



De Lezing.

# **RELATIVISM, RECONCILIATION AND REALITY**

**Ethical Politics in Divided Societies**

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# RELATIVISM, RECONCILIATION AND REALITY

## Ethical Politics in Divided Societies

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Somewhat surprisingly, this presentation has prompted me to dust off old philosophy books. Perhaps this was fuelled by the image of progressive debates in rustic Dutch coffee shops. Or perhaps it was because of a renewed awareness of the long and involved history between our respective countries – and the need not to repeat old debates and easy answers.

It may also simply have been the realisation that this topic demands that words and concepts are used with considerable care – that talking about reconciliation and justice, of necessity, calls up the philosophical.

My aim is to make a few remarks about South Africa's road towards reconciliation since 1994 and, in so doing, to reflect a little more broadly on reconciliation as ethical politics in a postmodern society faced with the reality, not only of moral relativism, but also of deep and deepening divisions.

The paper unfolds in three parts. First, I set out some conceptual markers for the discussion. Then I focus on South Africa as an example of reconciliation politics, and thirdly, I discuss some of the wider implications of the South African experience.

## Ethics after God

Almost twenty years ago, I completed a doctorate at Oxford on the 'the ideas of truth and revelation in the light of the challenge of postmodernism'. Postmodernism. That was going to be the 'next big thing'.

My studies focused on thinkers who called themselves 'postmodern theologians'. The label fascinated me for various reasons, not least because of the apparent contradiction, at face value, between 'theology' and 'postmodern'. But postmodernism also seemed to offer all sorts of liberating possibilities, not least for someone who had grown up in a strict Afrikaner environment during apartheid's unravelling.

My years at Oxford turned out to be quite a journey, on different fronts – politically, socially and intellectually. Perceptions were challenged almost by the minute. Pieties, norms and values shifted. At the same time, watching from a distance, I saw my country undergoing its own profound change. Conversations with a black South African roommate and meetings with South African exiles in England exposed me to varied views about the country we all loved but had experienced so differently.

Keen to learn more, I couldn't wait to get to the library each morning. In the end, however, the conclusion to the doctoral thesis was quite simple: most of what had been written in the name of postmodernism, was in fact a kind of 'hyper-modernity', a radicalising of the basic tenets of modernity, but not the overcoming thereof. In short, it did not seem that much of the postmodern literature really was 'post' the 'modern'.

The essence of modernity in the West was, of course, the rejection of church authority over politics. Along with the so-called masters of suspicion, Nietzsche, Feuerbach, Marx and Freud, 'God' was declared 'dead'. Into the void stepped 'the human subject' – enlightened thinker, benevolent scientist and liberal politician – but behind the scenes, almost invariably a Caucasian male.

In the early nineties, those I call hyper-modernists now also levelled their sights at the human agent who had taken God's place and who shared too many traits with its divine predecessor. To them 'the rational human subject' was in fact another fantasy, a myth 'inside us' no less far-fetched than the idea of an all-knowing, benevolent God 'above us'. 'Man' used to be the 'image of God' after all.<sup>2</sup> But the charge was that the modern mindset produced a sense of responsibility only some of the time. In bad moments it made for delusions of grandeur, insularity and, more often than we wished to acknowledge, war.

Don Cupitt, a hyper-modernist theologian, describes human experience as a 'long-legged fly' on the surface of a pond, causing the merest of ripples, but never penetrating the surface. Such is our search for meaning and for God, he said. Such is our destiny. Life is always a surface game, barely touching textures and texts which we cannot 'get beyond'. Life is a dance on the surface of experience. There is no 'beyond', whether above us or inside us. We must learn to enjoy our lives for what they are – skimming the surface like long-legged flies on a pond.

It soon became clear that hyper-modernism carried important ethical and political implications. Zygmunt Baumann, a postmodern sociologist, explains that in hyper-modern circles, 'ethics itself is denigrated or derided as one of the typically modern constraints now broken and destined for the dustbin of history... another illusion the postmodern men and women

can well do without'.<sup>3</sup> Ours is the era of unadulterated individualism and the search for the good life, limited solely by the demand for tolerance.<sup>4</sup>

In last year's BKB lecture, Rob Wijnberg spoke about the ethical implications of modern man and his technological ambitions replacing God. Wijnberg concluded that man had to determine his own truth and meaning. The impact of this in a society such as the Netherlands, Wijnberg claimed, has been a type of 'moral relativism' which is a 'character trait of the existential and liberal framework caused by the loss of faith in extra-human authority, in short, not only the demands and the haste, but also huge uncertainty and anxiety'. In this framework, Wijnberg continues, 'tolerance, in turn, becomes also nothing more than a form of relativism' (my translation).<sup>5</sup>

It is when such scruple-free, 'tolerant' hyper-modernity is threatened, therefore, that it reveals its inherent insecurity and soon thereafter, intolerance. Reflecting on any number of case studies, both in Europe and my own continent, Africa, it is clear that the jump from a cosmopolitan 'free for all' hyper-modernist hedonism, to racism, xenophobia and extreme political violence turns out to be a remarkably short one. 'After 2001', Wijnberg continued, 'relativism changed abruptly from the highest ideal to a capital crime.'<sup>6</sup> Tolerance, it seems, all but disappeared in the face of 9/11. The carefree hyper-modernist reveller, it was becoming clear, was not so relaxed after all.

Where does this unexpected intolerance come from? God was declared 'dead', at least in part, precisely because of a quest for more tolerance. The human subject was rejected too, largely because the intolerance it justified. Why then does hyper-modernist society, which rejected 'God' and 'man' in pursuit of tolerance, turn defensive and violent so quickly?

Perhaps the answer lies right in front of us: hyper-modernism has left people feeling exposed, even as they 'celebrate' life in shopping malls and internet cafes. It has thrown out the baby with the bathwater and given back precious little by way of social, moral, or any other form of orientation. It has taken away people's ethical coordinates, and invited them to go merrily wherever the road may lead.

What happens when there is a fork in the road – the road we are asked to traverse merrily and lightly? How do we choose and how do we explain our choices? Do we simply shrug our shoulders? Moreover, what happens when we suddenly find in our midst fellow travellers who make very strong claims, in God's name no less, about where to go? And what if this question, this demand, is addressed to me? Do I ignore it, or do I develop a counter argument? And if the latter is chosen, on what basis is this done?

