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Confronting the Colonial Past in a Changing World: A Non-Ideal Perspective on Transitional Justice Efforts for Colonialism, the Slave Trade and Slavery

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Confronting the Colonial Past in a Changing World

A NON-IDEAL PERSPECTIVE ON TRANSITIONAL JUSTICE EFFORTS FOR COLONIALISM, THE SLAVE TRADE AND SLAVERY

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Front page image: A man waves a Surinamese flag at the Slavery Monument in Rotterdam during Ketj Koti, July 1, 2020 (ANP, in Geels & Dietvorst, 2021).

“On the colonial chessboard, there is no party weaker than that is played by the ethical mind. (...) The ethical personality, however, does not realise that he is often put forward as a cushion against the radicals, for fear of a bad foreign reputation or to prevent the mass desertion of slaves to freer colonies.” (de Kom, 1934, p.121-123)

Introduction

This thesis examines the reasons behind the increased engagement of former colonial states with the injustices perpetrated under colonialism, the slave trade and slavery. Colonialism and slavery constitute crimes against humanity and are among the most significant wrongdoings in human history (Moore, 2016; Renzo, 2019). Former colonial powers have largely neglected and silenced these injustices and their contemporary legacies (Maddison & Shepherd, 2014; Rolston & Ní Aoláin, 2018; Yusuf, 2023). Nevertheless, in recent years several countries have begun to acknowledge the importance of addressing their violent colonial pasts. While tentative processes are mostly being put in place in settler colonial contexts such as Canada and Australia, more recently, political discussions in European states that were involved in trade colonialism and slavery have also proliferated. For example, Germany has officially apologised for its participation in the Herero and Nama genocide and has engaged in reparations negotiations (Lawal, 2023) and Denmark, France, the UK, and the European Parliament have expressed sorrow or officially recognised the slave trade and slavery as crimes against humanity (Tidey, 2022). Recently, in Belgium and the Netherlands, inquiry commissions have been created to research colonial legacies and potential measures to make amends (Adviescollege, 2021; Bijzondere Commissie, 2022). Moreover, the United Nations' human rights system has devoted increasing attention to “the role of transitional justice measures in addressing the legacy of gross violations of human rights” (UNGA, 2021, para.1).

The primary framework in the international system and the global norm for dealing with massive human rights abuses is transitional justice (TJ) (Yusuf & van der Merwe, 2021). Transitional justice is “a set of techniques and mechanisms for ‘dealing with the past’” (Bell, 2009, p.24) in an attempt to address mass atrocities and injustices following periods of conflict, repression and abuse (Arthur, 2009; Nagy, 2008). Such measures aim to “ensure accountability, serve justice and achieve reconciliation” (UNSG, 2004, p.4) and range from criminal

punishment, historical inquiries, apologies, reparations, and institutional reforms (Nagy, 2008; Teitel, 2014). Until recently, TJ mechanisms were rarely employed to address the extensive harm caused by colonialism, the slave trade and slavery (Maddison & Shepherd, 2014; Rolston & Ní Aoláin, 2018; Yusuf, 2023). Various authors have asserted that TJ is an “entirely postcolonial enterprise” (Maddison & Shepherd, 2014, p.261) that emerged as part of the ‘liberal international order’ and its human rights project. Since this order has been championed by former colonial powers, the lack of amends for colonialism and slavery is hardly surprising (e.g., Park, 2020; Yusuf, 2023).

Considering the prolonged denial of and amnesia surrounding European nations’ colonial crimes and the roots TJ has in the liberal order, the question arises what explains the recent increase in efforts by former colonial powers to make amends for their violent pasts. Few studies have grappled with state apologies and amends for colonial human rights violations (Bentley, 2016; Yusuf, 2023). Moreover, scholarship on the topic has predominantly focused on settler-colonial states (e.g., Balint et al., 2014; Park, 2020; Nagy, 2022). The limited studies that address the increasing interest and attention to the historical and present impacts of colonialism and slavery attribute this development to the activism and calls by post-immigrant communities (Bosma et al., 2012; James et al., 2018; Oostindie, 2008) and civil society movements campaigning against systemic racism and violence against people of colour (e.g., Célestine et al., 2022; McGonigle & Leyh, 2020). Such an explanation, however, risks overemphasising a normative and moral reading of these TJ efforts. The increase of contrition attempts for colonialism, the slave trade and slavery may be seen as an indication of a more profound commitment to human rights values. Most authors have approached the phenomenon from such a perspective (e.g., Mihai, 2013; Nobles, 2008; Tirrell, 2013). However, in international politics, state interests are oftentimes prioritised over acting in accordance with norms and values (Bagdonas, 2018). Privileging the view of TJ efforts as mechanisms of moral or relational repair

risks understating the social, economic and political functions of TJ efforts, while TJ is inherently political (Salehi, 2018) and is performed in social spaces marked by asymmetries of power (Abundez-Guerra, 2022). Additionally, in an increasingly globalised world, understanding state action requires not only investigating the domestic context, but also a state's foreign policy considerations (e.g., Kaarbo, 2015; Fearon, 1998). Understanding contrition efforts for colonialism, the slave trade and slavery is impossible without contextualising them in the current international order, which has been built on those very institutions (Sharman & Zarakol, 2024) and forms the context in which former colonised peoples and states have to assert their rights and rectify historical injustice (Guadeloupe, 2021). Thus, what is lacking in the literature is an explanation for the current proliferation of TJ efforts by former colonial states that evaluates the motivations behind these efforts, considering strategic goals in addition to moral and normative intentions, as well as domestic and foreign policy concerns.

For this reason, this thesis examines the following research question: **Why are former colonial powers increasingly engaging in transitional justice efforts to address their crimes perpetrated under colonialism, the slave trade and slavery?** By taking up the recent state-sponsored TJ efforts by the government of the Netherlands to make amends for the Atlantic slave trade and slavery in the Caribbean and Suriname as a case study, this thesis aims to advance the understanding of the current proliferation of apologetic efforts by former colonial states to deal with their violent pasts. In doing so, the research also aims to highlight the importance of taking a non-ideal perspective to TJ, underscoring their functions as strategic diplomatic exercises of image-building in international politics. Furthermore, by situating the TJ efforts by former colonial states in the contemporary international context, the thesis hopes to illuminate the ways Western liberal states are attempting to reorient themselves in a changing system in which the liberal script as well as their hegemonic position of power are becoming increasingly questioned.

The thesis starts by outlining the history of the TJ field and the reasons for the neglect by former colonial powers to engage in TJ efforts to address their violent pasts. The literature review also examines the main intentions behind state TJ efforts and the existing scholarly explanations given for the increasing attention to colonialism and slavery. Thereafter, the thesis elaborates on its central concept, the ‘liberal international order’, and its methodological approach, before conducting a case study of the TJ efforts for the Atlantic slave trade and slavery by the Dutch government. After briefly reviewing the Dutch Atlantic colonial history, the thesis argues that the Netherlands’ contrition efforts for its crimes may be effectively explained by its perception that the liberal order is under threat. This thesis shows that while the Dutch government’s decision to respond to the growing calls of post-immigrant communities and civil society movements may be an attempt at aiding descendants’ healing and reconciling and transforming Dutch society, it should simultaneously be viewed as a strategic move to bolster the ‘liberal script’, bring its international reputation in line with its liberal complexion, and improve its relations with the ‘Global South’. Finally, the conclusion deliberates what accepting such a non-ideal approach means for the transformative power of TJ efforts for colonialism.

Chapter 1. Literature Review

This literature review explores the scholarly treatment of TJ efforts regarding colonial harm, laying a foundation for the subsequent chapters to evaluate why the Netherlands came to confront its colonial crimes. Generally, Transitional Justice is conceived as the moral, legal, and political attempts to address mass atrocities and profound injustices following periods of conflict, repression, and abuse. It involves a variety of approaches ranging from prosecutions, historical truth-seeking inquiries, apologies, reparations, administrative measures, and institutional reforms (Arthur, 2009; Nagy, 2008; Teitel, 2014). According to a frequently

referenced UN definition, TJ encompasses “the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation” (UNSG, 2004, p.4).

1.1. A Genealogy of Transitional Justice

According to Ruti Teitel (2014), a prominent TJ scholar, the origins of TJ can be traced to the end of World War II. In this post-war period, TJ became understood as “both extraordinary and international” (p.70). The Nuremberg Trials criminalised state wrongdoing and were subsequently constructed as the triumph of international law and universal human rights. Nevertheless, the onset of the Cold War quickly limited opportunities for interstate cooperation essential to advancing justice initiatives (Sharp, 2018). Most authors agree that the contemporary view of TJ came into being after the collapse of the Soviet Union and in the wake of the 1980s’ transitions from autocratic rule to democracy in Latin America (Arthur, 2009; Sharp, 2018; Teitel, 2014). With the Soviet collapse, the period of bipolar power equilibrium ended, and global power politics fostered transitions all over the world. In this period, TJ became tied to state-building and democratisation (Teitel, 2014) and was “largely thought of as a vehicle for helping to deliver important liberal goods” (Sharp, 2018, p.3).

