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## **Postscript: Aristotle in Africa - Towards a comparative africanist reading of the South African Truth and Reconciliation Commission**

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## POSTSCRIPT

### ARISTOTLE IN AFRICA

#### TOWARDS A COMPARATIVE AFRICANIST<sup>1</sup> READING OF THE SOUTH AFRICAN TRUTH AND RECONCILIATION COMMISSION

Wim van Binsbergen<sup>2</sup>

**ABSTRACT.** *In this Postscript to the collection Truth in Politic: Rhetorical Approaches to Democratic Deliberation in Africa and beyond, the author argues that its project, while at first superficial glance appearing to deal with abstruse topics of limited applicability (a reading of the South African Truth and Reconciliation Commission in terms of Aristotelian rhetoric), in fact addresses phenomena of the greatest significance for the African continent as a whole, thus taking up major debates in Quest over the years. These include: the reflection on the philosophical canon (in this case: Aristotle and rhetoric); the development of an African philosophy that is relevant to major current transformations on the African continent – in this case the viability of the state, democracy, reconciliation and freedom; that is critically and radically aware of the global hegemonic context in which it is being produced; and that yet situates itself, globally, in the field of tension between the universal and the particular. In this way, this Postscript both situates, and vindicates, the present collection, and offers a manifesto for Quest in the future.*

#### *Introduction: Why this Postscript*

I whole-heartedly share the conviction of my fellow-editors (Philippe-Joseph Salazar and Sanya Osha), as to the quality and the relevance of this collection. Its project, i.e. seeking to elucidate contemporary African politics (and particularly the epoch-making 1994-1998 Truth and Reconciliation Commission in South Africa) in the light of Aristotelian rhetoric, directly addresses the *raison d'être* of *Quest* as an African journal of philosophy. Especially in this first issue of *Quest* under my responsibility, I feel it is not out of character (to use an expression from Aristotle's philosophy of virtue) for me to examine, in this Postscript, this collection as a coherent whole, and to highlight its dilemmas and solutions. I thus build on the shorter overview presented, in the Foreword, by Philippe-Joseph Salazar, who was the main intellectual and organizing force behind the conference on which the present

<sup>1</sup> Cf. the footnote on p. 7 of this volume.

<sup>2</sup> I am indebted to my fellow-editors Philippe-Joseph Salazar and Sanya Osha for constructive remarks on an earlier version of this argument. However, the responsibility for this argument's shortcomings and one-sidedness is entirely mine.

collection is based. Far from disqualifying the various contributions in this volume for the specific disciplinary and geographical and temporal focus they each take, my aim is to bring out their potential to contribute to what, through major debates featuring some of the great names in African philosophy, have been the leading themes in *Quest* through the years:

1. the reflection on the philosophical canon, both in the North Atlantic and in Africa (with possible extensions towards the world's other philosophical traditions, in Islam, Judaism, India, China, the New World, etc.);
2. the conceptual and theoretical effort to develop African philosophy into a tool that illuminates, by comparison and contrast, current socio-political developments on the African continent;
3. the critical reflection on the North Atlantic dominated, hegemonic context in which African knowledge production takes place today, and the formulation of radical anti-hegemonic alternatives; and finally
4. the exploration of the possibilities for an intercultural production of knowledge that, while affirming its specific (e.g. African) roots in space and time, yet situates itself in the field of tension between the universal and the particular.

Applying these themes to the present volume implies assessment, and therefore deviation from the editorial pretence of neutrality. Considering the seriousness of the matters we are dealing with, such may be inevitable. Even in a book centring on rhetoric, elegance cannot always take precedence over what is perceived (albeit from an individual standpoint) as relevance. While most authors in this collection prefer the Aristotle of *Rhetoric*,<sup>3</sup> exploring (by Aristotle's own definition<sup>4</sup>) the possibilities of *persuasion*, others feel more comfortable with the Aristotle of *Organon*,<sup>5</sup> exploring the possibilities of arriving at a literal *truth* through formal procedures. The latter approach implies a more compelling, less malleable and less performative conception of truth than the former, even<sup>6</sup> in intercultural matters like those at stake in this volume. The four objectives outlined above are full of contradictions,

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<sup>3</sup> The *locus classicus* of rhetoric is, of course, Aristotle's book of that name, available in a number of modern editions and translations, including: Aristotle 1926, 2001, 1991. In the present volume, the contributions particularly by Salazar, Cassin and Garver contain essential pointers to the main issues, and important classic and recent writings, in the field of rhetoric. For the application of rhetoric as an analytical tool in the South African context today, see the brilliant Salazar 2002. For an excellent recent collection also cf. Bernard-Donals & Glejzer 1998.

<sup>4</sup> Aristotle, *Rhetoric*, I, 1, 1355<sup>b</sup>26.

<sup>5</sup> Cf. Aristotle, *Organon*, numerous editions e.g. Aristotle 1938, 1960.

<sup>6</sup> van Binsbergen 2003b.

each in themselves and the four of them in their combination; so is contemporary Africa, South Africa, the relation between South Africa and the rest of the African continent; so is my own (and our contributors'!) personal and professional positioning in all these issues. It would be a miracle, indeed a rare feat of rhetoric, if we had managed to keep all these contradictions nicely tucked under the blanket of polite but superficial editorial apotropaic formulae (or of silence, which is even more polite).

Avoidance of critical elements would also have been counter-productive, considering the fact that from its inception *Quest* has boasted to be a context of *philosophical discussions* – which necessitates bringing out contradictions into the open, not in order to force them in a particular direction that happens to suit a particular author's personal, political and disciplinary outlook, but so that they can be further addressed by regular and respectful debate. Therefore, this Postscript is not intended to overrule the preceding contributions with a last word of editorial power, but to honour them by initiating the discussion to which they, and the major issues they deal with, are entitled.

Indeed, considering the robust foundation of the present collection in a well-established philosophical tradition (that of rhetoric) which is gaining more and more in recognition and popularity in recent years, and in profound and unmistakable, responsible scholarly grappling with the democratic transformation of South Africa as one of the most significant processes affecting the African continent in recent decades, there is no reason why the debate to which the present collection seeks to contribute, should not already begin within the pages of the present collection, in this Postscript. In fact, that debate already started during this collection's original conference. I was not there, but if I had been there, my paper and my contribution to the discussions would have been along the following, mainly constructive lines. Part of what I have to say, serves to bring across my own professional views of Africa to rhetoricians; but much of what I have to say is rather intended to elucidate, and vindicate, the rhetoric deployed in the present collection, to Africanists from other disciplines.

### *Aristotle*

The rhetorical tradition emerged nearly two and a half millennia ago in Ancient Greece, founded by the Sophists (foremost Protagoras), developed and formalized by Aristotle of Stagira, and further taken up by, among others, Cicero in Rome two centuries later. After a chequered existence in

subsequent centuries it recently received a new lease of life in the context of Nietzsche-inspired relativism and anti-foundationalism, postmodernism, globalization, and the proliferation of intercultural and transcultural communication settings. This volume's arguments are inspired, not by the Aristotle of *Organon* but by the Aristotle with a keen sense of the practical negotiation of truth in concrete political deliberation – a practice he got to know inside-out as a Macedonian migrant spending much of his working life in distant Athens. Little surprisingly, Aristotle, like Plato,<sup>7</sup> was rather critical of the *dēmokratia* of his time.<sup>8</sup> Having participated in that city's intellectual life for decades (the last twelve years as head of the *Lukeion* school), Aristotle finally became more or less democracy's victim himself when, after his former pupil Alexander the Great's death in 323, and, "lest Athens should sin twice against philosophy" (the first time being the judicial murder of Socrates in 399 BCE), our philosopher had to flee that glorious city for the Aegean island of Euboea, where he died within a year.<sup>9</sup>

The Stagirite's ghost may rest in peace: given Alexander's short life this time table forensically exonerates Aristotle from the Afrocentrist allegations to the effect that he stole the contents of his books from "Africa", i.e. from the Ancient Egyptian temple academies (*prw ʿankh*, "houses of life") subjugated through Alexander's conquest of Egypt. Such allegations were initiated by the great USA Black emancipationalist Marcus Garvey (1887-1940), subsequently elaborated by G.G.M. James,<sup>10</sup> and since enshrined in the Afrocentric canon. Lefkowitz and Howe have convincingly refuted them. However, the well-informed initiator of the *Black Athena* debate, Martin Bernal, treats James' allegations with considerable patience. And for some reason:<sup>11</sup> although the specifics of an Egypt-Aristotle connection are extremely improbable, yet it is with the present state of scholarship simply undeniable that already before the Hellenistic amalgamation of West and East, the Ancient Near East including Egypt was a major source for the emerging Greek mythology, philosophy, science, technology, and aesthetics. The extent to which Ancient Egypt can count as an integral part of "Black", sub-Saharan Africa is a different question, and one so complex and so highly politicized that we cannot treat it within the present, limited scope.

