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**Living in the Wake of the Truth and
Reconciliation Commission: A Retroactive
Reflection**

by

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To understand and evaluate the Truth and Reconciliation Commission, it is crucial to understand its origin and identity. It emerged as result of a negotiated settlement between black and white, within which neither side won or lost. The conflict began with a fragile white Portuguese presence in the Cape in the latter part of the fifteenth century. It endured Dutch and English colonialism from the seventeenth century to the beginning of the twentieth. It persisted through generations of institutionalised racism and culminated in a thirty-year race war.

In the words of Shakespeare's *Macbeth*: "as two spent swimmers, that do cling together", it drew to a climax in an historic settlement, forged essentially between black Africans and white Boers. The settlement was designed to stop an escalating war that threatened to destroy the very identity, infrastructure and promise of a nation yet to be born. Both sides to the conflict somehow believed that new life could still emerge out of the phoenix strife that characterized the apartheid years. The TRC was expected to facilitate the process. Its brief was to help cultivate a milieu within which the gross violations of the past would not be repeated in the future.

Judge Richard Goldstone, Justice of the Constitutional Court and former Prosecutor of the International Criminal Tribunal for the former Yugoslavia and later for Rwanda, put it this way:

The decision to opt for a Truth and Reconciliation Commission was an important compromise. If the ANC had insisted on Nuremberg-style trials for the leaders of the former apartheid government, there would have been no peaceful transition to democracy, and if the former government had insisted on a blanket amnesty then, similarly, the negotiations would have broken down. A bloody revolution sooner rather than later would have been inevitable. The Truth and Reconciliation Commission is a bridge from the old to the new¹.

The work of the Commission was divided into three committees: The Human Rights Violations Committee, which heard testimony of victims and survivors of gross violations of human rights. Its task was to give victims and survivors an opportunity to tell the nation of the gross violations of human rights which they or their families had suffered. It held public hearings in every part of the country – in big cities, villages and rural areas. On the basis of investigation and research, it was required to make findings on the person who appeared before it as a basis for recommending the payment of possible reparations. The Reparations and Rehabilitation Committee's task was to devise and recommend to the President an appropriate package of reparations for those found to be victims. The Amnesty Committee invited perpetrators to apply for amnesty in return for full disclosure of their activities in public under cross examination.

The activities of the Commission culminated in the Report being handed to the President on 29 October 1998. 22,500 victims of gross violations of human rights volunteered to tell the Commission their stories. Over 7,000 people applied for amnesty. The TRC, with the exception of some amnesty

¹ Goldstone 1997.

hearings that are still outstanding, is now over. It must be over. It is time to move on. The nation was experiencing what the media called “TRC fatigue”. Having received saturation coverage in the media, no South African (black or white) can ever again say “it did not happen” or “I never knew”. And yet the past dies only with difficulty. Some struggle to put it behind them, others continue to seek to turn away from it too quickly – not wanting to stop to reflect too deeply, to look too carefully, or to take responsibility for what happened.

Has the Experiment Worked?

Some ask more brashly, has the Commission saved or reconciled the nation? The answer is “of course not”. It would be presumptuous to think that a Commission of the nature and duration of the TRC could reconcile a nation torn apart by 350 years of colonialism and fifty years of apartheid rule. The mandate of the Commission was captured in the title of its founding act, *The Promotion of National Unity and Reconciliation Act (No 34 of 1995)*. Its mandate was the *promotion* of national unity and reconciliation. The Commission has contributed to this process, in the sense of promoting, consolidating and advancing a process of reconciliation that had started with the negotiation process and needs to continue to happen if it is to succeed².

I offer three somewhat crude models or typologies of response to the TRC in South Africa:

Some Rejected the Mandate of the Commission

There is an understandable reluctance among some victims to put the past behind them. Chris Ribeiro, the son of the murdered Florence and Fabian Ribeiro, objected to anyone “pushing reconciliation down my throat”. Marius Schoon, who lost his wife and a daughter in a South African army raid into Botswana, in turn, complains about “the imposition of a Christian morality of forgiveness”.

Polish Dissident, Adam Michnik tells that when he was in prison he resolved never to seek revenge or to refuse to forgive. Yet he kept repeating to himself a fragment of Zbigniew Herbert’s poem: “And do not forgive, as it is not within your power to forgive on behalf of those betrayed at dawn”. He argued that we can forgive harm done *to us*. But, it is not in our power to forgive harm done *to others*. “We can try to convince people to forgive, but if they want justice, they are entitled to demand it”³.

