

Reference

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South Africa

Rainbow of reconciliation

Reconciliation is a complex and relatively new term for South Africans, and indeed for the world. Despite the Truth and Reconciliation Commission (TRC) popularising the term, the TRC has not provided the country with a clear definition of what it really means. The five ways in which people have defined reconciliation.

The result is that very seldom is anyone in South Africa talking about the same thing when they refer to reconciliation. Equally so, the final outcome of a so-called reconciled South Africa means different things to different people.

Most people would probably agree that reconciliation embodies some positive connotations about coming together and healing past conflicts. Most people would probably also say that they are in favour of reconciliation, but competing understandings of the term are seldom debated or spelled-out clearly. Given this lack of clarity, we have attempted to differentiate some of the ways that people talk about reconciliation in South Africa.

We have isolated five ways in which people have defined reconciliation, albeit consciously or not.

The first of these is what can be termed the non-racial ideology of

reconciliation. The non-racial ideology essentially defines reconciliation as dissolving the racial identities aris-



Archbishop Desmond Tutu,
chairman of TRC.

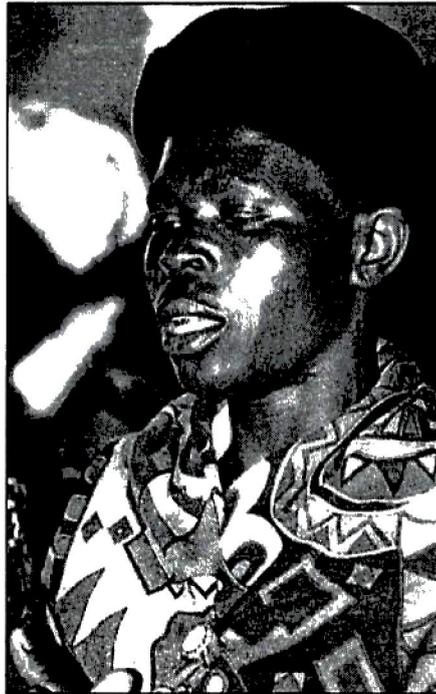
ing from the policies of the past. Within this model people with racist attitudes (particularly whites) are seen to largely carry the blame for past divisions and conflicts. They are urged to

acknowledge their past so that they can become part of a new society. This ideology implores the TRC to advocate a vision of a new 'rainbow' society and to convert people through confession and acknowledgement into non-racial citizens within a harmoniously integrated social setting.

The second understanding of reconciliation is an ideology based on an intercommunal understanding. This model sees the divisions of the past as a consequence of the fact that South Africa is made up of separate communities with different cultures and histories. The process of reconciliation is then about bridging the divides of the past. This ideology highlights the need for improved communication and better understanding between groups, thus leading to greater co-operation and co-existence at the individual and political level. This ideology does not necessarily see a place

for allocating (or admitting) guilt or changing one's identity; if anything identities are often redefined. From this perspective the TRC is considered to be a facilitator that can improve communication and mutual tolerance of diversity.

A third notion is the strong religious ideology of reconciliation. This ideology is based on the teachings of various churches and places which put emphasis on honesty and forgiveness. This ideological position emphasises re-discovering a new conscience of individuals and society through moral reflection, repentance, confession and rebirth. Only by re-awakening the conscience can we rediscover our common humanity. The TRC is seen as a body that can confront people with the evil of their deeds and, in essence, challenge them to repent and not repeat atrocities. This perspec-



South Africa - Shangan woman.

tive runs the risk of mistakenly equating forgiveness of past enemies with reconciliation.

Another ideology is the human rights approach. From this perspective, reconciliation is seen as a process which can only be achieved by regulating social interaction through the rule of law and preventing certain forms of violations of rights from happening again. To promote reconciliation through this ideology one has to condemn inappropriate behaviour, irrespective of who is responsible, and discourage people from repeating these offences through setting up appropriate institutional and social safeguards. The TRC's role is seen as a body that can build a human rights culture through bringing atrocities to public awareness. The TRC is also seen as a body that can strengthen human rights in the country by mak-

Truth and Reconciliation Commissions in Africa

In several African countries Human Rights groups, civil society, churches and non-governmental organizations are calling for national Truth commissions to investigate various acts of brutality and murder committed in the past regimes. "If the truth is told, it is possible to say I have forgiven you. It helps to foster reconciliation and national stability" says Mike Auret, director of Zimbabwe's Catholic Commission for Justice and Peace (CCJP).

The South African Truth Reconciliation Commission (TRC) has already established a model for different African countries. It was established in 1994 headed by retired Anglican bishop Archbishop Desmond Tutu. The TRC was appointed to investigate crimes committed during the apartheid by the then government, political parties and the liberation movements. Last December, TRC officially closed its mandate. More than 12,000 people have come forward to tell their suffering story.

In Namibia, the call for a truth commission has intensified following the publication of a book: "*Namibia: The war of Silence*" by Siegfried Groth. The book chronicles alleged atrocities committed by the ruling South West African People's Organisation (SWAPO) during its liberation war on its members between 1974 and

1979. The Namibian National Society for Human Rights (NSHR) strongly believe, that there should be a truth commission to investigate the abuses recorded in Groth's book, so that the accused can come clean. Meanwhile, SWAPO is uncomfortable conducting a truth commission.