What happens when others tell us that they are not happy with their travelling conditions on the road, that they feel they would like us to share more of our resources to make their journey easier? How is a hyper-modern, relativist and hedonistic reveller supposed to react?

These questions are troubling to postmodern societies. Instead of shrugging the shoulders and inviting the questioner to 'join the party', societies in the hyper-modernist mould, revert to old, more modernist methods to overcome lingering insecurities, not least in the face of imminent threat. If force is needed, it too will be used. Certainly Wijnberg did not seem surprised at the prominence of individuals such as Theo van Gogh and Pim Fortuyn in ethical debates within Dutch politics over the last years. Their doctrinal responses to Islam were addressing the fundamental anxiety, Wijnberg explained, of the 'postmodern' person and provided a response to the religious challenge of Islam – a challenge

against which hyper-modernist relativism proved impotent and thus provoked a reversal to modernity, a step backward, as it were.

Hyper-modernity might promise freedom, but it ends up creating a very small flat and fragile world instead; one which I suggest will have severely compromised our ability to pursue ethical politics, not least in the wake of the events of 9/11 and beyond. It results in self-enclosed, very stuffy and entirely self-centred politics that are simultaneously easily threatened, yet remarkably laissez-faire – threatened by otherness, but laissez-faire towards deeper ethical questions.

### **Reconciliation after Apartheid**

If the postmodern society has largely failed to stimulate ethical politics in the face of the challenges of our time, from where have the more successful ethical responses emerged?

The United Nations and its Universal Declaration of Human Rights as well as, arguably, the whole project of European unification resulted from the horrors of the Holocaust and Nazism. Colonial India produced Mahatma Gandhi. Racist America gave rise to the civil rights movement and Martin Luther King. It seems, noting these examples and a range of others, that from extreme adversity rather than a cosmopolitan life style – from the ashes of war rather than the shopping mall – humanity has produced its strongest ethical responses.

The South African settlement too, materialised from a turn to ethical politics after centuries of macho-politics, death, destruction and subjugation.

Views of the glittering stadia during the 2010 Soccer World Cup in South

Africa made it difficult to recall the fragile future and the crisis that South Africans faced as recently as the late eighties and early nineties.

Leaving aside the obvious devastation at all levels of society caused by apartheid itself, the moribund and bankrupt economy, the political turmoil and the violence in the streets, I invite you to consider some of the events that transpired after Mandela had been released, when the negotiations were already underway.

The Afrikaner Weerstandsbeweging<sup>7</sup> had helpfully driven an armoured vehicle through the glass front doors of the Kempton Park venue where political negotiations for a new Constitution were taking place and parked it in the foyer, threatening the top politicians with submachine guns. Bophuthatswana was invaded by the South African army under General Constant Viljoen and a hasty retreat followed – all without obtaining permission from then President F.W. de Klerk.<sup>8</sup> For a while a low-key civil war raged in the KwaZulu Natal midlands. Highways were lined with soldiers. Smoke billowed from townships across the country, from the East Rand to the Cape Flats. Chris Hani, the popular communist party leader, was assassinated. Bombs exploded in the run-up to the 1994 elections. From their base at Vlakplaas, the farm outside Pretoria, apartheid death squads operated at will, killing thousands of activists. Mass killings were the order of the day: recall the so-called Heidelberg Tavern and St James Church massacres in Cape Town, and others in South African towns such as Boipatong, Sebokeng, Bisho, Cradock and Mamelodi to name a few – we were a country on the brink.

How did we find our way out of this turmoil? Somehow, political leaders succeeded in bringing stability. How was this done? What kind of politics produced this settlement? One feature immediately stands out: the political process was one of wide and sustained engagement, with a view

to devise a common and agreed ethics for South Africa's future.

The essence of the political 'miracle' in South Africa was that sworn enemies engaged one another in a sustained and reasonable way, identifying and compromising on the non-essential, but handling with deep reverence that which their constituents regarded as non-negotiable – all in pursuit of a more just society. Politicians had, by and large, managed to tread the fine line between obstinacy and promiscuity: between, on the one hand, denying progress through compromising too little, or, on the other, betraying those they were representing at the table by compromising too much.

The result was a new set of ethical parameters or coordinates, shared across enemy lines, and ultimately captured in the South African Constitution which continues to guide the development of our society. In retrospect, we can call it *ethical* politics.

At the heart of this ethical politics was the ability to fuse realism with idealism, the pragmatic with the visionary. It took a particular fusion of both modes of operation to produce our settlement. I will illustrate these approaches with two contrasting stories, the one illustrating pragmatism and the other idealism, both of which informed South Africa's approach to reconciliation.

The first is told by Mac Maharaj, at one time the number four in the ANC hierarchy and a history in the underground struggle against apartheid. He recalls a phone call, late one evening about a month before the 1994 elections. The comrade on the line, someone he trusted implicitly, asked Mac to meet him on a deserted street in downtown Pretoria sometime after midnight. Mac agreed and upon arrival was ushered by his friend into a room where a selection of South Africa's top security chiefs was

waiting to meet him. After cordial greetings, Mac sat down opposite the row of generals. Amongst them he recognised two of his former torturers – Mac had been severely tortured when he was in detention. Now, one by one, the chiefs produced crude homemade weapons from their briefcases: explosives, a rigged radio, a laser guided pistol, and so on. Then one spoke: 'Mr Maharaj, we understand you are close to Mr Mandela. Please go and tell him that we have confiscated these weapons from the right wing, but do not worry. We are in perfect control. We will ensure that there are peaceful elections next month.' Mac was on the verge of asking what they expected in return, what the quid pro quo was, but somehow refrained from doing so. Instead he agreed to tell Mr Mandela, and left. Of course, the elections were peaceful, and one Sunday morning about eighteen months later Mac read in the newspaper that those two men who had tortured him were applying for amnesty through the TRC process. He put the paper away and suddenly it was clear what the quid pro quo all along had been.

Political reconciliation was seldom sentimental, and did not really lead to too many hugs and kisses. Instead it contained shrewd trade-offs, and even some let-offs, all in the name of the final goals: participatory democracy and, ultimately, social transformation.

If South Africa's reconciliation process was, at heart, not sentimental, it was also not cheap or, in the words of Archbishop Emeritus Tutu, it was never cosy. Contrast Mac's story of shrewd pragmatism and hardnosed realism with that of retired Constitutional Court Judge, Albie Sachs.