It is the responsibility of the democratically elected government to govern, mindful that some within the nation are not prepared to put the past behind them. The point is well made by Jose Zalaquett, who served on the Chilean National Truth and Reconciliation Commission. “Leaders,” he suggests,

² See Gerwel 2000.

“should never forget that the lack of political pressure to put these issues on the agenda does not mean they are not boiling underground, waiting to erupt.”⁴ The demand by many Chileans, almost ten years after the establishment of the Chilean Commission, that General Augusto Pinochet stand trial, following his arrest in the United Kingdom, underlines Zalaquett’s point. Some are not prepared to settle for less than retribution. Some even demand revenge.

Some Enthusiastically Embraced the Mandate of the Commission

Having spent 27 years in prison, former President Nelson Mandela was ready to forgive and be reconciled with those who jailed him. Not everyone could emulate his stance. Yet people like Cynthia Nomveyu Ngewu, whose son, Christopher Piet, was one of the Gugulethu Seven shot by the police in an ambush in March 1986, was asked for her response to the position of those who supported the imprisonment of perpetrators, she replied:

In my opinion, I do not agree with this view. We do not want to see people suffer in the same way that we did suffer, and we did not want our families to have suffered. We do not want to return the suffering that was imposed upon us. So, I do not agree with that view at all. We would like to see peace in this country ... I think that all South Africans should be committed to the idea of re-accepting these people back into the community. We do not want to return the evil that perpetrators committed to the nation. We want to demonstrate humanness towards them, so that they in turn may restore their own humanity⁵.

The testimony of Ginn Fourie, mother of Lyndi Fourie who was killed in the Heidelberg Tavern massacre, carried out by three young APLA (Azanian People’s Liberation Army) operatives in December 1993, captures the importance of discovering the humanity, compassion and courtesy of her daughter’s assassins. At the close of the amnesty hearing for the young men responsible for the deed, Mrs Fourie met with them as they were about to be returned to their prison cells. She had on a previous occasion offered them her forgiveness. They had suggested that perhaps there was a need for joint counseling, involving perpetrator and victim or survivor. I quote her account of the meeting:

The warders insisted that the meeting adjourn, a hug for each indicated the depth of community we had entered into in this short while. The amnesty applicants then shackled themselves, which at that moment symbolised to me the enormous responsibility which accompanies freedom of choice and the sad outcome of making poor choices. Tears came to my eyes. Humphrey Gqomfa (one of the killers) turned to the interpreter and said: “Please take Mrs Fourie home.” Once more I was amazed by the sensitivity and leadership potential of this man, the same man who was also a perpetrator of gross violations of human rights against my own daughter⁶.

³ In *Journal of Democracy*, Volume 4, No.1, January 1993.

⁴ Boraine et al 1994, p.15.

⁵ *Truth and Reconciliation Commission of South Africa Report 1998*, Vol 5, Chapter 9, para. 33.

⁶ Fourie 2000.

The magnanimity of spirit shown by Ginn Fourie and the killers of her daughter should never be taken for granted. It cannot be demanded of anyone. It is, at the same time, the kind of response that constitutes the wellspring on which healing is premised for victim and perpetrator alike. There are other stories. They include the story of Neville Clarence who lost his sight in the Church Street bomb detonated outside of the Airforce Headquarters in Pretoria on 20 May 1983. Although blinded by the bomb, Clarence seemed to look Aboobaker Ismael, the commanding officer of the operation of Mkhonto we Sizwe (MK), the armed wing of the African National Congress, in the eye: "I forgive you for what you have done. I came ... to share my feelings with you. I wanted you to know that I harbour no thoughts of revenge."⁷ Brian Mitchell, responsible for the Trust Fields Massacre in December 1988 asked for forgiveness of those who survived the attack and committed himself to working in the community he had destroyed. Jubulisiwe Ngubane, who had lost her mother and her children in the attack observed: "It is not easy to forgive, but because he stepped forward and asked for forgiveness, I have no choice. I must forgive him ..."⁸.

Some did forgive. It cannot be demanded. It cannot be presumed. It cannot even be expected. Where it happens it is grace.