In the late 1990s, TJ became a global norm of human rights and the rule of law (Sharp, 2018; Yusuf, 2023). Ever since, it has garnered increasing attention in both scholarship and practice (Arthur, 2009). The publication of a UN Secretary-General report in 2004, which reflects on TJ and argues that peace and justice are mutually reinforcing, exemplifies the notion that the field moved from the periphery to the centre of international human rights policymaking (Yusuf, 2023). Arguably, TJ has become “its own industry” (Sharp, 2018, p.8), with activists, NGOs and donors embracing its concepts. According to Teitel (2014), the current period is characterised by an increase in facing old injustices and human rights abuses and a proliferation

in calls for apologies and reparations to reckon with past suffering and misconduct. In this context, calls for dealing with colonialism, the slave trade and slavery have emerged (e.g., UN, 2002; Barkan, 2002).

1.2. The Reluctance to Apologise

Despite constituting momentous crimes in human history, their ongoing legacies, and the activism of formerly colonised people (Moore, 2016; Renzo, 2019), TJ mechanisms were until recently rarely employed to address the extensive harm caused by European colonialism, the slave trade and slavery (Maddison & Shepherd, 2014; Rolston & Ní Aoláin, 2018; Yusuf, 2023). The literature identifies various factors that contribute to TJ's failure to effectively incorporate amends for colonialism in its repertoire, such as temporal and geographical distance, prioritisation of resources, and legal constraints (Pettigrove, 2003). A commonly quoted challenge is establishing responsibility, arguing that it is complicated and morally questionable to hold current political leaders accountable for the crimes perpetrated by their predecessors. Another common justification renders colonialism and slavery outside the remit of current TJ practice, designating as difficult and unreasonable to establish causal links between historical and contemporary injustices (Maddison & Shepherd, 2014; Murphy & Zvobgo, 2023; Rolston & Ní Aoláin, 2018).

The literature also identifies several underlying systemic reasons for states' reluctance or inability to apologise for colonial crimes, involving broader processes such as power dynamics and colonialism's historical legacies. Various authors have argued that TJ's neglect of colonial crimes is hardly surprising, as it is an "entirely postcolonial enterprise" (Maddison & Shepherd, 2014, p.261) that emerged as part of the post-WWII 'liberal international system' and the human rights order¹ (Moyo, 2015; Sitze, 2013). In this view, TJ has taken on the human

¹ Chapter 2 elaborates on the concept of 'the liberal order'.

rights movement's task of "norm 'entrepreneurship'" (Arthur, 2009, p.358) and is deeply embedded in global power structures and employed to disseminate the liberal economic and political policies championed by the West (Cable, 2021). Utilising their influence within the international system, former colonial Western nations have embraced an approach to human rights and mass atrocities that silences the historical and structural damages they inflicted during colonialism and slavery (Yusuf, 2023). Moreover, some scholars have argued that the commonplace conceptualisation of the emergence of TJ at the Nuremberg Trials has allowed the West to frame the Holocaust as of incomparable magnitude that required a new standard of justice and exceptional mechanisms (e.g., Teitel, 2014). In this way, Western states have rendered colonialism outside of the remit of TJ practice (Maddison & Shepherd, 2014).

A further commonplace critique is that "transitional justice dissemination displays a geographic discrepancy towards the Global South" (Jamar, 2019, p. 56). As the pursuit of justice remains in the hands of the powerful Western countries that "have the resources and political interest to mount a case" (Nagy, 2008, pg. 282), colonial crimes perpetrated by the West are omitted from TJ practice. The Global South² is depicted as the primary location where human rights violations and breaches of humanitarian law occur, while the Global North is "absent from the scene of violence and suffering" (ibid., p.284). The West has assigned itself the role of intervening power and custodian of justice (Durddiyeva, 2024). As "geographic 'zones of impunity'" are situated in the Global South, TJ becomes an asymmetric project (Nagy, 2008, p.282). Moreover, the field's general foundation in international law and human rights in combination with the historical link between transitional justice and primarily Western, law-focused approaches to mass atrocities, results in a tendency to prioritise Western international

² The concept of the 'Global South' has received much criticism. However, it is the most impartial and versatile label available to group those disparate states that have historically been marginalised in the global system (Darnal, 2023) and of which many have sought to amend and emancipate the world order (O'Malley & Thakur, 2022). Moreover, a rich body of literature has researched the concept in a nuanced and thorough manner (e.g., Kloss, 2017; Mignolo, 2011).

institutions, practices, and expertise (Sharp, 2018). In this regard, Bergsmo and colleagues (2020) note the revealing difference in the political discourse surrounding colonial-era TJ between African and European bodies. The EU's Policy Framework on Support to Transitional Justice (EEAS, 2015) omits injustices inherent to colonialism but suggests that TJ processes should aim to transform societies to address the root causes of conflict and violence residing in discrimination, marginalisation or human rights violations. Moreover, the framework presents guidelines for TJ in other countries. In this way, the EU renders the responsibility of its member states to make amends for colonialism and slavery outside its framework and instead depicts the EU's role as one supporting other countries to deal with their pasts (Bergsmo et al., 2020).

Finally, it is widely asserted that TJ policies tend to foreclose measures that address structural forms of violence (Jamar, 2019; Maddison & Shepherd, 2014). Instead, they prioritise extreme manifestations of oppressive power or violence (van der Merwe, 2009) over ongoing socioeconomic disparities, marginalisation, discrimination and structural inequalities that are the direct result of colonialism and slavery (Rolston & Ní Aoláin, 2018; Stahn, 2020). Maddison and Shepherd (2014) argue that the continuation of structural colonial violence is seldom admitted as discussions of economic and social rights violations, along with structural and intergenerational injustices are relegated to the background. To "buttress the existing political, economic and social order", these legacies are denied (Murphy & Zvobgo, 2023, p.428).

1.3. To Engage or Not to Engage

The literature offers various rationales for states to engage in TJ efforts. Following Ažuolas Bagdonas (2018), the most prevalent theoretical approaches for analysing the functions of apologetic efforts can be grouped into the following categories: 1) therapy, 2) justice, and 3) image.

First, according to ‘therapeutic’ perspectives, states engage in TJ measures to acknowledge the harm done to victims and aid their healing (Bagdonas, 2018). According to Pablo de Greiff (2012), a prominent TJ scholar, a primary rationale for implementing apologetic measures is to provide recognition to victims. In his view, TJ is a means of restoring the norm of universal equal rights after the perpetrator’s actions have claimed superiority over the victims (ibid.). According to some scholars (e.g., Weisband, 2009; Paez, 2010), violations of social norms result in psychological harm to victims and apologetic efforts are a means to contribute to emotional healing. Measures such as apologies, reparations and institutional reform may aid in this recovery process by confirming truths, offering the perpetrator’s perspective, and assigning responsibility (ibid.). Apologies can serve as symbolic forms of redress by establishing a public record of events and fostering a shared narrative. This way, they may "heal the wounds" inflicted (Bagdonas, 2018, p.785). Truth commissions can be another mechanism, creating a historical record of the perpetrated crimes, which allows for countering denial about the extent, impact and those responsible for them (Leebaw, 2008).

Second, ‘justice’ theories (Bagdonas, 2018) argue that TJ attempts seek to reform a political community towards a more just and reconciled one (e.g., Borneman, 2005; Teitel, 2006; Thompson, 2012). De Greiff (2012) argues that TJ mechanisms can be implemented to achieve reconciliation, defined as “the condition under which citizens can trust one another *as citizens* again” (p.50). In this view, TJ seeks to establish a state in which social relations are characterised by ‘civic’ or ‘norm-based’ trust. Civic trust is defined as a state in which a political community recognises as valid and is committed to a common set of principles and norms (de Greiff, 2012). Similarly, Nobles (2008) argues that apologies function as arenas where the terms and significance of belonging to a national community are negotiated. Furthermore, Mihai (2013, p.213-214) holds that apologies may invite citizens to re-imagine themselves as “committed to avoiding further injustice and exclusion”, assert a certain self-image of a nation,

and facilitate changes towards more inclusive institutional structures. Prosecutions, for instance, may foster political reform by reasserting the importance of the norms violated by perpetrators (de Greiff, 2012).

Third, some perspectives view TJ mechanisms as strategic tools implemented to repair or improve a state's public 'image' (Bagdonas, 2018). Benoit's (2014, p.ix) image repair theory holds that governments may engage in "behaviour designed to repair, reduce, redress, or prevent damage to their image (...) from accusations or suspicions of wrongdoing" in the pursuit of goals. Similarly, Friedrich (2022) argues that TJ measures are a means to paint a favourable image of the state, this way *managing* rather than *addressing* resentment against the state. Bilder (2005) is more critical and observes state contrition efforts as constituting mere cynical PR gestures to the international community of states. In his view, states make amends for the past because some TJ measures, such as apologies, can constitute low-cost ways of resolving or 'getting away' with wrongdoings (ibid.). In essence, 'image' theories frame TJ measures such as apologies as strategic tools (Ugochukwu, 2023) driven by state interests, covering the range of benefits a state can accrue through diplomacy and inter-state interactions, such as security, economic advantages and power (Cunningham, 2014).

