officially for the injustice the city of Ghent committed to the Senegalese and Philippine participants in the world exhibition of 1913. Finally, president Balthazar hands the report to Chokri and Zouzou Ben Chikha, who have been present all the time, as the directors of the spectacle. They can now openly take over the performance, giving it a curious twist. They observe that the Senegalese are not that happy with the outcome of the proceedings and they wonder what their problem might be. The Senegalese ask their passports back, which were held back by the producers, in order to prevent their escape to an illegal circuit. In fact, such a procedure is only normal in a context of human trafficking or dubious construction firms. The city of Ghent stood bail for the producers' promise that the African performers would return home in due time. The Senegalese simply want the passports back, immediately. The Ben Chokhi brothers propose to organize a vote among the audience. Of course the very liberal audience votes in favor of the Senegalese.

The day of the last performance, two Senegalese performers had left their apartments before dawn. They were traveling to Italy, and they had even contacted Senegalese friends in Belgium to replace them for the last evening of De Waarheidscommissie. Chokri and Zouzou Ben Chikha could have cancelled the performance, but they chose to work with the replacements, and hardly any spectator noticed it. Reality overtook fiction, and even when the audience never learned anything about these final events, it sheds a different light on this performance about (mis)understandings between cultural contexts. The message by the mayor of Ghent, recorded beforehand, was part of the script. But the hidden reality of the desire to escape from temporary legal stay, by taking advantage of the 'official' participation in a political performance project, that is something completely different. The playful performative shifts between fiction and reality are over, the situation is deadly serious. Let me return now to the basic questions about the performativity of truth commissions. What is the relationship between official truth commissions and justice for (mass) violence in a recent or a distant past? What concept of history is used, consciously and unconsciously, in the context of this type of investigative and – sometimes –judicial process? And finally, what plus-value comes from a

project with the specific performative status such as De Waarheidscommissie? What do we learn here about the relationship between performance and political action?

The very idea of a truth commission, as an instrument of transitional justice after an era of politically motivated violence, originates in frustrations about strictly legal structures to heal societal wounds after a traumatic period. Tribunals have to decide according to a binary and perpetrator-oriented logic: guilty or not guilty. They treat personal liabilities and the larger structures of crime can only serve as a backdrop, not as the object of inquiry themselves. When dealing with political violence, this judicial treatment of transition runs three major risks:

- The retroactivity of the penalization. Individuals might not be aware that they act against a law during the ‘criminal’ regime, so punishing them goes against the sacrosanct principle of *nulla poena sine lege*.
- The politicization of the legal process. In the direct aftermath of the violent regime, no independent judiciary structures are available. Their build-up is precisely a part of a reconstruction of rule of law, i.e. an aspect of the political agenda of the victorious party.
- The selectivity of the punishments. In most transitions, it is not possible to call all the perpetrators before a court. More than often the selected defendants are not representative for the moral climate during and after the violence.

The South African TRC is a relatively clear case. Its most famous ‘amnesty branch’ could decide on the political character of acts of violence, and subsequently grant amnesty to the perpetrators, both from the side of the Apartheid regime as from the side of the oppositional ANC. There was no retroactivity issue, since existing South African criminal law was the norm. The political position of the TRC was clear, as it founded by an act of parliament. The amnesty procedure was a compromise meant to enhance of societal reconciliation, and Nelson Mandela himself urged for special inquiries into the violent culture within the ANC. Amnesty itself was a tool to reduce selectivity, even when the system was based upon the willingness of the victims to report and of the perpetrators to come forward. The complete procedure was televised and every session was the object of fierce debate, so the narrative impact on societal healing was considerable. But due to the quasi-legal procedure, the TRC was structurally not competent to judge the larger motives, mechanisms and consequences of apartheid as a racist system. Paradoxically, the TRC promoted so-called ‘narrative truth’ that should lead to ‘catharsis’, but this truth was rarely translated into a comprehensive story of human rights.

Legal scholar Mark Osiel points to the performative aspect of what he calls ‘liberal show trials’ after mass atrocity, and his observation can also be applied on truth commissions. But this performative ‘efficiency’, if existing, is also related to another tension, different from the clash between political power balances and the rule of law, namely the tension between history and law. In the context of societal trauma and its aftermath, politicians, lawyers and historians insist, upon

the importance of collective memory. In contrast to the legal treatment of the trauma however, collective memory and historiography alike are not interested in closure as such. Collective memory implies the reassessment of a nation and by a nation, after an era of structural violence and/or injustice. This collective memory shares with academic history the absence of vantage points. These discourses have to decide themselves about the point where the story started and about the finality of their narration. The more comprehensive their stories, the less history can be judgmental. 'Pure' legal judgments can even distort the healing process taking place on the level of collective consciousness. But there is another side to the issue, from the historian's point of view. Historians too, says Charles S. Maier, have to learn lessons from the 'cruel 20th century', by acknowledging that they draw bottom-lines, just as judges do. If the discourse of truth commissions and comparable quasi-legal mechanisms demonstrates anything, it is the centrality of the victim in the cathartic process these societies need. When an historian, according to his deontology, creates a larger context, he doesn't not justify violence but he seeks an (academic) consensus, including oppositional voices about the authoritarian system that facilitated this violence. He is never sure that a just settlement and a generous discourse is preferable in the fresh democratic context, compared to a culture of silence, especially in endogenous situations where victims and perpetrators are not clearly distinguishable and where they are forced to live together after the rupture. But historical account, as judgmental it might be, shouldn't constitute a risk for cohesion in a democratic society. This being said, what about the claim of performative knowledge by De Waarheidscommissie? Chokri Ben Chikha's truth commission is not taking place in the context of process of transitional justice. In contrast with most truth commissions, thinking in terms of ruptures between historical periods and political-legal regimes, De Waarheidscommissie links anecdotes of a distant past – the villages at the Ghent world exhibition, 1913 – with actual policies which only beneath the surface reveal the continuity of a colonial attitude. The indignation about dancer Chantal Loial and the rage of the 'professional Moroccan' Mourade Zeguendi reveal precisely this hidden aspect. The time frame used by the Ben Chikha brothers to contextualize Ghent 1913 is radically different from a political one, which is forced to take 'healing' measures – by judging or by fixing (provisional) official truths. There is no trauma in Belgium about colonial crimes, let alone about 'minor' excesses like the human zoos. For the spectator however, this non-existing trauma can become a part of his uneasiness about the actual policies treated during the play: the commercial and the artistic representation of the colonial past as a form of exhibitionism, the precarity of the legal and cultural acceptance of immigrants, including their 'native' descendants, in this part of the world. The final scene about the passports reveals the 'undecidability' of both morals and politics in this kind of issues.

The most visible result from De Waarheidscommissie, as a process and as an actual performance,

was the official apology of the mayor of Ghent, Daniel Termont. It could be criticized as a gratuitous gesture, but it also exemplifies an important mechanism, in democratic politics. In general, democracies are based upon excuses for the past, not as a sufficient basis, but as a necessary condition. In this case, the gesture could be seen as purely symbolical. In Antwerp, more than ten years ago, the mayor apologized for the cooperation of the local police in SS-raids in Jewish quarters, in 1942-43. His declaration was not applauded by all sides, some wounds were hardly healed. This gesture was the result from a ground-breaking study of anti-Semitism in Antwerp, since the 19th century. If a theatrical performance, such as *De Waarheidscommissie*, results in a public apology about an unknown part of history, this is a plus-value, a result from performative knowledge. A traditional Ph.D. thesis about the same subject would probably not have resulted in the mayor's declaration.