For leaders such as Sachs, reconciliation was not in the first place seen as 'a smart move' or pragmatic choice. It was primarily an ethically correct choice – an ideal inscribed in the DNA of their politics.

Recently the Institute for Justice and Reconciliation bestowed its annual

Reconciliation Award on Albie Sachs.<sup>9</sup> Sachs was present in Kliptown near Johannesburg in June 1955 when the Freedom Charter was adopted, declaring ‘for all our country and the world to know that South Africa belongs to all who live in it, black and white’.

Sachs once famously called for ‘soft vengeance’ in defence of a political ethic that would seek to overcome the apartheid enemy through a moral victory rather than a military one. The bigger victory would not be to overthrow Pretoria through military might, he argued, but to force advocates of apartheid to live in, and accept, democratic values. Democracy would be the ultimate (soft) vengeance against apartheid.

Apartheid’s response was less compromising. In 1988 a bomb planted by an apartheid operative in Mozambique very nearly ended Sachs’s life. While recovering, and having lost his right arm, he learnt to write again with his left hand. Most people would seek retribution, some way of ‘teaching them a lesson in the language they would understand’. Sachs instead began to draft South Africa’s first democratic constitution in hesitant, almost childlike script. For Sachs, the future depended on supplanting racism with reconciliation and social justice that showed no patience for entrenched inequality. It depended on creativity, selflessness, and a good sense of humour. Despite the terrible cost, apartheid crimes were not allowed to set the tone for the transition. In this manner, the way from macho-politics to ethical politics was beginning to be forged.

In 1990, after Sachs returned to South Africa from exile, he devoted himself fulltime to preparing for a new democracy, including making arrangements that eventually paved the way for the Truth and Reconciliation Commission (TRC). After the elections of 1994, President Mandela appointed him to serve in the newly established Constitutional Court. As judge, Sachs became a chief author of post-apartheid

jurisprudence, producing several important rulings which are helping to reshape the South African landscape. He has played a pivotal role in developing the Constitutional Court building as well as its art collection – with the aim of turning both into a symbol of African heritage and of an open, people-centred and inclusive ethos. His legendary tours of Constitution Hill have introduced thousands of visitors to the court and its mission. He retired from the Constitutional Court in 2009.

The body that encapsulated, more than any other, this fusion between realism and idealism, between compromise and principle, between the pragmatic and the ethical, was of course the Truth and Reconciliation Commission.

The TRC taught South Africa that justice, accountability and reconciliation go hand in hand. It taught us that reconciliation has much to do with learning who we are – as victims, as perpetrators, as beneficiaries – and who we want to become together. The TRC taught us with varying degrees of success the importance, at specific turning points in the life of a nation, to pause at the victim’s side, to listen to their stories, and to afford them the human and civic dignity of a voice, of a position at the table of national discourse, of an opportunity to help shape an ethical future. These opportunities, together, formed the heart of the TRC’s intended reparation agenda. It also taught us that not all political compromise needs to be void of accountability for past atrocities, that not all forms of accountability reside in courts of law, and that not all forms of punishment entail the incarceration of perpetrators. Most importantly, we realised that reconciliation cannot be (en)forced, that it needs to be owned as *their* initiative by those being reconciled. The TRC had to be *their process* or risked being no process at all. At the same time, the Commission, for all of its good and all of its shortcomings, showed the need for all of us to learn more about reconciliation and its power to create

and shape a just and equitable peace. No single person or group had the answer. In this and other ways, the TRC provided key lessons in a country keen to establish ethical politics from the ruins of apartheid.

The apartheid state, once powerful, organised and intrinsically law-abiding, sought in all it did to impose a deeply insulting social hierarchy on South Africans. The consequence was as simple as it was devastating: to inculcate white superiority and black inferiority in every aspect of life. The TRC aimed to challenge and subvert this symbolic order to the extent that it could never be revived. It sought to place another world in front of South Africans, where victims, previously marginalised and maligned, would be able to tell their stories, and where the once mighty torturers, murderers and abductors would have to come, hat in hand, to explain their actions. It became for us an inaugural moral statement that encapsulated the society we had aspired in 1996 to become. It was also as such a deeply political exercise; a foreshadowing of what we hoped would become South Africa's unique brand of ethical politics.

However, largely due to the government's lacklustre and secretive response to the TRC recommendations, the legacy of the TRC is now under pressure. TRC archives remain largely unprocessed and some sections are shielded from public scrutiny. Given these and other failures to follow up on the recommendations of the TRC, the temptation is to conflate this flawed legacy with the TRC itself. This would be a mistake and would prevent us from learning from the TRC which did an adequate job at the time.

That was then. Sixteen years on, we remain juxtaposed between one set of indicators showing decline, such as increased levels of property crime, higher levels of inequality, or diminished levels of public trust in public institutions (declining by as much as 30 % in some cases over the past

two years as the IJR's research indicates),<sup>10</sup> and another set that shows important progress, such as declining murder rates, greater access to schools, gender representivity in the job market, and so forth.

Arguably, South Africa has normalised to the degree that we can no longer judge it as either an unequivocal failure or an unblemished success. Perhaps we never could.

Several achievements stand out:

- political transformation from a racist, minority regime and a systemically corrupt, bankrupt economy in the mid-nineties, to a robustly, free democracy;
- a revamped economy that has shown steady growth for more than a decade before an international financial crisis halted this growth. Iraj Abedian describes the remarkable economic turnaround after apartheid as follows: 'The period since 1994 witnessed a remarkable transformation in the fortunes of South Africa. The pace and breath of macroeconomic policy changes have been rare and consistent. Before 1994, economic growth had been negative for three years. In 2004, ten years later, the country was rated as an investment grade destination with a 'stable or positive outlook by all global rating agencies';
- a series of carefully-crafted measures designed to balance social and individual rights;
- a Constitution, the writing of which included submissions by two million South Africans;
- a Constitutional Court with landmark rulings on the enforceability of social and economic rights;
- an independent Parliament (albeit at differing levels of efficacy);
- a free and vocal press;
- one of the developing world's best performing stock exchanges;
- provision of social welfare in the form of grants and pensions to close

- to 25% of the population;
- millions of houses built;
- millions of electricity grid connections and water connections made;
- universal access to primary education established (up from 60% in 1996);
- greatly improved primary healthcare in rural areas.