The Majority of South Africans are Essentially Ambivalent about the Mandate of the Commission

The ambivalence has many different sources. There are those (primarily whites) whose ambivalence comes to expression primarily in indifference. They want to forget the past. Some want to ignore its persisting presence. Few are ready to engage it, reflect on it and ask what it may teach them about the present and the future.

There is another kind of ambivalence about the past which manifests itself in an inability not to remember, while being determined to get on with life. One sees this among private individuals who have borne the brunt of the past and now struggle to engage the future. One also sees this among those in government who are eager to close past wounds and to have the nation move on. Their fear is that too much memory will fuel continuing resentments. It will reopen past divisions and undermine possibilities of peaceful coexistence.

These differing sources of ambivalence, giving expression to opposite political and ideological poles in a nation living between the past and the future, ironically find a measure of common ground in an unclear response to the past. They find this in a desire to look forward: to go to school or have their children do so, to get jobs and be successful, to have their offspring succeed in life, to enjoy the "good things" of life, to live and let live. It is a philosophy that at times makes for a robust

⁷ Meiring 1999, pp. 339-341.

⁸ Mering 1999, pp. 121-123.

competitiveness and at times for a measure of protectionism. It, at the same time, carries the seed of rugged individualism and a potential indifference to the lesson that the past has to teach. (I was recently in conversation with a very bright and ambitious young black student who told me that 'the struggle' of the 1980s was not his struggle. He explained that his struggle is the future. It involves gaining material prosperity and social influence.)

The president of the then Federal Republic of Germany, Richard von Weizsacker, made an important speech in 1995 concerning Germany's Nazi past, in which he said that while there was no "zero hour" for the German people in moving the past to the future, there was a fresh start.⁹ South Africa has in some ways risked a similar (but, of course, different) kind of transition.

It is too early to say whether it has worked. If those who in different ways supported, promoted, tolerated and invariably benefited from apartheid are not prepared to build a new South Africa, the forces that brought the nation to the brink of disaster in 1989 could be found to still be there – demanding satisfaction, this time, in a less compromising way. In the event that time and space are such that these matters can be dealt with, those at the two poles of the political memory spectrum may just find one another. It is what the present state leadership is hoping for, and yet, there are factors militating against it. Antjie Krog, celebrated author of *Country of My Skull*, tells of her recent visit to Germany. "I wanted to be there to find out how do you live with the responsibility and guilt of the past". she says. "I was astounded. I assumed other places are like South Africa, but what I didn't realise, of course, was that there were hardly any Jews left in Germany. Here [in South Africa] we see each other every daily – we confront the past daily..."¹⁰. The issues that divide the two ends of South African society stand out in sharp relief in the post apartheid period. The past continues to be present – economically, psychologically, spiritually and at a host of other levels from language and humour to art and music. And yet, it is within this diversity that South Africans need to learn to live together. It is here, in the morally murky ambivalence about the past, that nation-building will be required to happen. There is simply no other option. To expect every South African to undergo a cathartic experience in dealing with the past, is to expect everyone to be caught up in the enthusiasm of an evangelical preacher on a Sunday morning. In reality, most people do not even show up to hear the sermon.

Given these Different Responses to the TRC, Can the Nation Heal Itself?

Bad memories do not easily go away. Timothy Garton Ash, the Oxford based historian reminds us that "often it is the victims who are cursed by memory, while perpetrators are blessed by forgetting."¹¹ In South Africa it is primarily those who suffered least (and prospered most) who are most determined to forget the pain of others. Those who survived the nightmare of suffering, torture

⁹ Shriver 1995, p. 84.

¹⁰ In "Top of the Times", *Cape Times*, February 25, 2000.

¹¹ Ash 1997, p. 201.

and death can do no other than remember. And yet, as suggested, some who have suffered and been deprived are, for different reasons, committed to move on. And yet, many of these people *can* do no other than remember.

Speaking in the National Assembly in May 1998, then Deputy President Thabo Mbeki identified two “interrelated elements” constitutive of the process of the reconciliation needed between what he calls the “two nations in one country”, one which is “white and relatively prosperous” and the other which is “black and poor”.

The first element of Mbeki's analysis of the challenge facing South Africa, is the creation of a material base whereby the “grossly underdeveloped” black nation may be assisted to elevate themselves from the vastly inferior material living conditions they were forced to accept during apartheid. The need for this to happen, as an essential basis for healing and reconciliation, is self-explanatory.