1.4. Gaps in the Explanations of State Engagement with Colonial Crimes

Despite the traditional neglect of colonialism and slavery by TJ, Sharp (2018, p.12) rightfully notes that "the biases and blind spots of the early years of transitional justice need not necessarily be those of tomorrow". Indeed, over the last years, several states have begun to acknowledge the importance of recognising and attending to their colonial crimes and their legacies. The literature has attributed this development to the increasing calls and pressure from post-immigrant communities and civil society groups (e.g., Bosma et al., 2012; James et al., 2018). Bosma and colleagues (2012) have suggested that the acknowledgements by France,

Belgium, the Netherlands and the UK of the severity of colonialism and slavery in their national histories are stimulated by postcolonial identity politics. They have argued that calls by activists and intellectuals of postcolonial backgrounds have exercised increasing pressure on their countries' governments. Moreover, prominent (post)colonial historian Gert Oostindie (2011), points out that whereas the aforementioned governments have expressed remorse and fostered public commemorations, Portugal and Spain have largely silenced and avoided addressing the past. He attributes this difference in attention to divergent commemorative traditions and the absence of substantial Caribbean communities in the two Iberian countries, which assert significant political influence and serve as visible reminders of their colonial past (ibid.). On the transnational level, the US-founded Black Lives Matter (BLM) movement has found an echo in various countries. The movement represents an upheaval of the perceptions of slavery, colonialism, imperialism and racism around the world and people's views on their repressive pasts and current circumstances (Célestine et al., 2022; McGonigle Leyh, 2020). Some authors have argued that in various non-settler postcolonial states, the surge in BLM activism has intensified the debates about the necessity of states to face their colonial histories and engage in apologetic efforts (van Engelenhoven, 2022; Yusuf, 2023).

The increase in inquiries, apologies and reparations for colonialism, the slave trade and slavery may be seen as moral attempts to recognise victims' suffering and aid their healing or to reform a political community towards a more just and reconciled one. Most scholars have approached the phenomenon from such a standpoint, interpreting these acts of contrition as indications of a more profound internalisation of human rights values (e.g., Mihai, 2013; Nobles, 2008; Tirrell, 2013). However, such an explanation risks, in Friedrich's (2022, p.701) words, viewing TJ as "a radically moral act with an origin external to current political logic". Nevertheless, transitional justice is inherently political, emerging from political concerns and power structures (Salehi, 2018). Moreover, in (inter)national politics, the "Westphalian"

normative framework has not lost its relevance (Bagdonas, 2018). Indeed, the principle of achieving desirable outcomes typically outweighs the principle of acting by norms and values. When it comes to revising historical narratives through transitional justice, such actions are often evaluated based on their perceived costs and benefits, prioritising national interests alongside, or sometimes above, considerations of justice or healing (Bagdonas, 2018). Moreover, TJ policies such as apologies can serve multiple purposes and have various effects simultaneously (Gibney et al., 2008). Privileging the view of TJ efforts as mechanisms of moral or relational repair risks understating their economic, political and strategic functions (Friedrich, 2022). Especially when studying public apologies by states, these functions cannot be ignored since they are performed in social spaces marked by asymmetries of power (Abundez-Guerra, 2022). By allowing the apologising state to morally redeem itself, control the narrative of the past and paint a favourable public image, TJ efforts oftentimes serve the interests of the redeeming state more than those of the recipients (ibid.). In considering TJ as a strategic tool to repair or improve a state's reputation, the international context and a state's foreign policy interests should be considered. Additionally, in an increasingly globalised world, understanding state actions requires looking beyond domestic developments and considering a state's international context and foreign policy interests (e.g., Kaarbo, 2015; Fearon, 1998).

The existing literature fails to provide a comprehensive explanation for the recent surge in TJ initiatives undertaken by former colonial states to address their historical crimes. Without disavowing the moral and normative rationales that may play a role, what is needed is an analysis of the considerations driving these efforts that does not assume an ideal approach. To fill this gap, an exploration of the rationales guiding former colonial states' decisions to make amends for their pasts is needed, evaluating to what extent these are driven to repair or improve their public image in pursuit of state interests.

Chapter 2. Central Concept: The Liberal Order Under Threat

2.1. The ‘Liberal International Order’?

Investigating the growing engagement of former colonial states with their violent pasts requires an understanding of the parameters of the world's modern political-economic equipment. It is in this context that states construct their public images and national narratives. Moreover, colonialism and slavery have played fundamental roles in the modern state- and international order formation (Sharman & Zarakol, 2024). It is in this context that states undertake initiatives to express remorse for colonial crimes and formerly colonised peoples and states have to assert their rights and seek redress for historical wrongdoings (Guadeloupe, 2021). For the last decades, the dominant organising force of international relations has been the ‘liberal order’ (Ikenberry, 2018). To enable an assessment of the motivations of the Dutch government to engage with and make amends for its colonial past, this chapter analyses the nature of this order and the crisis it is perceived to be in.

In general, the concept of the ‘liberal order’ is used to describe the set of norms, rules, and institutions promoted by Western powers under the hegemony of the US after WWII to prevent a repetition of the major disasters of the 20th century. Some authors argue that it has been the principal organising force of international relations since WWII (Deudney & Ikenberry, 1999). Others hold that global politics only became dominated by Western liberalism after the end of the Cold War (Mearsheimer, 2019), seeing a shift in the 1990s from a ‘thin’ post-WWII order to greater influence wielded by international organisations and distinctly liberal characteristics (Börzel & Zürn, 2021, p.283). The precise nature of the order often remains unspecified (Eilstrup-Sangiovanni & Hofmann, 2020). Prominent IR scholars identify as its key features 1) an open and inclusive global economy, 2) strong security ties that promote cooperation between states, 3) a robust system of global organisations and institutions, 4) widespread acceptance of liberal democratic principles and governance methods, and 5) a

commitment to human rights (Götz, 2021). Such a conceptualisation, however, overlooks that the 'liberal order' is predominantly a narrative construct rather than an accurate reflection of empirical realities (e.g., Jahn, 2013, Kundnani, 2017). Eilstrup-Sangiovanni and Hofmann (2020), for instance, stress that concerning the commitment to human rights, 1) their significance and definition are subject to intense debate (Dembour 2010) and 2) key actors, such as the US, have demonstrated fluctuating dedication to their promotion (Bisbee et al. 2019; Goodman & Schimmelfennig 2019). Similarly, the order is often envisaged by the West as 'rules-based' in the sense that it envisages state action as not simply determined by power politics but also by international law. Nevertheless, Western nations have broken the security order's rules various times itself, such as with NATO's intervention against Serbia in 1999 without a UNSC mandate (Kundnani, 2017). To circumvent the tensions and reductionism inherent to the term and underscore its power as a narrative construct, this thesis employs the concept of 'the liberal script' as defined by the SCRIPTS project of the Frei Universität Berlin. This concept refers to the "ideas and institutional prescriptions about the organisation of society based on the core principle of individual self-determination", with its manifestations "ranging from human rights and the rule of law to free market capitalism" (SCRIPTS, n.d.).

2.2. The Order in Crisis

In recent years, various Western observers, scholars, and politicians have become increasingly concerned with the crisis of liberal order (Börzel & Zürn, 2021; Ikenberry, 2010; Mearsheimer, 2019). The origins and manifestations of this crisis are intensely debated (Sjursen, 2023). In the security domain, competition among major powers has re-emerged, overshadowing efforts to combat shared, global threats (Götz, 2021). In recent years, the opposition of authoritarian states to the Western liberal vision of order has steadily increased (e.g., Diamond et al., 2016), giving way to worries about coming breakdowns among the great powers (Ikenberry, 2010). With

Russia's full-scale invasion of Ukraine in early 2022, its growing anti-liberalism, hostility to Western democracy, and grievances about the advancing liberalism in the post-Soviet space have culminated in war returning to continental Europe (Ikenberry, 2010).

Meanwhile, in the institutional realm, the rise of non-Western powers results in growing competition and fragmentation while the US's withdrawal from the existing structures is seen as weakening the system from the inside (Götz, 2021; Lethi et al., 2023). In addition to seeking to increase their influence in existing institutions that are largely dominated by Western nations, emerging powers have established competing or parallel bodies in spaces where they have felt underrepresented, or that have failed to perform (Stephen & Zürn, 2019). Examples are China's Belt and Road Initiative (BRI) and the foundation of the New Development Bank on the initiative of the BRICS countries (McGregor, 2024). Furthermore, the non-Western nations have increasingly started to envision a world order that is more diverse, representative, and less dogmatic (Lethi et al., 2023). Despite America's arguably traditionally fractional and contingent engagement with the global institutional framework (Eilstrup-Sangiovanni & Hofmann, 2020), the Trump administration's rejection of various multilateral bodies and agreements, such as the Paris Climate Agreement, is also seen as undermining the liberal order, as US hegemony has functioned as the glue of various multilateral institutions (Götz, 2021).