Therefore, whatever (*pace* Nethersole, this volume) the considerable

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<sup>7</sup> Plato, *Republic*.

<sup>8</sup> Cf. Aristotle *Politics* (1932) IV (VI) 1, VI (VII) 1-8 ; Bierens de Haan 1943.

<sup>9</sup> McKeon 2001.

<sup>10</sup> James 1973.

<sup>11</sup> Lefkowitz 1994, 1996; Howe 1999. For the opposite view, see Bernal 1987-1991; cf. van Binsbergen 1996, 1997, 2000a, 2000b, where I identify as a moderate Afrocentrist myself.

merits of the Afrocentrist position in general, Africa cannot appropriate Aristotelian thought as if the latter could only be fully understood against an African background.<sup>12</sup>

Alternatively, however, much of the present volume would appear, if only at first and superficial glance, to revive the opposite, *Eurocentric* dream: the view that processes in contemporary Africa may be uniquely understood by the application of models of democracy, politics, rhetoric and public truth evolved (perhaps even initiated) in Ancient Greece, – the very same Ancient Greece that was alleged by Eurocentric identity construction from the 18th to the 20th century CE (and even in some passages in the present book – as if the *Black Athena* debate never took place) to be the unique cradle of European civilization, two and a half millennia ago.

With its reliance on rhetoric as a philosophical sub-discipline, this volume's intellectual genealogy goes back directly to the origins of the Western philosophical tradition. This suffices to indicate the *philosophical* relevance of the present collection. Given the orientation of *Quest: An African Journal of Philosophy*, it is the *African* relevance that may still need to be argued, beyond the over-obvious point that South Africa (whose 1994-1998 Truth and Reconciliation Commission – TRC – features centrally in this collection) is a part of Africa and that therefore the recent developments in that country are African issues. Beyond the wider issues enumerated in the four points above, this volume's more specific, and especially *comparative*, Africanist relevance can be argued on at least two counts:

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<sup>12</sup> This does not rule out that the Ancient Greek democratic structures, and their rhetoric, as described by Aristotle, originally may have sprung from a very wide-spread and ancient complex of pre-statal local democracy, in which local communities largely run their own affairs on the basis of the peer deliberations of local men in frequent assemblies from which women in reproductive age, children, and strangers, are excluded. Traces of this complex which may still found in rural communities all over the Mediterranean including North Africa. But in fact its distribution is much wider and includes much of rural Asia and rural Africa. In the latter continent (but in close parallel with, for instance, Ancient Germania) the man's assembly – often included in a small local sacred forest area – is a common feature in many village environments, and the community process largely hinges on village moots. The complex is even found in the New World. Therefore it is likely to go back to the Upper Palaeolithic, like most cultural and linguistic Old-World communalities that are not due to recent globalization. From the bird's eye perspective of the several millions of years of human cultural history, Ancient Athens and village Africa far from belong to totally different worlds. Bernal (1993) suggests specific Phoenician influence on the democratic patterns of Greek city states, but while this is in line with the general Asian and African formative influence on emerging Ancient Greek culture and society, it is – as usual with Bernal – too narrow an explanation in that it misses the point that Ancient Greece shared a common linguistic and cultural origin with many Asian and African societies even before the three components in this equation started to specifically influence each other.

- a. the need for socio-political reconstruction throughout the African postcolony<sup>13</sup> of the 1990s and 2000s, and
- b. the possibility that, despite the glorious transition to majority rule, and despite whatever healing and morale-boosting effects the TRC, the African Renaissance, and *ubuntu* may have had, South Africa since the advent of democratic majority rule in 1994 may yet have proceeded somewhat in the direction of becoming another African postcolony.

Let me elaborate each of these points, of which especially the second one is undoubtedly controversial.

*The TRC and Africa (a): Reconstruction in the African postcolony?*

In the first place, myriad threads of demographic, linguistic, cultural and historical continuity link South Africa with the rest of Africa, and since the establishment of majority rule even South Africa's social exclusion from that continent has been lifted. However, the wider comparative African applicability of the TRC case, and of a rhetorical approach to the TRC, as advocated in the present collection, goes further than this nominal point. Considering the global flow of information and political aspirations, it cannot have been by accident that the beginning of the end of *apartheid* in South Africa (Nelson Mandela's release from long-term imprisonment in 1990) followed shortly after the fall of the Berlin wall, and more or less coincided with massive national democratization movements elsewhere in Africa. These movements (to which Kouvouama's contribution in the present collection refers) clamoured against the devastation of African postcolonial polities as a result of such national ills as constitutional unaccountability, large-scale corruption and embezzlement, illegal use of violence, capturing of the state by a minority defined in ethnic, region or class terms, etc.

The experiences of "the African postcolony" in the 1980s very clearly demonstrate that *apartheid* may be a *sufficient* condition to corrupt and destroy a state, but that it was, and is, not a *necessary* condition: other African states have collapsed, in the same period and more recently, due to the very different factors listed above. These processes have often acerbated in the 1990s, have combined with global pressures wrecking African national economies and facilitating civil war, and as a result in nearly a

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<sup>13</sup> Cf. Mbembe 1992, 2001; Osha 2000; Werbner 1997; Comaroff & Comaroff 1999.

dozen African countries (out of just over fifty) the state now only exists on paper. There, the socio-political fabric is destroyed by internal strife and absence of consensus, and a national reconstruction comparable to what was envisaged in the TRC would be called for.

In the present collection, the contributions by Osha (Nigeria) and Kouvouama (Congo-Brazzaville) briefly explore this parallel between these two African countries, and South Africa under the TRC; but also other countries come to mind, e.g. Sierra Leone, Liberia, Ivory Coast, Congo-Kinshasa, Angola, Guinea Bissau, Burundi, while a reconstruction process actually is going on in Rwanda and Uganda. Both authors go about their analysis in a remarkably un-rhetorical fashion: they identify themselves as African actors, and they parade, in their argument, other such actors who, in the democratization wave of the early 1990s and in Nigeria's more recent return to democracy, insist on the literal, metaphysical and moral truth in politics, and on seeing that truth brought out and lived by in everyday political life. Also, both authors forego the chance of comparatively assessing, reversely, what the Nigerian and Congolese experiences could mean for our understanding of South Africa.

The very rhetoric explored in the present volume in itself aptly describes (in its dissociation of politics and ethics, in its view of truth as primarily the outcome of the skilful situational management of words) some of the main perversions of politics in the African postcolony – the kind of perversions the democratization wave of the early 1990s battled against throughout Africa. These perversions also seem to indicate some of the possible steps in what racist opponents of African democratic majority rule in South Africa have always invoked as an doom scenario, notably that country's possible transformation into a (special type of) postcolony:

The key to Protagoras' paradox here ("everyone has justice, and those who do not have it must be killed") is the following: *Everyone is just, even those who are not*. They must pretend to be just and that is all they need to be just "in a certain way". In affirming that they are just, they recognize justice as constitutive of the human community and by so doing justice itself is integrated in the city – in a way, it is the praise of virtue by vice that universalizes virtue (Cassin, this volume).

Plato failed, practically (in the Syracuse episodes, 367 and 361-360 BCE) to install philosophers at the head of the state, just as he fails to convince, theoretically (in his *Republic*),<sup>14</sup> that such would be a desirable arrangement. However, when philosophers/rhetoricians begin to articulate, as established socio-political practice and perhaps even as a form of social

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<sup>14</sup> Plato 1975. Popper 1957 is a major and passionate critique of Plato's position on this point.



virtue, the very sleight-of-hand in the public negotiation of truth for which politicians have been notorious for millennia, including modern African politicians, then we have a very different proposition from Plato's, notably: philosophers who "tell it like it is" and who thereby may well deserve their seats next to the actual rulers:

Protagoras' analysis goes beyond being applicable to the TRC's practice and the TRC as a model for deliberation within reconciliatory politics. It shows two things: Firstly, that repenting, the apology or the request of pardon, is that much less necessary since "*the one who does not infringe justice is a fool*". (Cassin, this volume; italics added WvB)

African philosophers, including Hountondji, Gyekye and Osha,<sup>15</sup> have spoken out vehemently against African politicians' unconstitutional and, in general, unlawful use of power, and against the high levels of corruption that are usual in that context. *While the rhetoric-based approach is undeniably realistic and illuminating as a description of practice*, does it merely identify an evil to be exposed? or should it be considered to offer a model for emulation?