The second challenge that Mbeki identified, is the promotion of what he called a “subjective factor”, aimed at sustaining the hope and conviction among South Africans that the process of reconciliation and nation building can succeed. As such, reconciliation is seen to involve an enduring process of reconstruction and economic development, but also the promotion of public processes designed to facilitate co-operation and trust between people who have lived in isolation from one another for so long. The Truth and Reconciliation Commission, despite the compromises, risks, shortcomings and court orders, has functioned essentially at this “subjective” level.

Now, in the wake of the work of the TRC, several questions need to be asked yet again. These are questions that were asked when the idea of a Commission was first mooted, as an alternative to both trials and amnesia.

Why Does a Nation Remember?

Is it merely because some cannot forget? Can it serve any good? Does time not eventually heal? Hear the words of President Roman Herzog on the occasion of the Deutscher Bundestag in 1996:

The pictures of the piles of corpses, of murdered children, women and men, of starved bodies are so penetrating that they remain distinctly engraved, not just in the minds of survivors and liberators, but in those who read and view accounts of [the holocaust] today. ... Why then do we have the will to keep this memory alive? Would it not be an evident desire to let the wounds heal into scars and to lay the dead to rest? ... History fades quickly if it is not part of one's own experience. [But] memory is living future. We do not want to conserve the horror. We want to draw lessons that future generations can use as guidance. ... In the light

of sober description the worst barbarous act shrinks into an anonymous event. If we wish for the erasure of this memory we ourselves will be the first victims of self-deception¹².

The implication is that we remember in order not to repeat past atrocities. The problem is that there is not much evidence to suggest that history equips us not to repeat past abuses. In March 1999 I heard Terrence McCaughey, President of the former Irish Anti Apartheid Movement, tell of his student days at Tübingen University in Germany in the late 1950s. There has been a week long film series on German politics from the Weimer Republic to the rise and fall of Adolf Hitler. Academic life almost came to a standstill. He tells of his Old Testament lecturer, Professor Karl Elliger, addressing his class on the morning after the final presentation: "You young people no doubt think we were all stupid not to have seen what was happening," he said. "We have no excuses. But learn this, evil never comes from the same direction, wearing the same face. I hope you will be wiser and more discerning than our generation when the threat of evil next comes around. You need to be vigilant." The professor turned to his notes and lectured his students on the Book of Joshua.

We remember in the hope that we will not repeat past atrocities. But primarily we remember because we cannot, while the past remains unresolved, lay its ghost to rest. The words of Rebecca Hanse, a relative of Fezile Hanse who, together with Andile Majol and Patrick Madikane was shot dead by riot police on 17 June 1985 in Bongolethu, a black township on the outskirts of Oudtshoorn, are pertinent:

We must preserve the bones of our children until they can rest in peace. We cannot forget. We must keep our children alive. They were not ready to die. There is much for them still to do. We are not ready to let them go¹³.

Maybe a time will come when their bones *will* rest in peace. In time, hopefully, the past will no longer be with us in as excruciating a way as it is at present.

Why do we remember? Ultimately the nation is called to remember for the sake of those who suffer. It is a manner of restoring the dignity of victims and survivors by ensuring that their suffering does not pass unnoticed. It is to say to victims and survivors: "Your suffering is part of our healing as a nation. We remember you".

¹² Presse und Informationsdienst der Bundesregierung, 23.01.96. Translated and quoted in Kayser 1997/98.

¹³ In conversation at the grave of the Bongolethu Three, June 1996. See also *Truth and Reconciliation Commission of South Africa Report* 1998, Volume 3, pp.437-439.

But, how Reliable is Memory?

Memory sometimes plays tricks on us. Bad memories are fraught with trauma and often with incomprehension. It gives expression to the inability of language to articulate what needs to be said. What are the implications of this healing and reconciliation?

Memory is perhaps always incomplete. Its very incompleteness is what cries out to be heard. There is the testimony of silence. There is body language. There is fear, anger and confusion. There is a struggle between telling what happened and explaining it away. Mxolisi (Ace) Mgxashe struggles with the very question of truth. “Inyani iyababa,” he observes. In Xhosa it means, “truth is bitter”.