In addition, while global politics is expected to be shaped significantly by trade and capital flows, states are increasingly using economic interdependencies for geopolitical gains. Economic interdependencies are seen as not necessarily, or no longer, having a pacifying effect on world politics as both non-Western and Western powers are using their economic powers to pursue strategic objectives (Götz, 2021; Lethi et al., 2019). Examples of such 'weaponised interdependence' (Farrell & Newman, 2019) include China's employment of both economic penalties and rewards to pull Southeast Asian countries into its sphere of influence and the US's embargos on Iran and North Korea (Johnson, 2019).

Furthermore, liberal norms, ideals and governance models are observed to be increasingly challenged by the global resurgence of assertive nationalism and authoritarianism. In recent years, norms and models associated with the liberal order including human rights, civil liberties, and free and fair elections have been in retreat worldwide (Götz, 2021). Authoritarian regimes are tightening their control at home, curtailing the activities of NGOs and silencing government critics while on the international stage challenging the idea belief that democracy is the best route to prosperity and security. At the same time, established democracies are regressing with populist nationalism on the rise and illiberal forces winning ground in both non-Western and Western nations (Freedom House, 2022).

On a deeper level, however, the order and its champion - 'the West' - are challenged by a crisis of legitimacy. This has been attributed to intrusiveness and double standards. Post-Cold War liberalism has been characterised by a concentration of decision-making power in the hands of powerful states, using international institutions to affect the policies of less powerful states – for example through veto powers in the UNSC (Börzel & Zürn, 2021). The exertion of international authority can supersede decisions made by elected governments. Liberalism prioritises 'universal' principles like human rights and the rule of law over national sovereignty, leading to tensions with authoritarian states and populist movements. In addition, while international institutions advocate for and safeguard these norms, they often favour those with resources and mobility (Börzel & Zürn, 2021). The result is a "formalisation of stratification" between states and, oftentimes, double standards (ibid., p.287). Consequently, in many Global South countries, Western nations are seen as hypocritical, self-serving, and post-colonial. Moreover, relations between the West and the Global South are significantly burdened with the historical baggage of the colonial past (Islam, 2024), in combination with the (post-)colonial experience and non-Western powers' underrepresentation in the international system (Benner, 2023). The stringent criteria and conditionalities that often come with European support are

seen as reflecting a paternalistic and neo-colonial stance that interferes with the internal affairs of Global South countries (Kebret 2021; Orbie 2022). Europe's neglect of Global South interests during the pandemic and the war in Ukraine (Islam, 2024), and more recently the responses of the US and many Western nations to the conflict in Gaza have increased the criticisms that the liberal order and the West lack both moral validity and political credibility (Lo, 2023). Western nations are accused of adhering to double standards as they pride themselves on defending human rights, democracy and the rule of law while assisting Israel with arms supplies and offering its government full diplomatic support, enabling it to wage war on civilians in the name of self-defence (Benner, 2023). Consequently, the credibility and legitimacy of the liberal order and the West are questioned, and European nations face reputational problems in the Global South (Khar, 2024).

Chapter 3. Methodology

This chapter clarifies the thesis' methodological approach by discussing the employed research design and the methods of data collection and data analysis.

3.1. Research Design: Single Exploratory Case Study

As identified in the literature review, the reasons for the proliferation of state apologies and amends for colonialism and slavery require more research. This thesis addresses this omission by employing a single, exploratory case study as its research design. As case studies are suitable to test priorly developed theoretical propositions (Yin, 2009), they enable an examination of the theories explaining the various functions of TJ. Furthermore, as a type of qualitative design, exploratory case study analysis can allow for understanding complex social phenomena in-depth and within their particular contexts (ibid.). By allowing for a nuanced, empirically rich, and holistic account of the TJ efforts by the Netherlands, a case study is a suitable design to

understand why former colonial powers may decide to atone for their colonial crimes. Moreover, case studies enable the identification of complex context-dependent causal mechanisms and relations in social phenomena that are irreducibly subjective (George & Bennet, 2005) which allows for investigating complicated societal and political developments (Cooper & Finley, 2014) such as states' apologetic efforts.

This thesis investigates a singular phenomenon in detail. A single case study is useful for the topic at hand because in-depth, within-case analysis fares better than comparative analysis to identify causal mechanisms, relations and processes (Blatter & Haverland, 2014). Taking up the Netherlands as a single case study allows for a detailed investigation into causes, developments and rationales that may explain the growing attention to the past by former colonial powers. Generally, single case studies are chosen because of their exceptionality or intrinsic importance (Cooper & Finley, 2014). In comparison with other former colonial powers, the Netherlands has to date engaged in significant TJ efforts regarding its colonial crimes. The government and royal house have issued national apologies and implemented policies aimed at increasing knowledge of and raising awareness about the past, for instance deciding to build a National Slavery Museum (Bunch, 2023). Despite their various benefits, it is important to note that single case studies carry the disadvantage of lacking external validity or generalisability. To draw firmer conclusions beyond the particularities of the Dutch case, additional research is needed (Seawright & Gerring, 2008).

3.2. Data Collection: Integrative Literature Review

As its data collection method, this thesis employs an integrative literature review. An integrative literature review is a semi-systematic approach to gathering and synthesising literature. Rather than an exhaustive coverage of the literature on a subject, it involves selectively collecting information sources (Snyder, 2019). An integrative literature review enables the assessment,

integration and reinterpretation of different findings and viewpoints presented in the existing research on a topic. In this way, the method facilitates the generation of fresh insights and frameworks and the expansion of existing theoretical models (Torraco, 2016). This study utilises an integrative review to analyse whether the TJ policies by the Netherlands are driven by strategic considerations.

To optimise validity and generalisability, case studies typically rely on a wide range of sources for their data collection (Yin, 2009). This thesis draws on both primary and secondary sources. Primarily, it uses scholarly material including peer-reviewed journal articles, books, and research reports. These sources were obtained through database searches, manual searches of reference lists, and citation and reference tracking. In addition, the research employs grey literature, such as journalistic materials, reports, policy statements and speeches³ (Torraco, 2016).

3.3. Data Analysis: Process Tracing

To analyse the Dutch contrition efforts, this thesis employs process tracing. Process tracing is a method that combines a historical account with a theoretical explanation (George & Bennet, 2005) to discover how particular causal processes bring a social phenomenon into being (Blatter & Haverland, 2014). Process tracing involves identifying chains of events and mechanisms in a process between ‘initial’ or ‘facilitating conditions’ and an outcome condition – the subject under investigation – that have made an outcome possible (George & Bennet, 2005). The method requires a detailed description of the phenomenon under investigation and the facilitating conditions, which include relevant political actors, power relations, ideational, societal and historical dispositions, memories, and narratives (Blatter & Haverland, 2014; Collier, 2011).

³ All translations from Dutch are my own.

Chapter 4. A Brief History of Dutch Atlantic Colonial Slavery

Before analysing the contemporary contrition efforts by the Dutch government, an analysis of ‘initial conditions’ is necessary. This will be provided by an overview of the Dutch Atlantic colonial history, underscoring ideational, societal and historical dispositions and narratives essential for understanding the contemporary TJ efforts by the Netherlands for its colonial crimes.

4.1. Dutch Colonialism, the Slave Trade and Slavery in the Atlantic (1630 – 1814)

From the early 17th until the mid-19th century, the slave trade and slavery played crucial roles in the Dutch colonial empire (van Welie, 2008). The Dutch Republic⁴ became involved in the Atlantic slave trade in 1630 because of its conquest of the sugar plantations in northern Brazil, for which it required labourers (Emmer, 2019; Postma, 2008). In the following decades, the Netherlands expanded its empire and its involvement in the Atlantic slave trade, establishing trading posts on the north-western African coast, settlement colonies in the Americas and naval and commercial bases in the Caribbean (Postma, 2008). The trade was a triangular enterprise; the Dutch West India Company (WIC) and private traders transported manufactured goods and textiles from Holland to Africa in exchange for kidnapped people. Upon selling enslaved people in the Americas, ships typically transported tropical agricultural products back to the Republic (Postma, 2008).

Suriname and the Caribbean islands were essential in the Dutch Atlantic slave trade. After the loss of its Brazilian colony in 1654, the Dutch started transporting enslaved people to other colonies (Klooster, 1998). In the 1660s, the Dutch island Curaçao was the busiest slave trade market in the Caribbean, functioning as a transit point between Elmina on the Gold Coast

⁴ From 1579-1795, seven provinces of present-day the Netherlands formed a Republic, governed by the States General (Staten Generaal). After 20 years of warfare and political instability, the Kingdom of the Netherlands was established in 1815, with power shared between the King and the States-General.

and the Spanish colonies and Dutch settlements in Suriname and the Antilles and on the Guiana coast (Postma, 2008). The Dutch gained Suriname in 1667, after which it became a highly important Dutch slave market (van Wellie, 2008). From the 1750s on, the productivity of the plantations in Suriname, Essequibo and Demerara increased dramatically (van der Oest, 2003) until the Dutch slave trade reached its peak in the 1770s (Postma, 2008; van Wellie, 2008). After this period of rapid expansion, the Dutch slave trade decreased just as quickly. By 1795, it had practically ended and in 1802 the final slave ship sailed to the New World (Postma, 2008).