In the words of Philippe-Joseph Salazar, this collection's emphasis on rhetoric has the explicit aim of contributing to the instruments that may enable South Africa to become and remain a viable democracy. Can we extend the application of rhetoric to postcolonial Africa as a whole? Let us realize that many Africans, including South Africans, and especially those outside the circle of elites controlling or at least exploiting the state and the economy, have a less cynical understanding of democratic politics than the one advocated by Protagoras. This is in fact a contrapuntal theme running through this entire collection, in complement to the element of a-moral verbal manipulation studied by rhetoric. In Garver's words (this collection):

On the other hand, and this seems to me the more interesting conclusion, the ultimate criterion for what counts as rational is an ethical criterion.

And the same dilemma of moral truth that is capable of being transmuted, in the hands of politicians, into a usable, manipulative truth that no longer

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<sup>15</sup> Hountondji 1991; Gyekye 1997; Osha 2004. It is important to note that these African philosophers condemn corruption and the abuse of power, not so much by reference to any traditional, precolonial African value or philosophical thought, but by cosmopolitan reference to such modern principles implied to be more or less universal: constitutional order, justice, and human rights. In Kouvouama's words (this volume):

But the Sovereign National Convention has also been a place of violent expression, where violent words condemned armed violence. In Paulin Hountondji's opinion, speech, which is part of parliamentary culture, needs to be found not only within African cultures, i.e. palaver culture, but also within the French parliamentary culture of 1789, where speech was radical, exigent and rebellious.

unites but divides and excludes, informs Nethersole's contribution, where (critically continuing the debate on the African Renaissance), she concludes that

In the retrieval of the forgotten, hidden, masked and obscured stories, historical truth, as uncovered by the TRC for instance, can, imbued with *moral justice*, speak the truth to political power in relation to the excluded. In as much as the African Renaissance seeks to build an image of the African as one constructed by himself/herself and not by others for the purpose of building his/her own development with his/her own hands, the project is concerned, like the TRC, with historical truth. However, where the African Renaissance turns into identity politics in order to achieve political power, the historical truth is jettisoned for the sake of exclusivity. For truth as seen to be residing in identity is no longer plural, relational, and deliberative. Instead of being a "sensuous force" of exchange between diverse and distinct people who have to share the same country and the same, increasingly globalizing world, an undue emphasis upon the claim to ethnic, authentic identity is in danger of rendering the "coin" of truth into useless "metal". (Nethersole, this volume)

Rhetoric helps us to pinpoint some of the defects of the political situation in the African postcolony, and (when rhetoric is applied to a process of national reconstruction like the South African TRC) it clearly offers us perceptive insights into some of the remedying mechanisms.

*The TRC and Africa (b): The model of the African postcolony as a sword of Damocles hanging over democratic South Africa*

Meanwhile, in the second place, in addition to the possible application of the TRC model to other African countries, the new South Africa has been up against cynical, anti-democratic and racist critics who have suspended the threatening model of the African postcolony over South Africa, and who cannot wait to see this sword of Damocles drop and destroy all that hope, heroism, generosity and hard work have built and are still building. So far they have been proven wrong, yet it is generally admitted that there are worrying tendencies in post-*apartheid* South Africa, in such respects as the eroding national consensus; the widening gap between generations, classes, and genders; the excessive crime rate; the oligarchization and primitive accumulation attending the partial Africanization of the elite; the progressive installation of a politics of make-believe (as in state pronouncements on HIV/AIDS); and the rigid (although inevitable, and democratically supported) control over the South African state by the ruling African National Congress (ANC).

Osha in his contribution explains why the equivalent of South Africa's TRC could not work in a post-colony like Nigeria today, despite a return to

democracy: the new regime is too closely associated with the ancient regime than that it could afford “full disclosure” on TRC lines. But was the South African situation with the TRC really fundamentally different?

*When does disclosure bring catharsis?*

Did the TRC’s “full disclosure” bring the catharsis that was hoped for and that – many would deem – was indispensable for the country’s future? The fact that, traded off against “full disclosure”, the perpetrators of *apartheid* got away with amnesty without further incrimination or punishment, might lead one to suggest that also in the South African case there was – under comparable conditions of successfully established post-conflict democracy – a comparable kind of continuity with the evil past, a comparable impossibility of making a clean break, as in Nigeria. This is a crucial question to ask in relation to the TRC. If the answer would turn out to be affirmative, in the sense that the TRC (rather than constituting a cathartic break with the past) would be found to be primarily a manipulative cover-up of the past, then not only our image of the new South Africa would be tarnished, but also many of the rhetoric-inspired contributions in the present collection would have to be faulted for being over-optimistic and idealistic. We therefore will let the argument have its full contradictory course, before finally coming to a conclusion that confirms the TRC to be a fundamental and historic transformation of South African society – in fact (or so I will argue) the very birth of the South African nation – in, through such a conclusion, the value of the rhetoric approach will be highlighted.

First then, as from the devil’s advocate, some of the doubts which too positive a reading of the TRC would have to accommodate.

As stressed by Barbara Cassin in the present volume, in the TRC there was the nominal equivalent of the Ancient Greek *isēgoria*,<sup>16</sup> the fundamental democratic right to speak; but what is the benefit of such speaking, when it only lifts the burden of not having spoken out from one’s pained heart, while one’s words – one’s *disclosures* and *accusations* – carry no effect in the sense of legal action being taken against the perpetrators? Does not such a right to speak amount, after the lifting of *apartheid*, to a new subordination, this time justified not by reference to alleged “racial”<sup>17</sup> inferiority but by

<sup>16</sup> Albeit that, in ways that could have been acknowledged more explicitly in this collection, such a right was reserved to male free citizens, excluding women, slaves and foreigners (*metoikoi*), who together formed the great bulk of the Athenian population, and the heart of the economy.

<sup>17</sup> Contrary to such concepts as “class”, “caste”, “ethnic identity” etc., “race” is not a scientific

reference to the common good of living together peacefully? Is the common good consciously perceived by all South Africans, and by all in the same terms?

These are some of the questions I will consider in the following pages. For answers, it is simply not good enough to appeal (as our contributions frequently do) to Hannah Arendt's notion of politics as "story-telling", if we wish to bring out all the layers of power, agency and pain that are involved. Was the TRC's "full (but repercussion-less) disclosure" perhaps a case of repressive tolerance, so that peaceful transition to democratic rule could be forced down the throat of the majority of the population, despite its long years of suffering and its pent-up indignation – thus leaving the country's infrastructure and basic class structure largely intact, at the price of a substantial replacement of White by Black elites? For clarity's sake: we are still in with the devil's advocate, still in the process of setting up our argument's props so that the final, positive conclusion can be reached (in the section of the nation's birth pangs, below). I am not advocating that South Africa's coming to terms with the perpetrators of *apartheid* should have been more revengeful and bloody. But if the frame of reference for such coming-to-terms appears to be one-sidedly set by the political desire to placate Christian,<sup>18</sup> upper-class and White<sup>19</sup> concerns, and to ignore the historic African tradition except by pressing into service the nice, forgiving

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concept but, instead, a local collective representation, explicitly and consciously (in anthropological parlance, "emically") used by members of specific societies in the past and at present in order to articulate and explain, among themselves, socially constructed difference. South Africa and the USA are among the few societies today where "race" functions as such a collective representation at the emic level, in the sense that it can still be used in polite conversation and in official expressions. Unfortunately, Afrocentrists have often copied this usage, even though it lies at the root of the very oppression they are battling against.

<sup>18</sup> As Doxtader quotes Tutu (1994: 223) in the present collection:

The victims of injustice and oppression must be ready to forgive. *That is a gospel imperative.* (Italics added, WvB).

Despite the presence of historic African and Asian expressions and the local growth of Islam, there is no denying that Christianity has established itself as the dominant public expression of spirituality in South Africa throughout all segments of the population. Considering that it was also invoked to justify *apartheid*, an appeal to Christian imperatives is not exactly without contradiction. But an important point, and I will repeat it throughout this article, is that Christianity never was the only spiritual expression in South Africa, especially not in the uncaptured recesses of private life, among people of African descent in rural areas and informal urban communities, and among Asian-derived segments of the population.