... It is so bitter [that] sometimes we find ourselves quarreling over whether it should be told at all. Even when there has been some consensus that the truth should be told ... we invariably disagree on the extent to which it must be told¹⁴.

Sometimes we involuntarily hide the truth as much from ourselves as others. Antje Krog prefers not to even use the word “truth”. “I prefer the word lie,” she says. The moment the lie raises its head, I smell blood. Because it is there ... where truth is closest.”¹⁵ Truth rarely leaps forth to introduce itself unmolested by lies, confusion, forgetfulness and evasion. It needs to be dug out!

What then is the relationship between truth and fiction? Testifying at a Cape Town hearing of the TRC into the killing of the Guguletu Seven in April 1996, Cynthia Ngewu (to whom reference has already been made), the mother of Christopher Piet, one of those killed, wrestled with what had in fact happened. “Now nobody knows the real-real story,” she noted.¹⁶ The ambiguity of memory is real. It is a reality that is frequently exploited by people who seek to discredit those who have suffered and struggle to find words to articulate their deepest experience of what happened. Thus Anthea Jeffery attacks the Commission because (according to her) insufficient attention was given to the importance of factual or objective truth, by recognising the importance of what the Commission called *personal or narrative (dialogue) truth*, as well as *social truth* and *healing or restorative truth*. The Commission deliberately chose to wrestle with these notions of truth in relation to *factual or forensic truth*¹⁷. The Commission was not a court of law and (for good reason) it did not subject victim and survivor testimony to cross-examination¹⁸.

Albert Camus has defined truth as being “as mysterious as it is inaccessible” and yet, he insisted, worth “being fought for eternally”¹⁹. Its discovery involves a long and slow process. It often involves

¹⁴ *Argus*, 14 June 1996.

¹⁵ Krog 1998, p. 36.

¹⁶ Human Rights Violations’ Committee Hearing, Cape Town, 22 April 1996.

¹⁷ Jeffery 1999.

¹⁸ It did, however, through its corroboration assess such testimony on the basis of a balance of probability. Graeme Simpson is correct: “... most of the legal and jurisprudential dilemmas presented by the TRC process are actually rooted in its own almost bi-polar roles as both a “fact-finding” and a “quasi-judicial enterprise on the one hand, and as a psychologically sensitive mechanism for story telling and healing on the other.” In Simpson 1999.

¹⁹ Cherry 2000.

conflict arising from stories that contradict one another. This is part of the process of national reconciliation. Donald Shriver's words are compelling:

One does not argue long with people whom one deems of no real importance. Democracy is at its best when people of clashing points of view argue far into the night, because they know that the next day they are going to encounter each other as residents of the [same] neighbourhood²⁰.

The difficulties of creating democracy out of a culture of gross violations of human rights are immense. It can be facilitated through what the Chileans call *reconvivencia* – a period of getting used to living with each other again. Above all, it involves being exposed to the worst fears of one's adversaries. It requires getting to know one another, gaining a new insight into *what* happened as well as an empathetic understanding of *how* a particular event is viewed by one's adversaries.

Is there a Role for Story-Telling?

Getting to know one another and building relationships between former enemies involves many things. Important among these is welding together a story that unites rather than one that divides. This involves the difficult process of moving beyond testimony which, I have suggested, is frequently fraught with trauma, incompleteness and sometimes incomprehension.

This is perhaps where poetry, music and myth can contribute more to healing than any attempt to explain in some rigid forensic way "who did what to whom". Antjie Krog's celebrated novel on the work of the Commission, *Country of My Skull*²¹, weaves fragments from different testimonies and interviews into a semi-fictional historical account of events. The Commission was obliged to do both *more* and *less* than what she accomplished. It was, above all, obliged to be more comprehensive and thus compelled to reduce or translate the richness of raw memory, or what has been called first generation testimony, into historical narrative. This material awaits a dozen poets, musicians and story-tellers to be retold in a healing way. Silences in testimony need to be heard if not interpreted. There needs to be reading between the lines, behind the words and within the context of the moment. The testimony is to be heard for what it is – a cry from the heart. It is difficult to conceive how any historical text can capture that. And yet, the healing of the nation requires that it be heard.

Getting on with Life

Is it ever possible, for those who truly suffered, to put the past behind us? The words of holocaust victim Primo Levi can only haunt the soul of any person of

²⁰ Shriver 1995, p. 230.