And yet this is only half the story – as we know only too well.

Despite these efforts, South African society remains one of the most unequal in the world. Consequently, politics are overshadowed by this one massive preoccupation: the lack of social transformation which was expected to follow political and macro-economic change. Still 20% of South Africa's population has inadequate or severely inadequate access to food. Unemployment stands at 25%. (One million jobs were lost over the last year, and 61,000 jobs during the second quarter of this year alone).

If our 'first miracle' was political transition that saved us from civil war, and our 'second miracle' was economic restructuring in the nineties that allowed us to escape a complete financial meltdown, then we are now waiting for a 'third miracle' – the social dividend supposed to have stemmed from the structural changes in our society. This social dividend could perhaps be described by two unresolved challenges – what I will call simply the 'white question' and the 'black question' (the latter term used in an inclusive sense).

The 'white question' is primarily the question of ideological or cultural reconstruction, of overcoming racism and the idea that some are inherently inferior to others. I am deeply worried by the lack of progress on this front. Despite increased ethnic tensions, despite xenophobia,

despite racial animosity from some blacks to whites, such as comments we sometime hear reported in the media (even by prospective Constitutional Court judges), and despite the obvious and important contribution many whites are making towards a non-racial society, this remains, still largely a white problem, and a white task.

Having benefited handsomely from apartheid, white South Africans got to keep their historical and material advantage in exchange for handing over political power during the transition to democracy. The 2008–2009 report of the Commission for Employment Equity (CEE) shows that, as of August 2009, black presence on the JSE has risen from 5.5% to 7% – a mere 2.5% increase. In government 78% of top management is black, whereas in the private sector, whites continue to have a 74% representation in top management.

Yet, today there has resurfaced a pervasive sense of victimhood amongst many white South Africans that is as difficult to explain as it is to address. White South Africans agree that apartheid was a crime against humanity. By and large, they are embarrassed about the past and do not want to go back there or even talk about it. But they feel, and are, politically marginalised, and have largely privatised their lives in a move antithetical to the very idea of ethical politics as encountering the other for the sake of justice.

We know from the IJR Reconciliation Barometer (an annual public opinion survey that covers a sample of 3,500 interviews, representative of the entire population) that racial attitudes have not changed to the degree that we had hoped.<sup>11</sup>

We know that in the upper-income groups, white and black mix freely but are not yet integrating socially to any significant degree, whereas lower-

income, almost exclusively black communities remain socially and economically isolated. We also know that the group most reticent towards most forms of integration continues to be white South Africans in ways ranging from crude discrimination to subtle exclusion.

It seems that a deadly antidote to ethical politics is fear. Not only are health and education privatised, but even security and in some instances, municipal services. This has led to large scale withdrawal from public engagement. The result is that our project to continue on a path of ethical politics suffers. At the same time, white South Africans continue to display a firm, almost resolute loyalty to 'brand South Africa'. Being 'white' in South Africa remains confusing.

The second question, the 'black' question, is ultimately of more importance to our national survival, despite the historical significance of the white question. It is the question of inequality and diminished self-worth, of being sidelined and adrift in world of rampant consumerism, close of enough to touch, but forever out of reach.

While deeply cognisant of the danger to 'pathologise' the poor, it is important to remember that we do come from a past where self-worth, respect and dignity were stratified at every level of society, where everything we did publicly carried the message of diminished or exalted self-worth. Could it be that to land up in a post-apartheid peri-urban slum in 2010 with no hope of escape, is the worst possible confirmation of the belief that apartheid sought to engender: that people caught here have less value than those in better areas?

South Africa's Gini-coefficient remains one of the highest in the world (between 0.66 and 0.7) at present, a figure recently described as critically high (the poorest 10% of our society in 2007 earned 0.6% of the GDP

whereas the top 10% earned an astounding 72.5%). We have a Tax Payer to Grant Recipient Ratio of 2.76%. There are 12,742,000 employed South Africans, and 13,026,104 grant recipients, but only 5,000,000 tax payers. You do the math. To build such a social network is a major achievement, not least in Africa, but is it sustainable?

There is no doubt that the service delivery protests and annual strikes have entered a new level of intensity, now driven not only by local grievances, but by a sense of growing alienation and exclusion. Wilkinson and Pickett write in their book *'The Spirit Level – Why More Equal Societies Almost Always Do Better'* that communities which place a high premium on 'external appearances and on the acquisition of money and possessions' develop something named 'status anxiety', which tends to be highly destabilising.

Does the moral moment of the nineties have something to teach us about how we tackle our current challenges? When facing these mammoth challenges, South Africans are required to dig deep and often reminisce about the early nineties. As we do this, we are realising the ephemeral, temporal nature of ethical politics. A body politic is only as healthy as its last decision, and rising to a particular ethical height or experiencing a moral moment, as I argue South Africa did in the early nineties, does not mean that the country is guaranteed ethical politics for the foreseeable future. Forging ethical responses to political challenges is a constant obligation, and an ethos that can be lost overnight. South Africa is in danger now, of losing this ethos, of forgetting, once again, its moral heritage and ethical compass.

Although Mbeki campaigned on the ticket of democratic participation, his era was in fact the era of the great silence, not only from dissenting comrades and the tripartite partners, but also from civil society in general,

business, and the church. We all seemed to tow the line. A silent generation is a dangerous one. So at one level, the cacophony of voices, rude, disgruntled but far more honest than before, emerging since President Zuma came to power, is perhaps not entirely such a bad thing. There are of course limits to what should be said in public, but perhaps South Africans are now beginning to address some of the really thorny issues which we parked while we transitioned from apartheid.

Perhaps this is partly due to the fact that the national conversation has changed shape and the 'other' has changed face. Whereas a successful and lasting agreement was forged between the leadership of the ANC and the Afrikaner community, and notably Afrikaner business interests, two new fronts have opened in our national conversation – one being foreign nationals/economic migrants, and the other being the poorest 20-30% of our population who remain excluded from most benefits of our new dispensation. So, for example, when South Africans chase other Africans from their neighbourhoods, it is not seen as a contravention to the ethos of reconciliation – it may even be done in the name of nation-building.