<sup>19</sup> As Osha quotes Tutu (1996: 43) in the present collection:

in the matter of amnesty, no moral distinction is going to be made between acts perpetrated by liberation movements and acts perpetrated by the *apartheid* dispensation.

aspects of *ubuntu*,<sup>20</sup> then how can one expect true cleansing and liberation from the past, genuine catharsis to have taken place? How can such a move be conceptualised? This is the central question I shall try to answer in this paper. The rhetoric-inspired analyses in the volume will help us greatly in finding the answer, but in the process we will have to add to them – at least, that was my impression – a conceptual analysis in terms of the varieties of transcendentalism and immanentism, which help pinpoint the specific frame of thought, and the specific context of political organization (appreciably different from that of Ancient Greece and Rome), in which *apartheid*, as well as the TRC, can be more precisely situated.

Doubt that the TRC was effectively, and exclusively, about a catharsis of forgiving that was inevitably to take place, is not entirely absent in the present volume. Thus Samarbakhsh-Liberge points out the aporia that arises when, like in the case of the TRC, excessive emphasis on national consensus thwarts the formulation of profoundly unwelcome home truths – of which, of course, *apartheid* offered one interminable series. From Villa-Vicencio's sensitive contribution we glean:

I would rather offer the comment of a young woman named Kalu; it highlights the internalized emotions inherent to the transition from the old to the new: (...)

What really makes me angry about the TRC and Tutu is that they are putting pressure on me to forgive (...). I don't know if I will ever be able to forgive. I carry this ball of anger within me and I don't know where to begin dealing with it. The oppression was bad, but what is much worse, what makes me even angrier, is that they are trying to dictate my forgiveness.

Her words capture the pathos involved in the long and fragile journey towards reconciliation. No one has the right to prevail on Kalu to forgive. (Villa-Vicencio, this volume).

### *"Pain is not an argument"*

This passage from Villa-Vicencio is one of the few instances in this collection where disloyalty is shown vis-à-vis an otherwise carefully maintained consensus among the contributors: the view that *a person's pain and sorrow do not constitute grounds for political, legal or historical consideration*.

In the more technically rhetorical pieces, the position is advocated that

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<sup>20</sup> While ignoring a major Southern African historic value, very much implied in *ubuntu*: the adamant refusal to give quarter to sorcerers – as the perpetrators of *apartheid* are from a traditional perspective, having indulged in a cult of power that transgresses the codes of humanity. Cf. van Binsbergen 2001.

such consideration would rent the fabric of the political community – like the Athenians’ argument on amnesia and amnesty in 403 BCE, elegantly and illuminatingly analysed in this collection by Barbara Cassin, in the footsteps of Nicole Loraux. Such a position does not preclude even, apparently, a measure of technical admiration for the craftsmanship invested in the instruments through which pain and sorrow were inflicted:

When Philippe-Joseph Salazar evokes the South African *apartheid* legislation, the Population Registration Act 30 of 1950, he rightly pitches his analysis at the level of language itself:

One could admire the linguistic feats of the Lycurgus of Southern Africa (Salazar 1998: 27).

The South African Act is well and truly that of a “nomothete” which transforms the meaning of words... (Cassin, this collection).

Aristotle provides<sup>21</sup> extensive discussions of emotions, and the political implications of his views have been receiving renewed attention recently.<sup>22</sup> It is not he who rules out emotions from the political domain. That they are yet largely absent from this collection,<sup>23</sup> may be due to the fact that in this book Aristotelian rhetoric is often filtered through a remarkable combination of French rationalist thought (which ever since Descartes has had no room for emotions), and the more general North Atlantic tradition of positive law, where the impassionate and the objective represent lofty ideals, and contain the promise of a solution, a way out. Hence the paucity of references to the existential dimension of pain and suffering even in Hajjar’s excellent socio-legal piece on torture as an aspect of, particularly, the suffering of the Palestinian people, in the present collection. The same view (“pain is not an argument”) is also manifest in Samarbakhsh-Liberge’s piece on the representation of history in the recent South African situation. Inspired by the millennia of suffering of the Jewish people, Jitay’s contribution comes perhaps closest to articulating the alternative view. He typically does so by reference to a long-ago situation (the destruction of the Temple of Solomon in 587 BCE), at a time when, and in a place where, politics and law had not yet completely fissioned into domains of their own to such an extent that they could already be thought of as (semi-)autonomous *vis-à-vis* religion, or

<sup>21</sup> Notably in his *Nicomachean Ethics*, and *Rhetoric*.

<sup>22</sup> Cf. Sokolon 2002, and extensive references cited there.

<sup>23</sup> Cf. Garver, this collection:

but we still have to answer the political question of which feelings of pain deserve our attention.

But his answer, however sympathetic, is in terms of a rationality away from pain.

*vis-à-vis* the everyday life of production and reproduction. For only when such complete fission is a fact, can the political domain pretend to be impervious to pain.

What, then, are the preconditions for such impermeability? Still slowly proceeding towards the promised, positive conclusion concerning the TRC's significance, we will try identify these preconditions in the following discussion of transcendence in the statal domain.

### *The transcendent state as a precondition for apartheid*

One of *apartheid*'s main justification strategies was its painstaking legalism, which added the pretence of utter legality to everything done in the name of *apartheid*, and to the format in which it was done. This has further enhanced tendencies already excessively developed in North Atlantic modern society: the reliance on the written word as an immensely powerful source of legal authority;<sup>24</sup> on the constitutionally empowered institutions to create, maintain and legitimate (through words) such legal authority; and on formal, bureaucratically-organized organizations in which this word is carried out to become practice. Like its cousin, nazism, *apartheid*, with its illusory legalism, is not just a form of barbaric atavism and nothing more. Both forms of political perversion could only be a product of a modern, rationally organized, highly literate society, where the power of the written word carries the *transcendence* needed to be able to think and act beyond the here and now of personal relationships, beyond personal identification and charity based on face-to-face contact, in which the recognition of shared humanity is normally inevitable. *Apartheid* did not preclude condescending friendly relations between bosses and workers, between nannies and their charges; but neither did such relations preclude *apartheid*.

Transcendence is not a universal capability of human thought – on the contrary, it is a very specific mental stance which, although universally implied in the capacity of words to refer beyond the here and now, only comes to full fruition in concrete historical settings that are informed by writing, the state, an organized priesthood, and science. These institutions are achievements that, in human history, only emerged (in highly productive combinations) in the Ancient Near East c. 5,000 years ago. These institutions have informed the thought and action of selected (especially literate) minorities of specialists in all continents including Africa in the subsequent

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<sup>24</sup> Weber 1969.

millennia, endowing them with the capability of controlling (even vicariously and virtually, in their absence or after their death) socio-political situations, and of freely experimenting with thought, science and religion through the power of the abstract word. (In the most literal sense the word, and especially the written word, is mightier than the sword, for it is only the word that enables people to exercise command across vast expanses of space and time, whereas sheer violence is confined to the here and the now. Therefore, it is the word, not physical violence, that creates the transcendence of states, although violence is an almost indispensable factor in maintaining such transcendence.) However, outside such specialist minority contexts, human thought and action have remained, in great majority, geared to the immanence of immediacy, personal experience, and the human scale. Only relatively exceptionally, through generalized literacy, extensive involvement in formal organizations (of the state, private enterprise, and religious, professional and recreational self-organization), and extensive conversion to formalistic, abstract participation in world religions, could this immanence significantly give way to transcendent stances among the majority of local populations. Cities and the formal sector are the world's seats of transcendence. Villages and kin groups tend to remain the seats of immanence. Since human reproduction usually takes place in the intimate circle of kin groups, humans almost invariably start life as immanentists,<sup>25</sup> only gradually learning language, which although usually limited to everyday immanentist contexts, does open the door towards writing, the state, the law, science, and God – in short, towards transcendence.