²¹ Krog 1998.

compassion:

This is the awful privilege of our generation and of my people, no one better than us has ever been able to grasp the incurable nature of the offence, that spreads like a contagion. It is foolish to think that human justice can eradicate it. It is an inexhaustible fount of evil; it breaks the body and the spirit of the submerged, it perpetuates itself as hatred among survivors, and swarms around in a thousand ways, against the very will of all, as thirst for revenge, as a moral capitulation, as denial, as weariness, as renunciation²².

Clearly some show a resilience to rise above the anguish of past suffering better than others. Testimony that witnesses both to a willingness or desire to “get on with life” as well a reluctance or inability to do so is there to be heard and analysed. I offer rather the comment of a young woman named Kalu that highlights the internalised emotions inherent to the transition from the old to the new²³:

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. The question is whether victims and survivors can be assisted *to get on with the rest of their lives* in the sense of not allowing anger or self-pity to be the all-consuming dimension of their existence. Reflecting on the response of Kalu, my colleague, Wilhelm Verwoerd, refers to the response of Ashley Forbes to his torture at the hands of the notorious torturer, Jeffrey Benzien. Although critical of the decision to grant Benzien amnesty, arguing that he failed to make full disclosure, he observed: “I forgive him and feel sorry for him. And now that the TRC has showed what happened, I can get on with the rest of my life”²⁴.

Not every victim deals with his or her past in this way. It is important, however, for *their own sake*, that victims and survivors are assisted (to the extent that it possible) to indeed *get on with life*. This does *not* mean forgetting the ghastly deeds of the past. This is usually not possible and probably not helpful. There is indeed a place for righteous anger, which can be a source of self-worth and dignity. To get on with life does *not* necessarily mean becoming friends with the person responsible for one's suffering. Very few accomplish this. It *does* mean dealing with the “ball of anger” that prevents one from getting on with life.

And yet, the graph of the journey forward is rarely a progressively even one. Such progress that is made in *getting on with life* tends to take place in concentric circles. Progress can be made. Time

²² Levi 1976, p. 426.

²³ Verwoerd 1998. See also Villa-Vicencio 2000.

²⁴ *Ibid.*

and circumstances of different kinds do assist the healing process. But there is also *deep memory* that reminds us that the past is never quite past. Bernard Langer, reflecting on the suicide of Primo Levi, forty years after his release from Auschwitz, speaks of the “painful and uneasy stress between trauma and recovery”²⁵. Levi’s prolific writing at no time fails to portray the presence of melancholy. Langer argues that:

Levi, as a suicide, demolishes the idea that he had mastered his past, come to terms with the atrocity of Auschwitz, and rejoined the human community healed and whole. Life went on for him, of course, though it is probably a mistake to think of his writings as a form of therapy, a catharsis that freed him from what he called the memory of the offense. It is clear from everything he wrote that survival did not mean a restored connection with what had gone before. The legacy of permanent disruption may be difficult to accept, but it lingers in his suicide like an abiding parasite²⁶.

Levi’s testimony is that of one who seeks to wash his conscience and memory clean. Refusing to reduce the immensity of his particular ordeal to “a capacity for evil buried in human nature somewhere,” he is angry at society’s apparent indifference to the question as to what makes killers resort to the depths of humanity that they do. And yet he insisted, “to a greater or lesser degree all were responsible”. The “greater majority of Germans,” he writes, “... accepted [the persecution of the Jews] in the beginning out of mental laziness, myopic calculations, stupidity and national pride....”²⁷.

Wrestling with memories of suffering and questions concerning the nature of evil, he killed himself. The concentric circles of others in the quest to get on with life are less decisive. Joe Seremane is angry with the Commission for failing to probe deeply enough into death of his brother Timothy Tebogo Seremane in the ANC Quatro Camp in 1981. “You owe us a lot,” he told the Commission. “Not monetary compensation, but our bones buried in shallow graves in Angola and heaven knows where else.” He quotes words from Langston Hughes’s *Minstrel Man*²⁸:

Because my mouth
Is wide with laughter
And my throat deep with song,
Do you not think
I suffer, after I have held
My pain so long?

Whatever the truth of the various allegations (by Seremane and the counter charges by the ANC) the pathos of his words should not be missed. The question is what can society do to help those

²⁵ Langer 1998, p. xv.