At the same time tensions between the unions and the ANC are at an all-time high, as indeed, are tensions within the ANC itself. Here two opaque groups are squaring off – those who could be called very roughly the 'nationalists', who are largely pro-business and promoting black capitalism, versus the 'left' who are pro-labour and deeply cynical about the alleged greed, corruption and cronyism of the former group. President Zuma came into power courtesy of a powerful combination of both groups, but is increasingly side-lined and stalemated by figures on both sides of the divide.

Within the context of the infighting in the tripartite alliance, ethical

politics seems a distant dream. 'Reconciliation' is preserved for occasions when the presidential motorcade whizzes into a poor white township or when our national sports teams do well. Yet, it finds very little application in the normal hurly-burly of daily politics.

Ethical politics, it seems, is thus preserved for historic divisions, whereas more pressing divides which face us now – political infighting, inequality, uncontrolled urbanisation, regional migration – are not challenges we associate with an ethical politics that ought to draw on lessons learnt in our recent past.

### **A World of Difference**

Is it possible to make generalised findings about the kind of politics that makes for the emergence of new ethical frameworks, new possibilities for justice, in the wake of cataclysmic conflict and entrenched divides?

And does the South African experience have anything to say to a world confronting its own differences and divides after, for example the events of 9/11 but also, in increasingly stark terms, between the rich and poor, the so-called developed West/North and the developing South?

It was during the height of my disillusionment with postmodernism at Oxford, that I discovered Emmanuel Levinas. This Lithuanian Jew, a survivor of the Second World War, became one of the most potent voices in postmodern debates. It seemed to me that instead of simply radicalising modernity like his hyper-modernist brothers and sisters and ending up in an ethical cul-du-sac, Levinas had something genuinely different, genuinely fresh to say – something that opened rather than closed a road towards ethical politics.

Simplifying Levinas's dense arguments carries risk, but let me try:

together with hyper-modernists, he also advocates the end of modernity's intellectual hubris, but in a very different way. Instead of 'dissolving' the individual, he suggests that individuals find meaning in direct face-to-face relations with others *where others are allowed to be others*. It is the appeal that others make on us by virtue of being different to us, which proves to be our liberation. That appeal is what frees us from being trapped inside our interests, communities, and our ideas.

The moment when the gaze of the other is met, for Levinas, is the moment where the world beyond my world (which I cannot ever fully know) enters my world, upsets it, turns it upside down, and questions it. Such is the price and possibility of freedom, but also of true ethics. Ethical politics is the potential blessing which the stranger within the city gates brings with her. Her appeal for justice is the moment my world is invaded, altered and, if Levinas is to be believed, ultimately freed. Encountering the other is a condition for ethics – and thus for justice.

Ethical politics therefore needs to foster opportunity for engagement precisely between those who do not fit neatly into each other's 'worlds', 'paradigms' or 'cultures'. Could this be why adversity, why a politics of confrontation and contestation after conflict, often produces new ethics?

The enemy can be exterminated, driven out, located in special areas (as in apartheid) or conquered. The other can be fought as an enemy, seduced and assimilated as the 'same as us', or the other can be allowed to be 'other', thereby opening a conversation between the inside and the outside of the hegemonic ethical framework of the time, and thus creating a genuine chance for ethical politics, that is, politics that is grounded in the conversation between the 'same' and the 'other'.

When the 'removal' of the other is either discredited or when it becomes

impossible, when people are tired of fighting, or if fighting loses its meaning, only then does ethical politics become possible. To engage the other, more precisely, to be engaged by the other, is the basis for ethical advancement, for crafting a new way of doing politics, a new ethic and ultimately a new society. And that is why, after adversity, when the enemy is confronted in a truly political way, a new ethic is born.

Both modernists and hyper-modernists make the same cardinal error: if I cannot have it or think it, it cannot be. Radical otherness becomes an illusion. But what happens when it comes knocking? To reject the *possibility* of any realities that supersede my abilities to perceive or understand them sounds very much like the ant that rejected the possibility of life outside the anthill. It is also reminiscent of the thinking that dominated my childhood – it smells of apartheid and its inability to acknowledge or deal with otherness.

I might be mistaken and perhaps have not yet seen it, or perhaps it is not yet born – but it seems that a new ethical politics has *not* been produced by the crisis of 9/11 and the subsequent conflict between 'coalition forces' and certain Muslim countries and groupings or by the way this conflict is playing out in Middle Eastern politics. It seems the camps are still fighting, trapped in their respective worlds, fighting one another.

As an intellectual movement with public aspirations, and taking shape in the run-up to the cataclysm of 9/11, hyper-modernism has not really helped to produce ethical politics for a post-9/11 world. No wonder then, that the brief era of idealism in international politics under Clinton, an era that saw the signing of the Rome Treaty that led to the establishment of the International Criminal Court, amongst other idealistic endeavours, came to an abrupt and violent end on 11 September 2001. And in much same way as described above, international politics, suddenly insecure,

swung from a rather benign international expansion programme for neo-liberalism, to full-scale military confrontation and cynical *real politik*.

Transitional justice, the international movement to promote accountability in the wake of mass crime, sits uncomfortably positioned within this post 9/11 world. In the hands of some, it is threatening to become a hegemonic ethic, an ethic that does not tolerate otherness, but that operate with the naïve, modernist assumption that a clear, universal set of criteria can guide transitional politics around the globe. These ethical ‘principles’ are delivered from the dizzy heights of international law, to the doorstep of fragile states – often with demands that can simply not be met, while the powerful are allowed to operate with virtual impunity. The vast positive gains from a movement that is resolved to end impunity and build accountability can be squandered in this (modernist) way. Advances such as those for which transitional justice stand, are sorely needed if the world is to become more just and inclusive. But countries in transition need a prior reconciliation moment when they can engage themselves to develop ethical politics and shared ethical coordinates amongst one another, much like South Africa was able to do, and only *then* to locate international transitional justice principles within such a locally-negotiated Constitutional/ethical framework.

Levinas offers us another possibility, a world truly different from that which has gone before as modernity or hyper-modernism, because for him real difference is in fact not only possible, it confronts us in the engagement with the other. It confronts us in the eyes of every person we meet, and reminds us that ethics, and the quest for justice, starts with the appeal that another human being makes on my conscience, on my responsibility, but proceeds to a shared conversation of questioning, contestation and, ultimately, equality.