Historians agree that the Dutch transported more than half a million African people to the Americas (e.g., Postma, 2008; van Welie, 2008). The victims of the slave trade were violently captured, detained on the African coast, transported across the Atlantic in miserable circumstances, and finally confined and sold like cattle in the Americas (Postma, 2008). The kidnapping and transport of African people to enslave them, as well as the horrors that accompanied it, were primarily intended to force enslaved people to produce goods without a labour contract (Nimako, 2023).

4.2. Legitimising Bloody Crimes as a ‘Tolerant’ Nation

Critique, opposition and protest to the slave trade and slavery were rare in the Netherlands during the slave trade centuries (Emmer, 2019; Postma, 2008). In general, Dutch colonial attitudes towards slavery were characterised by a cynical pragmatism and overt disdain (Oostindie & Paasman, 1998). Historians have frequently noted this curious contradiction: while the Dutch in the 17th and 18th centuries celebrated their hard-won freedom and domestic atmosphere of tolerance, they concurrently engaged in the enslavement and exploitation of hundreds of thousands of people (Eltis & Engerman, 2010; Oostindie & Paasman, 1998). Despite an undercurrent of antislavery writings, most 17th and 18th-century Dutch literature is apologetic (Postma, 2008). Moreover, the anti-slavery perspectives were confined to critics in

the metropolis' big cities and generally had little influence in the Republic, and none in the colonies (Oostindie & Paasman, 1998).

This absence of critique has been attributed to the concentration of the slave trade and slavery in the colonies and the isolated province of Zeeland (Emmer, 2019; van Welie, 2008.) According to van Welie (2008), “because of this physical and psychological separation, there was hardly any need to come to terms with colonial slavery” (p.156). Various arguments were employed to justify slavery. Negative stereotypes about enslaved African people and their Caribbean descendants included beliefs that African people were inherently uncivilised and coarse and that enslaving them offered an escape from the perceived brutality of Africa and the potential for eventual assimilation into European culture (Oostindie & Paasman, 1998). Further ideological rationalisation was provided by Biblical explanations (Stoutjesdijk, 2023). Moreover, the dominant perspective held that slavery was crucial for the development of the ‘West Indies’ (Oostindie & Paasman, 1998). The government played a big role in the promotion, maintenance and legitimisation of the practice because of its economic benefits. In 1789, the government published a decree stating that the trade and exploitation of enslaved people was ‘inseparable from the prosperity and welfare of the colonies, and the entire commerce’ (Westesteijn, 2023). Indeed, colonialism and slavery formed the basis of the Netherlands’ present-day political power and economic prosperity (van Rossum, 2023).

4.3. The ‘End’ of the Dutch Atlantic Slave Trade and Slavery

In 1814, a decree of the new King Willem I prohibited the slave trade from Africa to the Dutch colonies. The prohibition was preceded by abolition in the UK and the US in 1807 (Emmer, 2019; Postma, 2008). The decision to abolish the slave trade has been primarily attributed to international pressure by the UK (Nimako, 2023; Postma, 2008; Tang, 2021). However, since

slavery continued in the Americas, the Dutch remained active participants in the illegal trade for the following decades (Klinkers, 2023).

After the slave trade prohibition, it would take half a century more until the Netherlands abolished slavery. Albeit not fervently and for different reasons, during the 1840s, the pragmatic conservatists, the orthodox Christians and the liberals in the parliament became advocates of abolition (Kuitenbrouwer, 1978). A proposal in 1851 by the liberal government to ‘emancipate’ the enslaved led to protests, primarily from plantation owners. In 1853, the government installed an advisory ‘State Commission’ (Nationaal Archief, 2022). After a decade of political disagreement (Kuitenbrouwer, 1978), the parliament finally agreed to abolish slavery in 1862, which included state compensation to former owners, forced formerly enslaved people in Suriname to sign contracts with plantation owners for ten years, and ensured immigration of contract workers from British and Dutch India. On July 1, 1863, an estimated 45.000 people gained their freedom across the Dutch colonies (National Archief, 2022).

Chapter 5. Coming to Terms with the Past

After having briefly reviewed the Dutch Atlantic colonial history, providing the initial conditions of the contemporary contrition efforts, this chapter analyses how the Dutch government came to decide to engage in TJ efforts for its crimes. By examining the Dutch apologetic measures, the societal and political circumstances in which these were made, and the Dutch governmental discourse about the contemporary global order, this chapter argues that the Netherlands’ TJ efforts for its colonial human rights abuses should be considered as strategic acts to bolster the liberal script and improve the Netherlands’ reputation in the face of a changing world.

5.1. The Dutch Say ‘Sorry’

While abolition gave people their freedom, it did not rule out new forms of coercion and domination. After abolition, the exploitation, political domination and economic deprivation of formerly enslaved people and their descendants continued. In the Dutch colonies, slavery was often succeeded by forced and indentured labour (Klinkers, 2023). Furthermore, structural European privilege and power did not end. Male white Europeans continued to dominate the Dutch colonies, while the Dutch state held sovereign power in Suriname until 1975 (Jones, 2016). With formal decolonisation, the ties to the former metropolis were not severed and Suriname is still inextricably linked to the Netherlands in economic, political and demographic ways, as the transfer of sovereignty generated extensive migration to the Netherlands (Oostindie, 2008). During the decolonisation period, the discrimination against and exclusion of people of colour took on a different form, which is reflected in governmental policies. Surinamese people were excluded from voting rights when the country was still part of the Dutch Kingdom and in the 1970s housing policy, Surinamese people were excluded from certain Dutch neighbourhoods (Gemeente Amsterdam & Min OCW, 2024). The Caribbean islands of the Kingdom⁵ are extremely dependent on Dutch tourism, with Europeans dominating ownership of the industry (Ostiana, 2023). Moreover, ‘emancipation’ was never fully achieved (Nimako, 2023; Wekker, 2016). In the Netherlands, Suriname and the Caribbean, racist ideologies continue to dominate the relations between white people and people of colour to this day and descendants of enslaved people still bear the legacies of the past in the form of structural marginalisation and exclusion (Jones, 2016; Weiner & Carmna-Baéz, 2018; Wekker, 2016). Moreover, many Afro-Antilleans and Afro-Surinamese people still experience having to ‘heal’ from the mental complexes and shame of 200 years of suppression and exploitation (Martinus Arion, in van Ditzhuijzen, 2000).

⁵ Aruba, Bonaire, Curaçao, Saba, St. Eusthatius and St. Maarten.

Descendants of enslaved people have fought against dominant colonial perspectives on slavery and colonisation and for recognition of black perspectives long before the Dutch state reacted. In 1934, for example, Surinamese anti-colonial writer Anton de Kom published *We slaves of Suriname*. Furthermore, people have held manifestations and events such as Ketu Ketu commemorations – celebrating the abolition and remembering slavery – in the Netherlands since the 1950s (Heilbron, 2019; Immler, 2023). In the 1990s, the Afro-Dutch women’s movement Sophiedela started putting the issue of apologetic efforts by the Netherlands for its Atlantic colonial crimes on the map. The movement campaigned for a national slavery monument and petitioned for an apology. In 1998, Sophiedela asked the government to erect a monument to commemorate slavery and demanded that slavery be recognised as part of Dutch history (van Stripiaan, 2016; Balkenhol, 2016). At the UN World Conference Against Racism in Durban, South Africa, in 2001, attending Dutch minister van Boxtel stated that Dutch slavery constituted a "great injustice done in the past" and expressed "deep remorse" on behalf of the government (Trouw, 2001). In 2002, the Dutch Institute for War Documentation (NIOD) published a report, concluding that the Netherlands had been “directly and indirectly involved” in the slave trade and that this involvement had been “more significant” than assumed (van Stripiaan, 2016). After numerous years of discussions and conflicts between Dutch officials and the National Platform Slavery Past (LPS), which spoke for various Afro-Dutch groups, a national monument was constructed in Amsterdam and unveiled by the Queen and the Prime Minister. In 2003, the government-funded National Institute for the Study and Commemoration of the Dutch Slavery Past (NiNsee) was established (ibid.). In 2013, the King was present at the national Ketu Ketu celebration in the context of the 150th anniversary of the abolition, but to the disappointment of many involved, he did not apologise for slavery. According to Immler (2023), “the moment was not understood and not seized” (p.97). Nevertheless, Vice Prime Minister Asscher said he felt “deep regret and remorse” for the Dutch slavery past (Baaziz, 2013).