²⁶ *Ibid.*

²⁷ *Ibid.*, 23-42.

²⁸ *Ibid.*

who suffer to move on? In Ndebele's words, the question is how to promote "visible measures for improving the lives of the victims of the past, who even while they are still in a state of severe disadvantage ought not to experience themselves any more as victims"?

Are there Lessons to be Learned from the South African Experiment in Healing?

Situations and contexts differ. It is insensitive to dare seek to impose one's own attempt at a solution onto others. But this much we can learn: Where people suffer, healing is needed. And yet healing is never complete. It involves moving on in concentric circles. This means that compassion, support and understanding is required. This constitutes the acid test of the Commission and indeed of the entire South African transitional process. It involves the question whether our reflection on the past will succeed in making us a more compassionate, supportive and understanding people? And the jury is still out on this one.

Bluntly put. Unless the South African experiment in healing reaches not only victims and survivors of the apartheid years but also heals the hardened hearts of both direct perpetrators of gross violations of human rights as well as the benefactors of apartheid, the healing process that is taking place is likely to be incomplete. This would be a huge tragedy for a nation that has done so incredibly well in seeking to heal itself in so many other ways.

In closing, I cite W.S. Merwin's prose poem, entitled *Unchopping a Tree*. It provides a powerful metaphor, reminding us of the limitations of any human attempt to heal²⁹. Merwin describes the incredibly difficult process of how one could go about unchopping a tree – placing each fallen branch, withered twig and dried leaf in its appropriate place, as well as relocating birds' nests. Herewith the final lines of the poem:

The first breeze that touches its dead leaves ... You are afraid the motion of the clouds will be enough to push it over. What more can you do? What more can you do?

But there is nothing more you can do
Others are waiting
Everything is going to have to be put back.

Have the leaves been placed in the correct place? How many twigs are missing? Will the birds recognise their nests? Will the tree take root and grow? Perhaps endurance, not restitution, never full recovery, not even full healing, is all that survivors can strive for. Some dare to hope for more. Some remember. Others

²⁹ Merwin 1970, pp. 85-88.

are fearful to do so. What is important is the dream of a great tree that can be. It involves a dream. It also involves hard work.

Has the TRC worked? When Chou en Lai, was asked a few years back whether he thought the French Revolution, was a success, he noted that it is still too early to tell. The jury is still out on the South African transition. What is certain is that we cannot afford to wait 200 years for a verdict.

Effectively it is up to South Africans and organizations in government and civil society to ensure that the time and space afforded the nation by the various structures of transition are appropriately used. To facilitate this, the Commission, in addition to the hearings described earlier in this paper, the Commission also held institutional hearings. These included hearings on Business and Labour, Faith Communities, the Legal Community, the Health Sector, the Media and Prisons.

South Africa is an intensely religious society – which made the faith communities hearings an important one³⁰. The social influence, both positive and negative was critically assessed. Recognising the future responsibility of faith communities, the Commission made the following recommendations:

Healing

Religious communities organise ceremonies designed to enable people to acknowledge their different levels of involvement in the human rights violations of the past. These services should be held at denominational, ecumenical and inter-faith levels and should be organised locally, regionally and nationally.

Religious communities explore the possibility of joining with other organisations of civil society in setting up trauma centres and counselling initiatives.

Redistribution of Skills and Resources

Religious groups utilise the skills enjoyed by many of their members, to provide training and leadership skills to disadvantaged communities.

Religious communities from different racial and class groups seek ways of sharing material resources.

Religious communities undertake a “land audit”, identifying land in their possession (including glebes) which can be made available to the landless poor.

Where religious communities have acquired land as a result of apartheid legislation, this land be returned to its rightful owners.

³⁰ *Truth and Reconciliation Commission of South Africa Report, 1998, Vol 4, Chapter 3.*

Religious communities consider creating a general fund, to be financed in proportion to their resources, that can be used for the victims of past abuses.

Religious communities explore ways, in consultation with government, of resuming their involvement in education, health care and community development, as part of a commitment to nation building.

Reconciliation

Different religious groups seek ways to communicate with one another as a basis for eliminating religious conflict and promoting inter-religious understanding.

Religious groups seek ways of incorporating marginalised groups into their communities as a way of addressing the problems contributing to various forms of asocial behaviour.