By implication, the dissociation of the political sphere from the productive and reproductive sphere is very far from a universal given, but occurs only in contexts where transcendence (notably, in the form of the state) is firmly established as a historical achievement.<sup>26</sup>

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<sup>25</sup> There is nothing more immanentist than the infant engulfed by its mother's total presence. By the same token, there is nothing more transcendentalist than male attempts to conceal, through the power of their word, the fact that they lack the essential organs (uterus and breasts) of visible, undeniable reproduction. This suggests that a gender contradiction may often attend the contradiction between immanentism and transcendentalism. Such a contradiction is very conspicuous in the creation stories of the Ancient Near East, which belong to the initial period of the emergence of writing, the state, organized priesthood, and science. In these stories' most sophisticated recensions, male gods (such as Marduk, and YHWH) establish their right to rule through an act of creation, not from their own body or from that of the earth, but *by the power of their word*. Note that the immanently reproducing female (Tiamat, the earth, the snake, Leviathan) is such gods' moral enemy, even if in the Genesis account of the creation of man an older, female dispensation still shimmers through. Cf. Fromm 1976: 231f; Pritchard 1969.

<sup>26</sup> *Pace* Cassin, who in her paper repeatedly assumes "the autonomy of the political" to be a universal given that may be invoked with the same confidence in the case of modern South Africa



The *apartheid* state (with its abstract denial of the common, violence-shunning humanity on which life in villages and kin groups tends to be based) is, even more than most other states, based on transcendence. Only under conditions of extremely entrenched transcendence is it possible to arrive at such a dissociation of the legal sphere and of the political sphere, that these spheres become totally impervious for the charitable and communicative values that usually inform the intimate spheres of production and reproduction.<sup>27</sup>

*The Ancient world's limited relevance for an understanding of today's issues*

Still on our way towards a conclusion on the TRC, and having made substantial progress, we will now make a slight diversion to argue a point that seems to counter some<sup>28</sup> of the implications of the rhetoric-based contributions in the present collection: the Ancient world's limited relevance for an understanding of today's issues.

As stressed in Garver's thoughtful contribution to this volume, Aristotle uses the concept of "friendship" to denote, with a term derived from the informal domestic sphere, a fundamental prerequisite which he attributes to the political sphere. Clearly, therefore, the dissociation between these spheres was considerably less developed in Aristotle's time than it came to be in post-Renaissance Europe, when the rationality of the absolutist state made a claim to total transcendence, thus paving the way for such aberrations as the nazi state and the *apartheid* state.

The incomplete dissociation of the legal and the political spheres in Aristotle's time – the basis of his political "friendship" – informs his rhetoric. It is the rhetoric of the assembly, before the same free males who only hours earlier found each other on the market-place, and who only hours later will re-adjourn in the gymnasium, in the public spaces of leisurely philosophical discussion, or in the seedy mature male comforts of banquets spiced up with willing boys and girls – banquets served and paid for partly

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(on good grounds) as in the case of Ancient Athens (on far more dubious grounds).

<sup>27</sup> In principle, the transcendent (and violent) dissociation of the political sphere from the sphere of production and reproduction is typical of statehood in general, and has nothing to do with *apartheid* as such. For a detailed analysis of a precolonial South Central African state along such lines, cf. van Binsbergen 1992 and especially 2003d.

<sup>28</sup> By no means all, as is indicated by Garver's sobering opening remark (this volume):

Aristotle does not give solutions to contemporary political problems. He could not have imagined them, and so does not speak to them.

by slave labour. Only by taking Aristotle's rhetoric out of that historic context, translating it into a modern Western Indo-European language, appropriating it by formalized, discipline-based ("transcendent") scholarship, assuming that it addressed political conditions comparable to those of modern statehood, and endowing it with a postmodern reservation vis-à-vis truth and institutional order, can we make Aristotelian rhetoric at home in the modern, transcendent state contexts of today. In a comparable way, Herodotus and Thucydides may be called the first historians yet no modern historian would academically survive if her methods and concepts were not fundamentally different from those of these two illustrious "founding fathers"; by the same token, the Olympic Games only in name, and nostalgically, revive an Archaic Greek custom going back to the eighth century BCE. By innovatingly applying Aristotelian rhetoric in a political context that is mainly in name ("democracy") comparable with Aristotle's elitist city-state, modern rhetoricians create (as is perfectly justifiable) an essentially new conceptual framework in order to illuminate (as the present volume beautifully demonstrates) the political aporias of today – while endowing that framework with the illustrious genealogy that its rootedness in Aristotle's writings can provide.

Inherent in this intellectual trajectory is the difficulty modern rhetoric will have to appreciate that the transcendent power of the modern state cannot be relegated, for the full one hundred percent, to the dextrous performance of political oratory and other strategies illuminated by rhetoric. Such strategies continue to play a major role (as modern media research indicates, referred to in this volume by Rossouw's piece), but instead of being responsible for creating, praxeologically, the entire political space an actor may have, they only serve to assert and actualize such political space as that actor already, transcendently, derives from the letter of the law, from political and legal institutions. The praxeology, the dramaturgy and the aesthetics of verbal contests of rhetoric, and the generation of power in such contexts as a mere dextrous display of individual *agency* (as analysed in the present volume by the Nigerian scholar Ige for Cicero's Catilinarian orations) tends to be only one side of the medal – the other, necessarily complementary side being established, institutionalized legal authority in the Weberian sense.<sup>29</sup>

In the wake of recent Ciceronian scholarship which he cites, Ige presents

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<sup>29</sup> Weber 1969. For a recent argument on the limitations of agency and the remaining need for a structural and institutional analysis, in the context of African national states and traditional leaders today, see van Binsbergen 2003c.

the famous case of Cicero's four orations against Catiline as a mere verbal contest along rhetorical lines between two individuals, Cicero and Catiline, who are alleged to be essentially each other's exact match. Bringing only Cicero's own text to support this reading (and Cicero is one of the founders of rhetoric; however, there is also Sallust's contemporaneous account of this episode) leads Ige to depart from the traditional reading of the case. The latter has largely been in terms of the challenge of

- a recognized social and political misfit who made a mess of his military commission, had a sex scandal involving a most sacred Vestal virgin, and otherwise was involved in such unsavoury court cases as to be even ineligible to put himself up as a *candidate* for the exalted state office of consul (Catiline), by
- one of the two recognized supreme officers of the state (Cicero) deploying – *not only his oratorical skill but especially his formal legal powers as invested in his exalted office.*

Rhetoric does help us understand the taxonomics and the dramatics, the deployment of words and gestures, in such a contest, in other words to see how the letter of the legal word is turned into actually exercised socio-political power. But despite these helpful pointers, the question remains: Do the praxeological dynamics captured by rhetoric need an indispensable basis of institutionalized legal authority, or can they create power fully at their own impetus? Perhaps rhetoric was actually more autonomously effective in Cicero's time (when the Roman Republic was collapsing after half a millennium) than (under conditions of far more developed transcendentalization of the state) in the England of Margaret Thatcher (*pace* Calder in this volume), and perhaps (as Ige perceptively suggests, and as can be further articulated in terms of my notion of immanentalism) there is, in this respect, a parallel between Cicero's Rome and a contemporary African postcolonial state threatened by a military *coup d'état*.

It is time, however, to terminate our excursion into the Ancient world, and to return to our analysis of the TRC's significance in transcendentalist terms.

### *What the immanentalist domain brought to the TRC*

In this connection, let us first pose an utterly, but (see below) understandably forbidden question in the South African context: "To what extent did the

population of South Africa constitute ‘one nation’ under *apartheid*, and to what extent was it really *one nation* that came to the TRC to be healed (and to be healed by whom, and by what)?”

Drawing on parallels in Greek Antiquity when the Athenian nation was divided over the differential response (collaboration or patriotism) to the attacking foreign force from Sparta, or proclaiming that the TRC was really about “how to heal a nation”, etc. – all this begs the question as to whether South Africa was arguably one nation under *apartheid*. The aporias of the *apartheid* state play us tricks here and prevent us from giving an unequivocal answer to this question. Apartheid legislation, pass laws, the creation of bantustans, were all based on the malicious, paper-thin (“transcendent”) fiction that only Whites were the lawful citizens of South Africa, and that all others belonged to other nations. The rhetoric (in the vulgar sense) of “Two Nations” or of a multiplicity of nations was the stock-in-trade of White minority discourse in South Africa and South Central Africa throughout the twentieth century CE, replicated in book titles, journalistic products etc.; even the designation “rainbow nation” for the democratic, new South Africa (evocative of a plurality of colours, castes, “races”, somatic appearances) still appears to carry a distant echo of such usage. Against this background, admitting that South Africa was *not* one nation under *apartheid* would imply siding with the very forces of *apartheid*. But alternatively, affirming that it *was* a nation even under *apartheid*, would amount to a somewhat unrealistic denial of the gross constitutional and socio-economic inequalities, and of the resulting exclusion and humiliation to which the vast majority of that alleged “nation” was subjected.