On August 23, 2019, the International Day for the Memory of the Slave Trade and its Abolition, a group of activists and academics asked the Dutch government to formally apologise (Immler, 2023). The killing of George Floyd and the surge in BLM activism in the Netherlands in 2020 intensified the debates about the necessity of the state to face its colonial history (van Engelenhoven, 2022). Consequently, a National Advisory Panel was installed. In its 2021 report⁶, the panel concluded that Dutch participation in slavery had been a crime against humanity deserving of a formal apology and financial reparations (Nationaal Archief, 2022). On July 1, 2022, the mayor of Amsterdam apologised for the city's role in the slavery past, after which other cities and two banks followed (ibid.). On December 19, 2022, Dutch Prime Minister Mark Rutte apologised for the Dutch role in the Atlantic slave trade and slavery in the Caribbean and Suriname (Rijksoverheid, 2022). Rutte apologised for the crimes against humanity committed under Dutch rule, citing the centuries-long commodification, exploitation and mistreatment of enslaved people and its effects on descendants. The Prime Minister stated how the perspective of many had begun to shift from “a past behind us” to a past perpetuating “racist stereotypes, discriminative patterns of exclusion and social inequality”. Six ministers delivered additional speeches throughout the Dutch Kingdom and Suriname (ibid.). The apologies were followed by a ‘Remembrance Year’ from July 1, 2023, until July 1, 2024, as part of which the government would support various projects in the Netherlands, Suriname, and the Caribbean. Furthermore, a 200-million-euro fund was set up for societal initiatives to fight structural inequality and increase awareness and knowledge about the past throughout the Kingdom and Suriname (Rijksoverheid, 2024). In 2022, the government began developing plans for a National Slavery Museum (ibid.). Finally, on July 1, 2023, the day slavery was

⁶ The report, *Ketenen van het Verleden (Chains of the Past)* was published in 2021 and contains recommendations to the Dutch government on how to deal with its past. In addition, it includes reports of dialogues with various interest groups and a wide range of op-eds and essays from academics and activists.

abolished, King Willem Alexander apologised for the slave trade and slavery in the name of the government and the royal house (NOS, 2023).

Sophiedela was part of a lively post-colonial debate that developed about the slavery past and the Dutch national identity in the 1990s (Oostindie, 2008). Van Leeuwen (2008) defines this post-colonial debate as the “reflection on the political, historical and cultural consequences of Dutch colonialism (...) and the power relations in our contemporary society and relations with Indonesia, Suriname and the Netherlands Antilles and other former colonial powers” (p.12). Sophiedela and other movements such as the National Platform Slavery Past challenged the Dutch government to confront the country's long-standing facilitation of slavery and its legacies (van Stripiaan, 2016) and stressed the necessity for everyone to become free from colonial structures of thinking, representing, valuing and feeling (Deen, 2018). These post-colonial movements, in turn, emerged with the considerable post-colonial immigration flows of the late 20th century and the consequent emergence of a multicultural society (Oostindie, 2008). According to Oostindie (2008), the Afro-Antillean and Afro-Surinamese communities in the Netherlands had grown and become vocal to such an extent that the slavery past could not be overlooked any longer.

5.2. Beyond Considerations of Healing and Justice

The above explanation that the Dutch government may have finally engaged in TJ efforts because of the calls of communities and activists suggests that the decision was made for *therapeutic* or *justice* reasons; to recognise descendants' suffering and aid their healing and to reconcile Dutch society and reform it to a more just and egalitarian image. The following section, however, argues that the Netherlands' TJ efforts for its colonial human rights abuses should also be considered as strategic political acts to improve the Netherlands' public *image*.

Abolition and Apologising: A Comparison

First, a parallel could be drawn to the interplay of economic, humanitarian and reputational considerations in the process towards abolition, to stress the importance of considering state interest-driven motives in the Netherlands' recent TJ efforts. The Dutch government came to decide to abolish slavery because of a combination of economic concerns about the preservation of its Surinamese colony, ethical and normative considerations, and an occupation with its international reputation. To start with, scholars have argued that abolition originated from economic considerations (e.g., Kuitenbrouwer, 1978). According to Nimako (2023), parliamentarians ultimately agreed with the abolitionist proposals because abolition became a means to preserve the Suriname colonies. The population in Suriname was steeply declining and losing its profitability, which required a new economic model and a different labour structure. In 1853, the advisory State Commission concluded that the Netherlands could only remain its colonies if it would 'emancipate' the enslaved (Nimako & Willemsen, 2011). Moreover, Siwpersad argues that the silence of many of abolitionists in the years 1848-1853 was caused by a feeling of paralysis, caused by the idea that abolition would plunge the country into an economic crisis (1979).

In contrast with England, France and the US, there was a remarkable absence of any big abolitionist movement or significant national interest in the Netherlands (Postma, 2008). In fact, the Dutch public's view on abolition and the cause of the enslaved has been characterised as 'feeble' (van Winter, 1952). In the literature, a notable shift in attitude only occurred after 1790, when an influential French abolitionist work was translated into Dutch, resulting in an increase in Dutch abolitionist writings. Nevertheless, most abolitionist publications were written by anonymous authors, illustrating the lack of support for their stance (Postma, 2008). Magazines mainly provoked discussion between historians, artists, politicians and clergymen while newspapers were often insufficiently informative about colonial issues and politics (Toes,

1992). According to Janse (2007), abolitionism was also hindered because colonial policy was primarily a royal affair, and the Dutch democracy knew no popular representation. Furthermore, critical voices were suppressed out of fear of disturbances and revolution in the colonies. Regional differences and division, moreover, inhibited the development of an efficient abolitionist movement (Janse, 2007).

However, even though abolitionism in the Netherlands never became an ‘affair of the people’ (van Winter, 1952), humanitarian reasons played a role. In the 1820s and 1830s, the view that slavery was contrary to the natural freedom and equality of people slowly gained traction (Tang, 2021). In the 1840s, abolitionism gained more followers. In 1842, the Society for the Promotion of the Abolition of Slavery grew rapidly in popularity (Kuitenbrouwer, 1978). Interest in the issue of slavery was mainly stimulated by the publication of *Slaves and Freeman under the Dutch Law* by Van Hoëvell in 1854, which constituted a major indictment against Surinamese slavery and ardently pleaded for immediate emancipation (Kuitenbrouwer, 1978). Moreover, British abolitionists tried to persuade the Dutch through propaganda and personal contact (Janse, 2007). Clergymen also started opposing slavery with Christian arguments (Tang, 2021), while liberal thinkers and politicians spread Enlightened ideals, condemning slavery on moral grounds (Janse, 2007). Reputational concerns also seem to have played a role. A State Commission meeting report of 1857 shows that the government had become convinced that slavery was “a curse and a stain on the reputation of the Dutch state”. The report mentions that many in the Dutch government and the commission saw abolition as “a duty” dictated by religion, humanitarianism and Enlightened statehood (Commissie, 1857).

It is crucial to consider the role of Afro-Atlantic acts of resistance and ideas in the process towards abolition and emancipation (e.g., Blackburn, 2010; Nimako, 2023). In 1795, the biggest anti-slavery revolt in the Dutch colonies occurred against the background of the successful Haitian Revolution in 1791 in the then-French colony and wider revolts in the

Caribbean. On Curaçao, revolt leader Tula advocated for abolition on the grounds of equal rights for all (Nimako, 2023). Archival research cannot establish any correlation between such insurrections by enslaved people and the abolition of the slave trade or slavery (Oostindie, 2011). Moreover, the 1795 uprising and its brutal suppression probably failed to reach the Dutch metropolis and thus provoke protest there. Nevertheless, it is safe to assume that enslaved people and abolitionists influenced each other in the struggle for emancipation (Eltis & Engerman, 2010). According to Tang (2021), the resistance of the enslaved and the escape of many people into the Surinamese jungle were important factors. In the autumn of 1862, the government tried to bring back runaway slaves forcibly, but expeditions ended in a fiasco. Similarly, Kuitenbrouwer (1978) argues that growing unrest among the enslaved population in the colonies helped get the abolition bill by parliament in 1863.

*The Merchant and the Pastor*⁷

Second, any explanation for the Dutch TJ efforts needs to consider the parameters of the contemporary international context in which the Dutch state finds itself. It is in this context that the Netherlands' concerns itself with and constructs its reputation as a state. Moreover, in an increasingly globalised world and especially for a small country such as the Netherlands, considering its global environment and its foreign policy interests is paramount in trying to understand its domestic policies (e.g., Kaarbo, 2015; Fearon, 1998). In addition, colonialism and slavery were globalised phenomena, having fundamentally shaped the contours of the present-day international order (Sharman & Zarakol, 2024) and providing the context in which formerly colonised peoples and states are compelled to assert their rights and address historical injustices (Guadeloupe, 2021). Thus, the Netherlands' endeavours in transitional justice have

⁷ A traditional typification of the Dutch spirit, with 'the merchant' personifying the commercial, and 'the pastor' the moral spirit (Geluk, 2004).

reverberations that extend beyond its own territorial confines, making an impact on its relations with former colonial powers and colonised states.