In the light of Levinas’s analysis, I would propose that we think of

‘reconciliation’ as a verb (as a process), instead of as an abstract noun describing an end-state. It describes the dynamic, sustained and non-violent engagement between former enemies in pursuit of a better life for all. Reconciliation in divided societies, conceptualised in this way, entails more than merely the liberal adherence to the rule of law. It involves an active reaching out across divides (and as such agitates blue-blooded liberals and conservatives alike). Reconciliation too does not mean that we have resolved our differences. It offers a realist take on difference, but it is decidedly not relativist. It means that we have a commitment to work together non-violently despite real difference.

Positively, it means that divided societies are in fact creative places in the ethical sense. With real difference in their midst, they possess the basic conditions which enable the fostering of a genuinely ethical politics. They can of course also become hell. But on a good day, they are the incubators of ethics, places where our children can snatch a glimpse of what is to come.

Having an ‘other’ to talk to is an ethical advantage, not only because it creates the basis for a conversation which is genuinely open-ended (and liberated from the flat, insecure world of the surface-bound long-legged fly), but because in meeting with the other, in the other’s appeal on my conscience, justice is always present. For Levinas, justice is not an afterthought to reconciliation, or even a long-term outcome. Rather, it is structurally embedded in the very relationship which the self and the other enter into. The gaze of the other calls me forward to question myself, but also forward towards justice, not only in relation to the other in front of me, but towards society at large.<sup>12</sup> Justice is there at reconciliation’s inception.

Seen from this perspective, what does the future hold for South Africa?

Presumably it means that we ought to remain committed to a national life that seeks to engage one another in pursuit of justice.

I can see four scenarios: on the one extreme, the spectre that haunts the South African psyche is that of an apocalyptic civil and race war that would make Zimbabwe and other conflict zones north of us look mild by comparison; a second scenario is the seamless and swift transition from political and economic transformation to social transformation and ultimately into a non-racial, non-sexist society on par with the richest former British colonies such as Canada and Australia. Between these extremes is a third scenario of a society experiencing grinding, slow improvement while painstakingly building bipartisan and competent institutions to facilitate equal access to social services for all citizens, rooting out corruption and bringing violent crime, particularly intimate ones, under control. A fourth scenario is what I call the 'leaking tyre' scenario, where South Africa gradually glides into a state of endemic corruption, inefficient state systems, a floundering economy, and low-level, criminal violence; a place that has made peace with its flaws and shows no real urgency or capacity to tackle them.

My vote is for the third scenario, but that would depend crucially on whether we succeed in consolidating that which is best about our transitional period from apartheid, and deal decisively with the range of post-apartheid pathologies in our political economy. Key here will be whether we can hold onto both justice and reconciliation as we move forward, that is, to hold onto a determination to improve equality without letting go of any one group in the country. The obvious (political) outsiders are whites, but the more important outsiders are possibly the massive group of unemployed, largely youthful, largely black citizens in South Africa today. The wisdom of Solomon is needed, but we have one huge advantage: we have seen ourselves conduct a national dialogue

(when we negotiated a new dispensation) with unimaginable results, and thus we have hope grounded in recent memory that it can be possible again.

It is in this spirit of tempered optimism that the Institute for Justice and Reconciliation was created in May 2000, and it is with this spirit that it continues its work. The TRC, important as it was, did not and could not produce a definitive, complete history or instant reconciliation or complete healing. These goals, it soon became clear, would require longer processes. To this end, as one modest step in this direction, the Institute was established.

Today it runs roughly twenty projects in nine African states, all of these post-conflict societies with the premise that reconciliation (building a cohesive state and society after conflict) is crucially dependent on whether such a state would be experienced as manifestly fair and just. To this end, we track and produce analyses of macro-political and economic trends. We work closely with leaders of poor communities across South Africa, but also in Zimbabwe, Sudan and the DRC, asking essentially, what *their* priorities are for reconciliation. We engage policymakers, business leaders and others in dialogues about macro-political solutions and seek to help teachers to turn classrooms into places where reconciliation is more likely to occur.

The recent World Cup was of course a major success. Although I wore an orange shirt during the final, the tournament as a whole was a startling reminder of the power of 'brand South Africa'. This brand is surprisingly alive and well, and South Africans from all walks of life, many of whom have been abroad and seen for themselves the extent to which the grass is really greener, made it very clear during this magical World Cup month that they subscribe to the basic project of building a more unified, more

decent, and more equal society. It was extraordinary. Already we have seen several movements seeking to capitalise on this event and take the energy forward. Whether they succeed or not, their intention gives pause for thought. We seem to be doing certain things right. What are these things and how can we consolidate the gains of the past two decades to tackle the urgent work that awaits?

These are questions that should now be the subject of a new politics of engagement and produce a new set of ethical responses through which to unite the nation again. In conclusion, ethical politics is not meant to describe politics that follows a well-defined and neat set of ethical rules – quite the contrary. Ethical politics carries with it an overriding commitment to justice and, as such, points to a *way* of *doing* politics – of creating space for dialogue to determine shared ethical coordinates for the future.

It is not ethics that makes for (good) politics; rather (good) politics is the incubator of ethics. Ethical politics creates opportunities for a shared political ethic, for social values shared across different constituencies. Ethics is not expected to fall from the sky, at least not in the postmodern society. We need to forge it ourselves, literally *between* ourselves, as individuals and communities that live in shared spaces. This coming together to forge a common, public ethic has special challenges but also possibilities in a divided society.

Ethical politics is not that which we await in divided societies. It is that which we can offer the world – and lest we forget, that which we should offer ourselves.

## Notes

- 1 Dr du Toit is Executive Director of the Institute for Justice and Reconciliation. For more information about the Institute, visit [www.ijr.org.za](http://www.ijr.org.za).
- 2 I am using 'man' deliberately when referring to modern understanding of human subjectivity as modernity viewed human subjectivity implicitly very much as 'male'.
- 3 Zygmunt Baumann, *Postmodern Ethics* (Oxford: Blackwell, 1993) 2.
- 4 Ibid, 2.
- 5 In the original: 'een wezenskenmerk van het existentiële en liberale gedachtegoed'[...] 'wat het verlies van geloof in buitenmenselijke autoriteiten veroorzaakte, kortom, niet alleen veeleisendheid en haast, maar ook enorme onzekerheid en angst' [...] 'Tolerantie, op haar beurt, werd ook niets meer dan een vorm van relativisme'.
- 6 'Na 2001 relativisme veranderde in een klap van de hoogste deugd in een doodzonde'.
- 7 The extreme rightwing paramilitary group led by the recently-murdered Eugene Terre'blanche.
- 8 Bophuthatswana was one of a few apartheid 'homelands' created as a façade of independence for various tribes and recognised only by the apartheid government. When the ANC returned, 'president' Mangope felt threatened and called on General Viljoen for assistance.
- 9 For more information on the Award and its history, see [www.ijr.org.za](http://www.ijr.org.za).
- 10 For further information see the South African Reconciliation Barometer and the Transformation Audit; see [www.ijr.org.za](http://www.ijr.org.za) and [www.sabarometerblog.wordpress.com](http://www.sabarometerblog.wordpress.com).
- 11 See the South African Reconciliation Barometer.
- 12 Levinas works this out cursorily in *Totality and Infinity* but in much greater detail in *Otherwise than Being*.