At any rate, clearly the main purpose of the TRC was *to make South Africa much more of a nation*. Provided we define what we mean, the idiom of healing is not inappropriate here. Healing may well be defined as the process of catalytically facilitating the transition from a defective state to a state of greater completeness: thus, in this connection, from not-yet-a-nation to more-of-a-nation, or to nationhood, *tout court*. Much like a *sangoma* (Southern African diviner-priest) may be said to “heal a person” spiritually by bringing a human being who is too damaged to count as a full person, into contact with such symbols, words, arguments, images for identity and emulation, and by inducing her (or him) to engage in such rituals and concrete practical acts, that she can finally become the person she could not yet be before.<sup>30</sup>

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<sup>30</sup> Archbishop Tutu presided over the first ever meeting TRC hearing under a huge banner whose

Let us now try to cast some more light on what, outside the transcendental state, would be the informal, immanentist sphere of everyday life of production and reproduction – where pain *is* very much an argument – , a sphere which some victims and survivors cannot have failed to bring to the TRC.

In the comparative Africanist perspective we have become aware, since the late 1970s, of the differential degrees in which the modern, transcendentalist central state has actually been able to capture the lives and the minds of its citizens in African contexts. Empirical studies of state penetration have shown that, especially in rural areas and in informal urban communities, state penetration is usually the case to a limited extent only.<sup>31</sup>

These findings carry an important message for South Africa as, primarily, another African country. One of the most conspicuous, and deceptive, features of the South African situation is that the state, and modern formal organizations in government, services, industry, religion, sports, etc., are so well established and have such a grip on public life, that (for risk of ridicule and anger, and also for the more internalized sanctions that attend collective representations, i.e. a community's socially-constructed self-evidences) it is difficult to think of South Africa in other terms than as a fully-fledged modern country, – a country that happens to be in Africa but that should really be counted in the ranks of the North Atlantic region, or of Australia and New Zealand (where, however, somatically conspicuous descendants of the pre-conquest population, and their cultures, are – already for sheer numbers – much less visible in the public life than is the case in South Africa). It appears to be almost impossible (also for those reflecting on the South African socio-political order in writing, as Southern African intellectuals – perhaps with the exception of left-wing anthropologists) to see through the illusion of the transcendent, self-evident order which this state of affairs engenders, and to entertain, instead, an awareness of immanentist alternatives: of people who (despite the unusual – but manifestly failed – insistence on the part of the *apartheid* state on penetrating into, and controlling, all aspects of life) do not consciously pattern their life and their self-identity in terms of that transcendent order.

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central text read “HEALING OUR PAST”. The choice of words is remarkable: one may attempt to heal people, even a nation, from the undesirable effects of the past, but healing something as virtual as *the past* itself can only amount to the attempt to *change* the past, which is not in the nature of things; or to change whatever is painful in the *representation* of the past, which is where rhetoric comes in. Picture at: <http://www.megastories.com/safrica/rainbow/finals/truth.htm>.

<sup>31</sup> Bratton 1980; Cliffe et al. 1977; Geschiere 1984; Hyden 1980; Hyden & Bratton 1992; van Binsbergen et al. 1986.

Here I am referring to people who do not see themselves primarily as citizens of the state and participants in the national economy, who are largely strangers to that order and its highly specific procedures,<sup>32</sup> but who instead define themselves in much more idiosyncratic and local terms; and who primarily pursue the symbolic projects proper to their own idiosyncratic local horizons rather than the symbolic projects of the state, national politics, industry, and mass consumption.

Treating the whole of South Africa as effectively one nation has the advantage of avoiding the trap of fragmenting divisiveness which the *apartheid* state has dug, but has the disadvantage of denying and muting of these centrifugal idiosyncrasies.

In my cultural analyses of modern Southern African societies, especially their urban sectors, I have often found it illuminating to depict the situation of historic local culture as one of “having gone underground” – an imagery akin to that of uncapturedness (Hyden). It is not that such cultural knowledge, and the related practices, have been completely eclipsed by the onslaught of the modern state, education, world religions, the capitalist economy, urbanization, globalization, consumerism etc. It is rather that the latter complex of forces has created a context in which expressions of historic local culture (such as the allegiance to puberty rites, ancestral cults, High God cults, beliefs and practices relating to sinister aspects attributed to the unseen – witches, familiars, ghosts – , traditional healing, traditional leadership, clan structures) *are no longer socially permissible, can no longer be negotiated to the public domain* (except perhaps in some highly

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<sup>32</sup> The present collection offers an interesting case (in the contribution by Collier and Hicks) of what happens when, taking for granted the utter transcendence of the modern state, procedures of deliberation are introduced there that have no roots in immanent, everyday local experience. When after the lifting of fascism in Portugal in 1974 CE municipal assemblies adopted Robert’s Rules to structure their internal deliberations, this disadvantaged many of the local delegates because these formal procedures, which USA Army General Roberts had derived from USA Congress procedure in the late 19th century, were bewilderingly alien to them. The case is doubly instructive, because, as affirmed USA intellectuals of the late 20th century CE, the authors from whom this example is derived do themselves not even seem to realise the element of cultural alienness involved here: planting an Anglophone nineteenth-century North American ruling-class set of procedures into a Lusitophone twentieth-century popular Southern European environment. Those bewildered in this case became disadvantaged strangers to the political culture they were supposed to carry. We must not assume that the rules and the stakes of the democratic process are the same everywhere and at all times, and immediately obvious to all participants. In most North Atlantic countries democracy as representative government through universal franchise is a relatively recent phenomenon, less than a hundred years old; it had to be learned from scratch, in ways that differed only slightly, in scope and in time scale, from the ways in which very similar democratic procedures had to be learned by most Africans in the main wave of Independence around 1960, or by South Africans other than Whites in the early 1990s (van Binsbergen 1995).

fragmented, folklorized, commodified form), without serious negative sanctions for the social actors involved, in terms of ridicule, shame, suspicion, allegations of backwardness, of tribalism, of satanism, etc.<sup>33</sup>

The same factors that caused these centrifugal expressions to go underground and to be banned from the public space, have led to their conspicuous absence from mainstream scholarship in South Africa, including that addressing the TRC.

### *The TRC as a nation's birth pangs*

On the other hand, if one does acknowledge these centrifugal, immanentist elements (of a linguistic, cultural, ethnic, religious, and lifestyle nature), and if one accepts that they are especially to be found among the South African people of African and Asian background who were the principal victims of *apartheid*, then one must inevitably acknowledge<sup>34</sup> *that different people brought very different things to the TRC*.

The TRC was, therefore, not a well-defined arena where (in ways open to transparent rhetorical analysis) some already established ritual of “healing the nation through full disclosure and amnesty” could be effectively staged along lines that were clear to all participants, and on which they all agreed. It was primarily (but also that seems to be something rhetoric can handle) a place of utter confusion, staged by people who (as literates, as citizens conscious of their constitutional responsibilities, as academics, as adherents of world religions) identified with the idea of the transcendent state after the imported North Atlantic model, and who saw it as their main task to usher into greater allegiance to that model, those for whom the transcendent state was far less self-evident: those who were entertaining the centrifugal, idiosyncratic, implicitly African and Asian, orientations indicated above, and whose main life experience with the state had almost destroyed them, to

<sup>33</sup> Cf. van Binsbergen 1993, 2001, 2003b espec. chs 5 and 6.

<sup>34</sup> As implied, albeit not with specific reference to the TRC, by Collier & Hick, this volume:

Many political disagreements now seem to be rooted in much “deeper” differences than conflicts of interest. As the cultural and religious diversity of the citizenry grows, through both migration and enfranchisement, the diversity of collective aims, moral outlooks, received knowledges, and worldviews grows. It is no longer reasonable to assume that a shared moral and political framework exists to guide public deliberation and debate. As the new social movements have demonstrated, the political vocabularies used to frame issues and propose solutions as well as the legitimacy of extant procedures for resolving political conflicts, are often the source, rather than the cure, of political disagreement.

boot, being *apartheid*'s designated targets and victims.