When considering the international context and foreign policy concerns of the Netherlands, analysing the role of strategic considerations is especially important. Dutch foreign policymaking has been characterised by a discernible tension between ethical, moral, and occasionally ideological imperatives on the one hand, and pragmatic, self-interested considerations on the other (AIV, 2022). This diplomatic practice means the Netherlands genuinely expresses concerns and advocates for human rights through support for various programs and organisations, while simultaneously maintaining a cautious approach to avoid significant disruptions to its direct, and especially economic, interests (ibid.).

A Fundamental Break with the Past?

Third, despite growing attention to the past and its contemporary legacies, many authors remain sceptical about whether a true norm shift has materialised in Dutch society and politics (e.g., Brandon et al., 2020; Deen, 2018). In the absence of a norm shift, ‘therapeutic’ and ‘justice’ theories alone for the TJ efforts may fall short of explaining the Netherlands’ reckoning with its crimes. In scholarly discourse, the Netherlands is portrayed as having ‘silenced’ its past (Horton & Kardux, 2004; Scagliola, 2007). Horton and Kardux (2004, p.51), for instance, argue that slavery has been effectively “erased from public consciousness”. Other researchers contend that Dutch society has not forgotten its colonial history but has failed to remember it critically (Balkenhol, 2016; Bijl, 2015; Bosma, 2012). Bijl (2015) suggests that the colonial past may appear absent because it does not fit within established frameworks of thought, leading to a state of ‘cultural aphasia’⁸. Similarly, Balkenhol (2016) asserts that despite Dutch historiography, media, and culture consistently highlighting the brutality of slavery, these

⁸ As defined by Laura Stoler (2011).

narratives often reinforce a self-congratulatory image of Dutch humanism rather than fostering political solidarity. Bosma and colleagues (2012) argue that there is a lack of "moral indignation" (p.193) regarding the colonial past, and the concept of postcolonialism is seldom linked to the Netherlands' multicultural identity. Generally, histories of colonialism hold a peripheral position in the Netherlands' national customs and sites of remembrance (Wekker, 2016).). Until recently, the Dutch population was largely unaware of the country's involvement in the Atlantic slave trade and slavery (van Stripiaan, 2016). Moreover, Deen (2018) has demonstrated how in contemporary Dutch political discourse, issues concerning structural racism and representations of colonial history are frequently disregarded as individual emotions. She shows that in newspapers and broadcasts, decolonial activists are frequently accused of having "emotional and short-sighted perceptions of history" and of "moralising from their own contemporary norms" (ibid., p.17).

Explanations for the alleged absence of an apologetic culture of remembrance primarily stress the incompatibility of colonialism with the Netherlands' self-image. The dominant way the nation has seen and represented itself since the 19th century is as non-violent, tolerant, and civilised. Debating the brutal and violent colonial past is therefore seen as a threat to its self-image (e.g., Bijl, 2015; Houben, 1997; Wekker, 2016). Furthermore, the seventeenth century is still frequently celebrated as the 'Golden Age'. As the colonies and slavery enabled the Dutch Republic's economic and political rise, the period has been looked at with national pride (Houben, 1997). The Netherlands' self-perception as a WWII victim may have also complicated the country's imagination as a colonial perpetrator (Lorenz, 2015).

The contestations and controversies that surrounded the Netherlands' TJ efforts add force to the argument that strategic considerations played an important role in the decision-making process. To start with, they were far from fully endorsed by Dutch politicians and the public, meaning that a fundamental norm shift is questionable. In 2012, the government stopped

financing NiNsee, thereby ending governmental subsidies to Dutch national slavery past activities (Heilbron, 2019). In the 2000s, Rita Verdonk, former minister and prominent populist, garnered significant support for her opposition to slavery monuments and anti-racism movements (van Stripiaan, 2016). Since Verdonk's withdrawal from the political scene, the tone of political discourse has only grown harsher and less tolerant. Those employing such rhetoric now hold considerable sway in Dutch politics (ibid.), with populist leader Geert Wilders announcing his intention to withdraw the national apologies (Wiegman, 2023). Moreover, the national apologies are not widely endorsed by Dutch society. In early 2023, research showed that 46% of Dutch people do not support them, in contrast with a 40% approval rate (van der Schelde & Kanne, 2023). More fundamentally, the Dutch government's policies were troubled by controversies that question whether they constitute a genuine attempt at healing and reform or are primarily attempts at improving the Netherlands' reputation. Apart from many positive responses, descendants and organisations criticised the apologies' rushed nature and the absence of sufficient consultation with the beneficiaries (Henley, 2022). For example, while many organisations had asked for the national apologies to be issued on July 1 – abolition day – the government decided to issue them in December (Bhikie, 2022). The fact that one of the apologising ministers, Franc Weerwind, is himself a descendant, was also seen as inappropriate (den Hartog, 2022).

5.3. Bolstering the Liberal Script and Making New Friends

After having demonstrated that considerations of healing or societal reconciliation may fall short in explaining the Dutch contrition efforts for its colonial crimes, this section proposes that the TJ efforts may be productively explained by seeing them as strategic diplomatic attempts to repair, advance and bolster the liberal order, to mend or improve the Dutch state's reputation, and to foster new and improve existing partnerships with the Global South.

First of all, the decision by the Dutch government to implement TJ measures may be explained by its perception that the liberal order is increasingly contested. In response, the Netherlands may wish to promote the liberal script by confirming its narrative commitment to human rights and the rule of law. In recent years, Dutch policy has been increasingly concerned with the changing world order. The Dutch 2019 Budget Memorandum mentioned that “while the Netherlands benefits from a prosperous and safe world, international cooperation is under pressure” (Tweede Kamer, 2018, p.59). The Foreign Policy Priorities report for 2022 reads that “the international legal order is under increasing stress” (Ministry of Finance [MinFin], 2021). The Netherlands’ concern with the order’s crisis is unsurprising, considering that the welfare, stability and safety it has enjoyed over the last decades were facilitated by its hegemony (Sjursen, 2023). The Netherlands’ Policy Framework Global Multilateralism (Ministry of Foreign Affairs [MFA], 2023b, p.8) stressed how the Kingdom depends on a “stable world in which countries collaborate on the basis of multilateral agreements” for its “prosperity, well-being and safety”. It further highlights that the Netherlands has “undeniably benefited from the multilateral system because the interests and values of the Kingdom could be promoted as a community”. It stresses how the contemporary order has allowed the country to develop into one of the world’s most prosperous countries with “high norms with regards to democracy, human rights, the rule of law and fundamental freedoms” (ibid., p.13). Therefore, the Netherlands has “a great interest in a world in which countries work together based on clear agreements and in which countries can hold each other accountable if these agreements are violated” (ibid., p.13). In response to this threat perception, Dutch foreign policy has become concerned with protecting and restoring the fundamental principles inherent in multilateral institutions. The Advisory Council on International Affairs⁹ published a report in 2022 about ‘human rights in a changing world’ on request by the Dutch government in 2021 because of the

⁹ The Advisory Council on International Affairs (AIV) is an independent body which advises the Dutch government and parliament on foreign policy (AIV, n.d.).

“mounting pressure on the multilateral system” (p.5). The Council notes that as “international law and human rights protection have contributed significantly to a global playing field in which (...) the Netherlands can thrive”, needed is “both a normative and moral commitment to human rights and a *realpolitikal* approach” (ibid., p.32-33). Similarly, the 2022 Foreign Policy Priorities report states that as “autocratic voices are becoming louder on the world stage and critical voices are being silenced”, “there must be a strong democratic voice in response” (MinFin, 2021), while the Multilateralism Framework states that the Kingdom wishes to “work towards a modern, inclusive and effective multilateral order” (MFA, 2023b, p.27) by protecting the “fundamental principles inherent to multilateral institutions”, and developing and propagating “a strong narrative” (ibid., p.27). As contrition efforts by states can serve as ceremonial acts that disseminate and bring into focus liberal normative principles of international politics, the TJ efforts serve the interests of the Dutch state (Bentley, 2016). The Dutch apologies and reparative measures may function to underscore central liberal principles by highlighting a commitment to human rights standards, publicly denouncing instances of injustice and violence, and showing transparency and accountability for the state's actions (ibid.).