## Response Frans Timmermans

*“When it is darkest, men see the stars”*

Ralph Waldo Emerson

It was in an Italian restaurant with oriental influences, in the heart of hip Cape Town and I sat next to Albie Sachs. He wore a colourful shirt, Mandela style, with the right sleeve rolled up and pinned shut. Guests and staff recognized him and treated him with great respect. No gravitas on his part, just quiet, friendly remarks. Opposite him beamed Marlène Dumas, as if amplifying Sachs' good humour and his deep humanity. Disarming directness and resounding laughter followed after she gave Albie a 'drukkie'. Obviously they had known each other for a long time and I almost felt as an intruder, only vaguely aware of what they so implicitly shared. Albie was visiting from the US, Marlène from Amsterdam. But this was home-turf for them and an intriguing new world for me. This was two years ago.

The fight against Apartheid was part of my political awakening, thirty years ago. Nelson Mandela's plight in prison, the death of Steve Biko, the Soweto atrocities, Shell's complicity with the regime, even Dutch cultural complicity with the community at the origin of the abomination, it all helped create a situation of absolute moral clarity. There was no need to look for nuances, to question one's position. It was, no pun intended, a truly black and white situation.

How the world has changed since then! Fanie du Toit's inspiring lecture has made me acutely aware of our journey since 1980. At the time, Apartheid was far more than a despicable system in a far-away nation with echoes of our own colonial past. It was the West's dirty little secret. It was part of the moral corruption we accepted as a necessity in our global fight with communism. Russian and Cuban presence in the region, the ANC's

obvious communist inspiration, the apparent stability and prosperity provided by the regime, all this simmered into a concoction that numbed our senses. The more you believed in the Cold War, the easier you found justification for Apartheid. The more you rejected Cold War logic, the closer you felt to the struggle of the anti-Apartheid movement. Arguably, both positions were inspired more by the situation in the West than by what was actually happening in South Africa. Both sides had made up their minds, they did not want to be confused by the facts.

Do not get me wrong. This is not a plea for moral relativity. But I want to pick up on an essential point in Du Toit's lecture: justice and equality grow out of questioning and contestation. The refusal to question one's assumptions is at the root of cardboard realities. And it kills that what, according to Camus, distinguishes humans from animals: the ability to look at the world through someone else's eyes. In absence of questioning and contestation, man is dehumanised. This is the tragedy of our today's human condition.

As I listened to Albie Sachs and Marlène Dumas, patiently answering my questions about things that were so obvious to them and so new to me, about life under Apartheid, about the many, many layers of cultural, ethnic and political confusion, my admiration grew for their moral and physical courage and for their clarity of vision that helped them maintain their focus on what was right and what was wrong. How difficult that must have been. Most certainly for people like Dumois and Du Toit, with their Afrikaner heritage, the language and culture they knew and loved, that is part of who they are. And which by people worldwide was put on a par with a regime they loathed.

I became acutely aware of the flawed nature of my own commitment, at the time, to the anti-Apartheid struggle. Passing judgement was easy, half a world away and blissfully unaware of what was really going on. Fortunately, with the help of an excellent South African Chardonnay and the knowledge that it is still better to be right for the wrong reasons than

to be wrong for the right reasons, I did not let it spoil a perfect evening.

Perhaps the difficulty we, the Dutch, have in dealing with modern South African history is best understood by looking at our awkward relationship with Afrikaans. At the turn of the Twentieth Century, Afrikaans was seen as living proof of Dutch heritage. Our nation received Paul Kruger as a hero and his struggle for freedom against superpower oppression fit snugly into late Nineteenth Century mythology about our own victory against a superpower, three hundred years earlier. Since we shared heritage and language, it was obvious we had a shared destiny. Moral support came in great quantities, especially in the form of street names and stories recited, but material support was out of the question, lest we aggravate our friends across the Channel.

Three quarters of a century later, Afrikaans became a guilty language. It was an instrument of Apartheid and that word, much to our shame, was the only Dutch word known to all humanity. In 1996, when I was private secretary to Max van der Stoep, OSCE High Commissioner on National Minorities, General Constand Viljoen paid us a visit in our The Hague office. Seldom have I met a more puzzling man. Of course his reputation preceded him. For many years he was his country's most formidable soldier and thus an accomplice of Apartheid. But he also was the man who prevented bloodshed in 1994 and who, in a famous speech to the Broederbond, said about black South Africans: *As hulle kan veg vir Suid-Afrika, kan hulle stem vir Suid-Afrika!* Thus paving the way for some soul-searching in his own community. Viljoen came to seek our support for minority rights for Afrikaners. He spoke Afrikaans, we spoke Dutch. He had no trouble whatsoever understanding us, we did our best to catch his drift without letting on that we were missing half of his argument.

But our biggest problem was believing the sincerity of his actions. Was he trying to get an international condemnation of the ANC government? Or was he truly trying to help prevent ethnic conflict? As it turned out, South Africa did not need our help and Viljoen's actions were at least in

part self serving, but with hindsight I have to admit that I never gave him any slack, also because his language sounded too much like Apartheid's instrument.

It was years later and with the help of Gerrit Komrij's compilation of Afrikaner poetry that I put an end to this foolish notion that a language can be guilty. That is why I used my only visit to South Africa, in an official capacity, to strengthen the position of Afrikaans in the Taalunie. This beautiful and complex African language with Dutch roots and influences from many parts of the world, deserves to be totally dissociated from Apartheid, not just because there are no guilty languages, but also because it is a lingua franca to several nations and because those nostalgic of Apartheid should not be allowed to claim it as their exclusive property.