It now finally becomes possible to state what, beyond the content-less, truth-less game of rhetoric (but in a formulation that owes a lot to this volume's rhetorical analysis – including the occasional remarks on sacrifice scattered there), and beyond the preservation of White, Christian and elite interests (but in a formulation that also owes a lot to Christianity), may have constituted the true stakes and the true heroism of the TRC:

Of course, the past was not healed. Neither was the nation healed, certainly not in the way Tutu suggested (notably, by speaking out without negative consequences for the perpetrators). No, the nation was *born*. Speaking out was no longer the issue. Pain resides, and is domesticated and healed, at a profound inner level where words scarcely penetrate.<sup>35</sup> People who had no reason at all to trust the state, in whatever trappings, yet showed themselves generous and courageous enough to prefer the perpetrators' undeserved amnesty to civil war. The victims and survivors thus sacrificed such revenge as they were entitled to. They could only hope to heal themselves through the act of such generosity – but also, in this very act, *they effectively created the nation of South Africa for the first time*. In doing so, they extended to the perpetrators of *apartheid* once more the humanity which the latter had lost by denying it to their victims. And thus the victims and survivors who spoke during the TRC, affirmed their own humanity (*ubuntu*), which is the moral hub of any nation, any political system worth considering.

What a huge moral and constitutional responsibility this generates for South Africa's current majority government! What a package for Aristotelian rhetoric yet to accommodate in its attempts to make itself relevant to the world today!

### *Counter-hegemonic challenge as a principal task for African intellectuals*

This collection's rhetoric-inspired reading of the TRC seems to be based on the assumption that the Aristotelian rhetorical perspective, increasingly popular again in recent years, is so *universal* and so *perennial* that applying it to contemporary South Africa is neither an anachronism, nor a distortion, nor an act of naïvety, nor a hegemonic imposition. Depending upon one's

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<sup>35</sup> Here we touch upon a major shortcoming of current, main-stream political analyses: their lack of appreciation of the deeper, subconscious or unconscious levels of the political actors' personality as a determinant of political behaviour. For attempts at remedy, cf. Gay 1985; Fromm 1973.



epistemological and political position in the intercontinental construction of knowledge, however, the project of analysing contemporary South Africa through the spectacles of Aristotelian and Ciceronian rhetoric would not be entirely impervious to such allegations, however much the integrity and the scholarship of the authors involved are beyond doubt – and however much, as we will see below, such allegations can be countered by an higher-order intercultural philosophical argument.

We have already touched on *historical* reasons of specific differences in political structure, for taking a somewhat more relative view of the relevance of Ancient Greek and Roman models for present-day issues. But there are also important *epistemological and knowledge-political* reasons which – far more than the historical ones – relate to the very *raison d'être* of *Quest: An African Journal of Philosophy*.

In the course of the twentieth century CE, main-stream North Atlantic philosophy has largely given up the idea of the possibility of a privileged vantage point<sup>36</sup> from where to overlook the world and mankind objectively, dispassionately, and authoritatively.<sup>37</sup> Aristotelian rhetoric, or main-stream Western philosophy in general, cannot be claimed to be such a vantage point any more, – but neither can, of course, any other intellectual perspective that is brought to bear on the issues at hand, including African philosophy, African political science, African Studies in general. The point is not to deny the validity of any particular perspective, including Aristotelian rhetoric, but to deny any perspective's claim to a monopoly over validity.

Meanwhile, especially with regard to Africa, universalist claims emanating from the North Atlantic tradition cannot fail to arouse deep-seated sensitivities. It is only two centuries ago that Hegel – still considered a giant of the Western philosophical tradition, usually without further questions being asked – denied Africa a proper place in the history of mankind; and less than half a century since the prominent British historian Trevor-Roper expressed himself in similar fashion.<sup>38</sup> Ever since the

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<sup>36</sup> Popularly referred to as “the Archimedean point”, although this was meant, by Archimedes, as a mathematico-physical, not as an ontological, construct.

<sup>37</sup> For a Foucaultian critique of this illusion, based on the concept of genealogy (which is ultimately Nietzschean), see: Rabinow 1984; Foucault 1977. Cf. also Kimmerle 1985; and: Nietzsche 1887. The impossibility of an epistemological Archimedean point is also argued in: Rorty 1979; and from a totally different point of view in: Putnam, 1978, 1981. Such impossibility, in other words, is a received idea in contemporary philosophy.

<sup>38</sup> Hegel 1992; for a critical distance from the perspective of contemporary intercultural philosophy, cf. Keita 1974; Kimmerle 1993; Verharen 1997; also Eze 1996, 1997b. H.R. Trevor-Roper, then Regius Professor of History at Oxford, United Kingdom, soon to be knighted Baron Dacre of Glanton, said in a British Broadcasting Corporation (BBC) television broadcast in 1963:

Renaissance, Europe has constructed its own exalted image of itself by contrasting it with a correspondingly negative image of Africa and its inhabitants – the *Invention of Africa* (Mudimbe) has amounted to the construction of North Atlantic identity, culture, history, science, philosophy, religion, and statehood, by denying these same achievements to Africans.<sup>39</sup> The denial and the suppression of African knowledge, initiative, dignity, language, culture and identity were ubiquitous aspects of the colonial experience in Africa, including post-conquest South Africa, and of White racialism vis-à-vis persons of African descent in Europe and the New World. Needless to say, the inhabitants of the other continents received very much the same treatment at the hands of Europeans and of the latter's descendants in the Americas. Complementing Mudimbe, South Asia particularly has produced its own highly illuminating and highly indignant reflection on these processes, in the form of Postcolonial Theory, where “hegemony” and “the subaltern” are key concepts.<sup>40</sup> In the present collection, only Nethersole makes reference, dismissively, to this set of ideas, however much they form the obvious context to look at formerly colonized societies. And even<sup>41</sup> Africanist anthropology, which through its elaborate methodologies of fieldwork would claim to have avoided the violence of representation that is otherwise inherent to North-South knowledge construction, could be argued to have fallen into the same hegemonic subordination of Africans and their life worlds.

### *Intercultural knowledge between universalism and particularism*

One cannot simply send Aristotle, without elaborate preparation and protection, into such a global mine field, and trust that he will escape unscathed.

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Perhaps in the future, there will be some African history to teach. But, at present there is none: there is only the history of the Europeans in Africa. The rest is darkness, like the history of pre-Columbian America, and darkness is not a subject for history (published in Trevor-Roper 1965).

However, in extenuation we may plead, firstly, that Trevor-Roper here expressed himself – in the best tradition of British empiricist scholarship – on the then unavailability of high-quality African historiography rather than (like Hegel did) on the ontological impossibility for Africans to have history or histories; and, secondly, that one of his students has been Terence Ranger, who became a great historian of Africa, contributing to the creation of precisely what Trevor-Roper claimed did not yet exist.

<sup>39</sup> Mudimbe 1988, cf. 1994.

<sup>40</sup> Cf. Bhabha 1986, 1995; Rattansi 1994; Spivak 1987, 1988, 1990.

<sup>41</sup> This is the *Leitmotiv* in: van Binsbergen 2003b.

The present argument provides, *inter alia*, such preparation and protection. For there is one attractive perspective under which the rhetoricians' appeal to Aristotle in order to illuminate current South African conditions need not be hegemonic nor suspect, even though Europe has constructed itself by monopolising the Ancient Greek heritage, and by dissimulating the fact that this heritage in itself was greatly indebted to Asia and Africa.

Philosopher of science Sandra Harding<sup>42</sup> has cogently argued that the claims of modern, North Atlantic dominated, science of being objective, rational, and universal, are largely a myth springing from the fact of North Atlantic actual hegemony. *Largely – but not entirely*, and after elaborate attempts to argue the opposite, she has to admit that, especially in the natural sciences, the truth claimed by science is at least *partly* justified, i.e. is at least *partly* underpinned by the validity of its epistemological procedures, independently from such power as the North Atlantic region is capable of investing in its science, or is capable of deriving from its science. Identifying with women in science, and with people in science other than from the North Atlantic region, Harding sees this conclusion as a reason for hope and as empowerment for these long excluded groups. By contrast, yielding to the postmodern tendency towards complete fragmentation and relativism (as if anything else were a suspicious Grand Narrative in Lyotard's sense)<sup>43</sup> she sees as unacceptable disempowerment: as if global scientific knowledge, long wielded by North Atlantic males as their main source of power, all of a sudden has to be declared useless and merely local, an *ethnoscience* among myriad others at the very moment that previously excluded groups begin to gain access to such knowledge.

Harding's argument exemplifies the tension of universalism ("Aristotle is universally applicable and universally illuminating") versus particularism (...*"but only with regard to Ancient Greece and not to Africa today"*...), between which intercultural scholarship situates itself.<sup>44</sup> Many centuries of scholarly transcendentalism have made it utterly uncomfortable for us as globally-orientated modern intellectuals to live (at least, to live *professionally*) with what yet makes up the standard experience of social life and what is practically accommodated as such in the immanentalism of informality: *contradiction*. In the quest for consistency at the level of words, we are inclined to try and lift the contradiction by destroying either of the

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<sup>42</sup> Harding 1997; cf. van Binsbergen 2002.