Second, the Netherlands may engage in TJ efforts in an attempt to improve or repair its international reputation in the face of an international community of like-minded states with a strong emphasis on a narrative commitment to ethical standards. Especially since the end of the Cold War, it has become increasingly important for states to adhere to liberal discourses of human rights. Failing to comply with human rights norms results in states losing legitimacy and, in case of serious violations, stigmatisation and being placed outside the group of “civilised states” (Adler-Nissen, 2014, p.144). Moreover, according to Fassin (2012), the post-Cold War era saw the rise of 'humanitarian government' which requires states to express their identity, legitimacy, and policies in ‘moral sentiments’. In this context, a narrative commitment to

morality and human rights norms in foreign policy has become a key aspect of state legitimacy (Levy & Sznajder, 2010). Barkan (2002, p.xvii) observes that the “new international emphasis on morality” has led to not only accusing other countries of human rights abuses and crimes but also to self-examination. Mihai (2013) argues that a well-executed apology puts a country “in the best possible light: as liberal democrats who live up to our political identity by taking responsibility for our unsavoury past.” (p.4). To bolster its public image and legitimacy, the Netherlands may showcase its adherence to key tenets of the liberal order, human rights and the rule of law, by implementing TJ mechanisms for its colonial crimes. Indeed, the Advisory Council stressed that contemplating the nation’s own “failures in protecting human rights” such as the history of slavery and the decolonisation war in Indonesia is highly important (AIV, 2022, p.32) as “the failure to protect human rights by advocates of the human rights system has, over time, eroded its credibility and undermined the system”. Thus, the Council argued that the Netherlands needs to “critically interrogate” the human rights situation throughout the Kingdom (ibid., p.33).

Third, the Netherlands may have implemented TJ efforts to mend or improve its reputation to develop its relations with untraditional partners in the Global South, including its former colonies. In an age marked by interdependence, increased geopolitical tensions and power shifting away from the West, the relevance of fostering relationships with the rising, non-Western developing world has become ever more important (Bentley, 2016; Klingebiel, 2022). Western nations face growing pressure to reconcile with their former colonies as they realise that they cannot base their leadership on traditional coalitions (Ikenberry, 2018). As a result, the Global South is increasingly becoming a sought-after strategic partner for Europe (Klingebiel, 2022; Lo, 2023). The 2023 Priorities report notes that “multilateral cooperation is more important than ever in the face of global challenges” which “can only be faced through close cooperation with partners and allies” (MinFin, 2022). Moreover, the Multilateralism

Framework (2023b, p.27) notes that to do so, “it will not suffice to only work with traditionally like-minded states”. The 2022 Priorities report writes that this requires intensifying the relationship with countries outside the Netherlands’ traditional partnerships which attach importance to “a future-proof and fair multilateral system” (MinFin, 2021). In 2023, the Dutch government published a new “Africa strategy”, necessitated by the “geopolitical changes in the world and Africa” and aiming to ensure access to critical materials, control over migration and improve stability and safety (MFA, 2023a). The 2024 Foreign Policy Priorities report stresses the necessity of “strengthened engagement” with countries in Africa, Latin-America and the Indo-Pacific (MinFin, 2023) and notes that it focuses especially on a “constructive and equal relationship with Suriname” (ibid.). Moreover, the Dutch Foreign Ministry is trying to improve its relations with Small Island Development States (SIDS). The SIDS are recognised as a distinct group because of their unique social, economic and environmental vulnerabilities (UN, n.d.). The Multilateralism Framework (MFA, 2023b) mentions that this concern originates in their importance as partners of the Kingdom’s Caribbean islands and the assistance they require because of their vulnerability. However, the fact that “the SIDS represent a substantial part of the UN-membership (38 members and 20 non-associated members of the regional commission)” (ibid., p.13) arguably plays a role as well. To improve its relations and establish new partnerships with states in the Global South, the Netherlands needs to be perceived as a credible and honourable actor. As noted earlier, however, European nations face serious reputational problems in the Global South (Khar, 2024). Thus, the TJ efforts for its colonial crimes may have been implemented in a diplomatic effort to ease tensions and foster improved and more equitable relations with previously colonised states and peoples (Bentley, 2016). Indeed, the Advisory Council report (2022) states that the liberal West has undermined itself by failing to live up to its promises. As “it aids the credibility and allows for dialogue if the own situation is acknowledged”, the report concludes that “recognising the shortcomings of the

West” would be in the Netherlands’ own interest (ibid., p.33). In light of the above, the Netherlands’ national apologies, the construction of the National Slavery Museum and the fund to raise awareness can be seen as strategic tools in an attempt to reorient itself in a changing global environment in which the liberal order that has guaranteed the country’s safety, stability and welfare for almost a century, has become seriously endangered and questioned.

Conclusion

This thesis studied the reasons for the proliferation of transitional justice attempts by former colonial powers for colonialism, the slave trade and slavery, by taking up the contrition efforts by the Netherlands as a case study. By analysing how the Dutch government came to the decision to make amends for its past, the thesis explored the utility of various theoretical explanations for state TJ efforts and has shown the necessity of questioning the ideal view of TJ by states as tools of moral repair or societal reconciliation. In this way, the research has addressed an understudied aspect of the post-colonial transitional justice literature. It argued that while the Dutch government’s responsiveness to post-immigrant communities’ and activists’ demands can be interpreted as a gesture to help descendants in their healing process and transform Dutch society to a more just image, solely relying on ‘therapeutic’ and ‘justice’ theories proves inadequate in comprehensively understanding TJ efforts as inherently political acts. It has done so by drawing a parallel with the combination of economic, humanitarian and reputational considerations that played a role in the abolition process, highlighting the parameters of the world's modern political-economic equipment and the tension between moral as well as pragmatic considerations in Dutch foreign policy making, and showcasing the absence of conclusive evidence that a fundamental norm shift regarding the Atlantic colonial past has transpired in the Netherlands.

Taking an alternative angle to explain state contrition efforts for colonial crimes, this thesis has situated this development explicitly in the contemporary global context. Reviewing recent Dutch policy documents, the thesis has shown that the TJ efforts can be fruitfully explained as a strategic attempt to improve and repair the Dutch state's reputation, aimed at bolstering the 'liberal script', aligning its international public image with its liberal complexion, and fostering improved relations with the Global South. Simultaneously, the study has underscored the ways Western liberal states are attempting to reorient themselves in a world in which the liberal script and their hegemonic position of power are becoming increasingly questioned. As the literature review elucidated, TJ's failure to address colonial crimes has been attributed to its nature as a postcolonial liberal enterprise. Adopting the liberal order as its central concept, the thesis has employed it to explain the reverse, arguing that now that the liberal script is becoming increasingly contested, the Netherlands makes amends for its violent past to uphold the order that has ensured its welfare, stability and safety, while trying to repair and improve its foreign relations with formerly colonised countries.

Underscoring the foundations of transitional justice in the liberal international order and the necessity of considering a non-ideal view of TJ efforts for colonial wrongdoing warrants a critical reflection on the transformative power of transitional justice. The shortcomings of the Dutch national apologies were seen as 'painful, outdated and colonial' (Bhikie, 2022) and as indications that colonial attitudes still dominate the relationships between Suriname, the Caribbean islands and the Netherlands (Lewis, 2023). As inherently political acts, the benefits for the apologising and redeeming state cannot be ignored. The cynical perspective, then, would view the Dutch policies as merely superficial rhetoric, serving to uphold the Netherlands' facade of being a tolerant, progressive nation publicly, while covertly perpetuating the same colonialist path marked by liberalism and hypocrisy. In this view, transitional justice is unable to foster structural justice, instead reinforcing the unequal colonial power structures that enabled

injustices in the first place (Moyo, 2015; Park, 2020; Sesay, 2022). True decolonisation, Mohamed Sesay (2022, p.258) writes, cannot be attained by a change in the ‘legitimizing regime’ to restore a broken relationship within the modern system, but has to fundamentally question and transform “the legitimacy and morality of that very modern state and economy which emerged from colonial capitalism, forced displacement, state-sponsored land grab and massive atrocities linked to colonialism”.

Yet, in acknowledging the harm done, incorporating the stories of descendants in the national narrative, and foregrounding the historical structural origins of present unjust systems and practices, TJ may be complementary to structural justice and decolonisation (Sesay, 2020). The transitional justice efforts by the Netherlands have brought to light unjust systems rooted in colonial histories, prompting renewed focus on them as ongoing political endeavours. In the interplay between activists demanding, accepting, critiquing or rejecting apologies and contrition efforts and the state’s responses, we see “their potential to bring about change by enacting counterhegemonic relations to the state” (Friedrich, 2022, p.700). Regardless of the intentions behind these efforts, the Dutch national apologies have bolstered the postcolonial debate in the country. Moreover, in response to the criticism it received for the mistakes made in administering the national apologies, the Dutch government announced to oversee the 200 million fund in coordination with descendants and civil society organisations (Groenewoud, 2022). Moreover, the fact that the national apologies were framed as “a comma, not a period” (Rijksoverheid, 2024) – acknowledging the need to substantiate them with measures aimed at raising awareness of the Dutch Atlantic colonial and slave trade history and its contemporary legacies –, speaks of a realisation that addressing the colonial past is a work in progress.

By apologising, the Netherlands has publicly acknowledged the unjust foundations of the liberal order and its contemporary welfare and stability. Recognising its crimes may work in its interest, bolstering the liberal order and its relations with like-minded states while

modernising its partnerships with the Global South. Alternatively, it may emphasise the hypocrisy of the liberal order and the inequality that characterises many of its relations with former colonies, resulting in splintering effects. Further research could explore the impact of contrition efforts for the colonial past on the liberal script and states' foreign relations.

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