Faith communities promote a culture of tolerance and peaceful co-existence.

Forms of worship be explored which transcend language and cultural differences.

Religious communities take the initiative to expose members from predominantly white and black communities to one another.

Religious groups, in consultation with other NGOs, establish institutional forums to promote reconciliation. Specific attention should be given to the establishment of a Peace Corps, not only as a means of helping communities in need, but also for developing the skills of less privileged youth. Such a body could also be used to expose more privileged members of the community to the needs and the living conditions of the majority of South Africans. Given the racial and ideological conflict prevalent in the country, the Peace Corps should include conflict resolution and peacemaking as an integral part of its curriculum.

Religious communities develop theologies designed to promote reconciliation and a true sense of community in the nation. Particular consideration could be given to:

- the role of whites as the beneficiaries of apartheid, with regard to reconstruction and reconciliation;
- the empowerment of black people and those who have suffered gross violations of human rights to move beyond “victimhood” in regaining their humanity;
- the characteristics of good citizenship, the rule of law and the “common good” in society;
- the articulation of a global ethical foundation which is in keeping with the major beliefs of the various religions.

Relationship with the State

Given the strained relations which existed between at least some churches and the security forces concerning the chaplaincy services, and what was effectively the absence of chaplains of other faiths, the Commission recommends that:

those agencies of the state which either receive or appoint chaplains, meet with all faith communities in order to address the following concerns:

- the independence of religious chaplains, especially in the military and police services, to teach the tenets of their faith in an unhindered manner;
- the dual loyalty which chaplains have traditionally had to the agency they are required to serve and the religious organisation to which they belong;
- ways of ensuring that no particular faith enjoys privileges not offered to all faiths;
- options for promoting an understanding between religious groups;
- the creation of an agreement designed to avoid chaplains being identified too closely with the institution to which they are appointed. To ensure this, chaplains should not wear the uniform of the state institution which they serve, nor hold military or other institutional rank;
- the need to ensure that all theological and religious literature be the responsibility of faith communities, provided it passes scrutiny by an inter-faith body to ensure that it does not contain derogatory material about other faiths.

Responsibility for developing and implementing these recommendations, and for monitoring their implementation, rests primarily with:

- Faith communities, both individual members and congregations, and overseeing bodies, e.g. general assemblies, synods etc;
- The South African National Defence Force (SANDF);
- The South African Police Service (SAPS).

Religion is and must be in a state of constant change, being shaped by and responding to the challenges of the time. At many points in the history of the world, faith communities have been renewed and been part of the renewal. On other occasions they have slept through the revolution. It is too early to tell what is happening in South Africa. There is, on the other hand, no obvious indication that faith communities are ready to undergo serious change in reshaping the future. There is also a clear indication that religious movement of a certain kind – those that “challenge not the king” are doing rather well. That is something worth contemplating.

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There is a voluminous literature on the Truth and Reconciliation Commission. For over a decade, scholars and critics from a wide variety of fields and perspectives have investigated and debated the TRC's mandate and its place in the transition from apartheid to non-racial democracy. They have traced how the Commission chose to interpret its ambiguous mandate and argued over the mechanisms with which it sought to establish "as complete a picture as possible of the nature, causes and extent of gross violations of human rights committed during the apartheid-era." 2002. *Living in the Wake of the Truth and Reconciliation Commission: A Retroactive Reflection*. Copenhagen, Sweden: Center of African Studies.

The politics of truth. Anas, a civilian and former revolutionary from Benghazi, told DW that he doubts the UN investigation has the capacity to make real change on the ground due to competing narratives in the conflict. "Whatever the report finds, it shall be politicized by [current] politicians to weaken their rivals and change facts," said Anas, whose name has been changed due to safety concerns. "You cannot have justice with two governments in power and both complicit in abuse." Since the outbreak of hostilities six years ago, Libya has been split between the Tobruk-base As long as unresolved historic injustices continue to fester in the world, there will be a demand for truth commissions. Unfortunately, there is no end to the need. The goal of a truth commission "in some forms also called a truth and reconciliation commission, as it is in Canada" is to hold public hearings to establish the scale and impact of a past injustice, typically involving wide-scale human rights abuses, and make it part of the permanent, unassailable public record. Truth commissions also officially recognize victims and perpetrators in an effort to move beyond the painful past.