<sup>43</sup> Lyotard 1979.

<sup>44</sup> Cf. van Binsbergen 2003b.

two poles between which it is stretched and creates tension. Our very difficult task however, when seeking to make sense of the complex phenomena of our global life world by bringing to bear upon them points of view and modes of thought from a plurality of life worlds belonging to different locations in space and time, is not to destroy the contradiction, but to make the best of it, indeed to thrive by it, in an act of balancing and negotiation. In this specific case this means both qualifying Aristotle's alleged universality, and yet identifying the specific conditions under which his thought would be illuminating beyond Ancient Greece, even when applied to Africa today. Lest North Atlantic scholars be suspected that what they have cherished for centuries while they could still monopolize it, loses its attraction for them now that they have to share it intercontinentally, let them *not* throw Aristotle out at the very moment in history when African and Asians have gained the scholarly access to expertly read, criticize and apply Aristotle.

And let African and Asian scholars act in the same spirit. If "The master of those who know"<sup>45</sup> can be seen as part of mankind's shared, global heritage of thought, then there is no reason why he should not be applied to African conditions. But then, of course, it can also be admitted that the great gap that separates Athens and the TRC in time and space, realistically requires major adaptations, as well as an awareness of genuine differences. In an inclusive, global perspective Aristotle's thought could not remain unadapted, let alone that it could be thought of as sacrosanct and all-explaining. Therefore, the application of Aristotle in a contemporary African context could never be a one-way process, conducted by scholars who know all about Aristotle, nearly all about formal legal texts as produced in formal, bureaucratic legal settings under the aegis of the transcendent state – and virtually nothing about the life worlds, the cosmologies, the languages, kinship systems, political and legal institutions, day-to-day struggles, pastimes, religious, artistic, culinary, sexual expressions, etc., of the African people whose life is greatly affected (but far from completely determined – my refrain of centrifugal immanentalism again) by such formal settings. Considering the sensitivities attending the situation, the suggestion of another hegemonic assault, this time in the name of Aristotle and rhetoric, must be avoided at all cost. Hence this Postscript.

In other words, from the same inclusive, global perspective, the continued relevance of African models for African life, and the potential

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<sup>45</sup> Dante, *La Divina Commedia*, *Inferno* IV: 131, referring to Aristotle:

'... 'l maestro di color che sanno'.

relevance of comparative Africanist models, not only to other parts of Africa but also to the rest of the world, need also be admitted, and explored in concrete terms.

*Learning from the rest of Africa in order to better understand South Africa*

The point is, therefore, *not* that the contributors to this volume (which, as is relevant at this point, contains one of the most subtle recent analyses of intercultural communications and deliberations, in the contribution by Collier and Hicks) should be faulted for advocating a rhetoric-based perspective; the point is that they have just left it to others to sort out how such a perspective could be combined with other valuable perspectives such as the anti-hegemonic and comparative Africanist one. Considering the great investments of expertise and experience already needed to cover one field of scholarship, such an academic division of labour is perfectly acceptable, provided other disciplines, other perspectives, other political commitments, other identities, move in, in order to complement and complete what rhetoricians on their own disciplinary impetus cannot adequately cover or represent.

What could we learn then, finally, if we complemented a rhetorical perspective with a comparative Africanist one?

- a. It would bring us to explore the specifically *African* forms of rhetoric, such as employed in traditional African polities and in African traditional courts of law (also, albeit in modified form, in South Africa), and would throw additional light on the modalities of story-telling and of public construction of truths that constituted the TRC exercise.<sup>46</sup>
- b. It would allow us to identify and study, in addition to the Christian models informing Archbishop Tutu's TRC frame of reference, and the Athenian models informing Salazar's, Cassin's and Garver's rhetorical analyses of reconciliation in the present book, specifically *African* forms of reconciliation, and appreciate that these have constituted, for centuries, "African technologies of sociability" of great and proven effectiveness.<sup>47</sup> If such models were not explicitly mobilized in the TRC

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<sup>46</sup> African rhetoric: Cf. Bloch 1975; Knowles-Borishade 1991; Finnegan 1970. Also cf. Comaroff 1975, for traditional oratory in the South African context; van Binsbergen c.s. 2003a, with extensive bibliography, for recent studies of traditional leadership and customary law in Africa; Oomen 2003 for an insightful study of South African rural local courts today.

<sup>47</sup> Van Binsbergen 1999, revised version incorporated in van Binsbergen 2003b: 349-374; cf. van Binsbergen 2003b: Introduction, pp. 32f.

exercise, they may yet have been implied in what some of the victims and survivors brought to its sessions.

- c. It would have made us realize that the widely attested failure of the Westminster model of parliamentary democracy throughout postcolonial Africa suggests deep-seated structural incompatibilities. In view of our argument so far, we can now suggest that these incompatibilities have to do with the impossibility of planting a modern state in a local context so saturated with immanentalism that the transcendence of the state finds insufficient support there (mainly, but not exclusively, because of a difference in mode of thought, but also for historical reasons: because of the pain which earlier experiences with the state have inflicted). This would make us think twice before arguing, as a matter of course and as an automatism, the obvious applicability of the original, Athenian model of democracy, or of the modern Westminster model, to South Africa, as another part of Africa. In particular (since evidently, these incompatibilities exist at the level of socio-political structure, not of individual innate ability) it would force us to reflect on the structural preconditions for transcendence (through effective and prolonged participation in a viable state and in viable formal organizations – in such fields as health services, education, religious life, sports and other recreations – , high and sustained levels of literacy, effective divulgation of modern cosmopolitan science), and to direct citizenship training accordingly.
- d. It would have made us explore – in addition to the Athenian democratic model which has been effectively (albeit at the price of considerable misrepresentation) appropriated by the North Atlantic tradition (and which, therefore, is difficult to detach from Eurocentrism) – historic *African* ways of going about democracy, popular participation, social and political justice, constitutional law, dating from before the imposition of the transcendental colonial state, and in part surviving (in more or less adulterated, neo-traditionally encapsulated, and perverted, forms) in the niches of the colonial and the postcolonial state. Africanist political anthropology (some of whose finest classic products<sup>48</sup> happen to deal with Southern Africa) and African philosophy (including the *ubuntu* variant) have done much to put these African political forms and conventions on the map. We cannot simply ignore their existence. Neither can we simply take for granted that in the national reconstruction of post-*apartheid* South Africa such African elements are necessarily

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<sup>48</sup> Gluckman 1958, 1969; Krige & Krige 1943; Kuper 1969; Schapera 1938, 1943, 1963, 1970.

without the slightest relevance, and are completely absent from the minds and the feelings of especially the survivors and victims of *apartheid* – many of whom have retained (within the local horizons that are the home of immanentalism) a modicum of knowledge of and of allegiance to time-honoured Southern African cultural traditions. (Again we must add: “in whatever selected, newly-invented, or perverted way” – of course, the point is very sensitive since a major strategy of the *apartheid* state was to justify the spatial, social and constitutional distinction between Whites and Blacks, by artificially furthering the ethnic distinctions between Black Africans, in a policy of *divide and rule* that, in retrospect, has made any expression of historic local or regional cultural identity in South Africa today, suspect as a possible product of the *apartheid* state.) Characteristically, *sangomas*, although specialists in the dynamics of collective healing and reconciliation at the level of the kin group and the local community in Southern Africa, were virtually absent from the TRC process, whereas the concept of *ubuntu* was only very sparingly used in that context.

### Conclusion

I have attempted to show how the present collection’s project, while at first superficial glance appearing to deal with abstruse topics of limited applicability (a reading of the South African Truth and Reconciliation Commission in terms of Aristotelian rhetoric), in fact addresses phenomena of the greatest significance for the African continent as a whole, thus taking up major debates in *Quest* over the years: the reflection on the philosophical canon (in this case: Aristotle and rhetoric); the development of an African philosophy that is relevant to major current transformations on the African continent – in this case the viability of the state, democracy, reconciliation and freedom; that is critically and radically aware of its hegemonic context; and that yet situates itself globally, in the field of tension between the universal and the particular.

In this way, this Postscript both situates, and vindicates, the present collection, and offers an manifesto that may serve as Preface for future volumes of *Quest*.

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