In recent years I have tried to peel off layer after layer of assumptions and prejudices about South Africa. With each layer gone, the question marks increase, as does my fascination and, dare I say, my infatuation. I have caught the virus and the illness is sweet. It is both a stimulating and a humbling experience. In his lecture Du Toit is clear about both South Africa's tremendous achievements and the awesome challenges his country faces. In his concluding remarks, he comes to the same conclusion as Cicero did, two millennia earlier: there are no lasting victories in politics. But there is always a better world to fight for, there are always threats to ward off and compromises to be found. I am optimistic about South Africa, because here is a nation inspired by men and women who, when it was darkest, saw the stars and never lost sight of them. Men like Mandela, Sachs and Du Toit, women like Dumas and Krog, of whom I will speak later on.

Some ten years ago I read J.M. Coetzee's "Disgrace". It was a troubling experience. David Lurie reminded me of Arthur Sammler, but his South Africa was nothing like Sammler's New York. Sure, both men struggled with the same question: to know whether man is capable of human relations in a world he knows changes radically. But Sammler reinvented

himself through the eyes of people he first refused to even acknowledge, whereas Lurie's alienation only seems to increase as the novel progresses. To me, Coetzee's open end felt more like an open wound. And I wondered whether Lurie could at least open up to his daughter, because that would provide me, the reader, with a sliver of comfort in a world gone mad.

In a very indirect way I raised the issue of human relationships in South Africa with Antji Krog, when she graced me with a visit in my office at Foreign Affairs – when I still had an office there. I never mentioned Coetzee, but she immediately referred to his work. She pointed out to me that Coetzee is a master at getting in a character's mind and at describing intricate human relations. But that he never, not even once, attempted to get into a black man's mind. Because looking at the world through 'black' eyes would be impossible to do. Since you need a minimum of commonality to be able to understand the 'other'. If there is no, absolutely no common ground, there is no point in trying to look through the 'other's' eyes, since what you would see, would make no sense at all.

Indeed this seems to be the case in "Disgrace". Lurie's daughter undergoes being raped by three young black men as an almost natural expression of the new balance of power in South Africa. She assumes that having undergone this treatment, she has passed an exam and could then be tolerated and left alone by the new powers that be. Lurie does not understand this and seeks justice only to discover that this alienates him even more from the people that surround him. Here, the attempt to look at the world through other eyes fails miserably.

I live in a country that knows none of the sufferings Coetzee describes. We are more prosperous than ever before in our history. We have come to see our wealth and prosperity as self-evident and we feel no embarrassment of riches. But we are afraid. Because there is this nagging feeling that our riches might be taken away. We have lived in the brightest sunlight for so long, that we can no longer see the stars. So we have forgotten that stars do exist. This combination of 'everything to lose' and

'nothing to fight for or dream about' threatens to paralyze us completely.

The situation is exacerbated by the downside of the social revolutions Western societies have undergone since the 1960's. Of course, these revolutions brought lasting liberations, emancipation of women, workers, minorities. They unleashed forces that previously were curtailed by convention and the lack of opportunity or freedom. And thus brought us riches our ancestors would not even dream of. For our parents' generation, this was only good, since they could combine their new liberties with the knowledge of the world as it had been, including all its conventions that help create a sense of community in any society. Our generation was already struggling to understand some of those conventions, our children have little or no knowledge of them. We have lost the taste of transmitting our collective memories to our children, we have lost ourselves in a false sense of eternal youth. We have lied to ourselves and we have not taken up our place between after the previous and before the next generation, thus creating a sense of confusion in those who depend on our example, either to copy or to challenge it. This month's New York Review of Books contains a wonderful article by the late Tony Judt in which he describes this phenomenon from the perspective of a Cambridge don.

Add to this the turbulence caused by globalization and migration and here we are. Locked in the here and now, unable to put things into perspective, out of touch with the fabric that any society needs, to build upon itself the next layer of civilization.

My point is that what is needed in South Africa, is also needed here. Yes, our society is much less diverse, there are no painful memories of injustice and endless violence, there are no comparable socio-economic challenges. But in terms of dialogue, South Africa is 15 years ahead of us. We still need to accept the other as 'other', rather than seeing in every Moroccan "a Dutchman struggling to get out". We also need to rid ourselves of the illusion that the 'other' will leave and go back were he

came from (which in most cases by now, is exactly the place he is at), an illusion that prevents us from seeking solutions. And we need to understand that there are no quick fixes, that the work will never be done, that whitewashing problems is as dangerous as exaggerating them.

In *Gran Torino*, Clint Eastwood's character is acutely aware of the cultural difference his Asian neighbors bring to Detroit. Almost a latter day Archie Bunker, he makes ample remarks about their peculiar habits. Not behind their backs, but in their faces, which turns out to be the best recipe for dialogue, then understanding and ultimately extreme solidarity. This solidarity is an expression of universal humanity, made possible by the understanding of diversity and the acceptance of difference. Or, in the words of Arthur Sammler when he makes peace with the world and talks to his God: "To know, to know, to know...".

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De Zuid-Afrikaan Fanie du Toit (1966) is directeur van het Institute for Justice and Reconciliation dat in 2000 is opgericht om voort te bouwen op het werk van de Zuid-Afrikaanse Waarheid- & Verzoeningscommissie. Behalve in Zuid-Afrika is Du Toit werkzaam in Rwanda, Kenia, Soedan, Liberia, Burundi, Mozambique, Zimbabwe en Oeganda. Du Toit heeft Filosofie en Religie gestudeerd aan de Universiteit van Oxford. Hij specialiseert zich in conflictverzoening en de hervorming van rechtssystemen, met een speciale nadruk op educatie. In *Relativism, Reconciliation and Reality* reflecteert Du Toit op verschillende aspecten van ethische politiek in verdeelde samenlevingen.

Hoe gaat Zuid-Afrika om met zijn verleden van apartheid en rassenscheiding? Hoe verwerken andere Afrikaanse landen de trauma's van oorlog en genocide? Hoe herstel je de samenhang in een ontwrichte samenleving? En wat zijn de lessen van voor de wereld van ná 9/11?

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Bij die gelegenheid verzorgde Tweede-Kamerlid en voormalig Staatssecretaris van Europese Zaken en Internationaal Cultuur- beleid Frans Timmermans het co-referaat.



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