In Zimbabwe, the ZANU-PF led government also seems unwilling to establish a truth commission on the murder of civilians in Mataberland province by government forces despite persistent calls from human rights groups to do so.

The report "*Breaking Silence- Building true peace*" by the Catholic Commission for Justice and Peace details how government (the army, police and the Central Intelligence Organisation operatives) allegedly terrorized innocent people in the province who were loyal to vice-president Joshua Nkomo's ZAPU. Thousand of people died in Mataberland and Midlands provinces during the clashes between the dissidents and government forces.

The Catholic Commission and Zimbabwe Human rights groups insisted on establishing truth commission to investigate these clashes.

In Mozambique, human rights groups are also calling for the establishment of a

commission of inquiry to look into the human rights abuses committed by both the Frelimo and the rebel movement, Renamo, in the almost twenty- years of civil war.

Malawi government is contemplating an investigation into power abuses and political murders allegedly committed during Hasting Kamuzu Banda's three decades of dictatorial reign. At least 250,000 people have disappeared during Banda's regime.

Last May Kenyan parliament voted to establish a Truth and Reconciliation Commission, much along the lines of a similar South African TRC. The Commission will look into the tribal clashes and violence that has wracked the country during the last decade. In 1991, at least 2000 people were killed and 150,000 people were displaced due to tribal violence. This year at least one hundred people have been killed and thousand displaced due to ethnic violence.

In 1996 Parliament in Sierra Leone set up a National Unity and Reconciliation Commission to try and ease the bitterness that fueled the five years of civil war. The Commission has not started its investigation yet. And the president Kabbah restored to power after a coup de etat has not said anything about the Commission.

ing recommendations regarding the prevention of future abuses.

A final ideology is the understanding of reconciliation as a form of community building. Reconciliation at this level is generally concerned with individual relationships rather than with broad and abstract values of co-existence and national political tolerance. This ideology would see the conflicts of the past as having broken down the network of interdependent relationships in communities. Reconciliation in this context requires the clearing up of mistrust between previously conflicting parties and rebuilding personal bonds at the local level. The TRC should, according to this framework, facilitate a public airing of allegations and suspicions and then help facilitate the reconstruction of interpersonal relationships, through creating space for direct interventions like conflict resolution initiatives.

Conflict between groups

These five ideologies of reconciliation can and often do co-exist quite comfortably. However, the ideology one adopts - and there are probably many more - has, during the process of the TRC, been at the core of conflict between different groups.

For example, the TRC's, and the ANC's, dominant approach to reconciliation has placed an emphasis on the need for nation-building through non-racialism. This has emphasised acknowledgement of past atrocities. Although well meaning, this ideology has resulted in a vision of unity that has, at times, denied the expression of internal conflicts. The expression of conflict is often seen as a betrayal, rather than a challenge to find common ground. A good example of this was the initial negativity from the TRC toward the families who challenged the TRC's amnesty provision in the Constitutional Court.

The National Party, on the other hand, has generally adopted an intercommunal notion of reconciliation. Using this understanding they have emphasised mutual co-existence, but

without placing prominence on the acknowledgement of past wrongdoing. Their definition of reconciliation has, at times, come dangerously close to slipping back into the old policies of separation. Consequently, any push from the TRC or others toward a more non-racial model has been experi-

building and human rights approach to the TRC. They have been critical of the TRC for failing to address reconciliation at the community level, where the legacy of past conflicts still leaves many communities internally divided, despite the TRC holding hearings and visiting the area. These criticisms are



Johannesburg (South Africa) - People singing the national anthem at the opening of peace rally.

enced as a "witch-hunt", as the non-racial model holds whites accountable for most past abuses. This approach, at least to the NP, is seen as contradictory to its notion of reconciliation and has prompted them to say the TRC is biased against them.

The TRC, particularly in its initial phases, also added a strong religious overtone to their non-racial emphasis. This resulted in the TRC highlighting forgiveness and truth-telling above all else. This approach has been criticised for being too lenient on perpetrators. The TRC has, according to this criticism, bent over backwards to get the perpetrators to come forward and confess only then to let them go. Several non-government organisations (NGOs) and political parties (the PAC particularly) would have viewed the extension of the amnesty cut-off dates in this light.

Non-governmental organisations (NGOs) and victim groups have tended to opt for a more community

valid, in that follow-up services to meet the needs of victims, have not always been forthcoming. The TRC has countered these criticisms by saying that the reconciliation model they were mandated to carry-out did not stress, at least in the legislation, victim-support and conflict resolution directly.

Community level

The reality is, in fact, that the TRC has adopted most of the ideologies of reconciliation outlined above at different times. The non-racial notion of reconciliation has been, perhaps rightly, the most consistent on the agenda of the TRC. However, the sporadic dominance of, alternatively a more human rights driven approach and the religious approach, have also been present. In addition, some Commissioners have opted for the less ambitious notion of reconciliation in which co-existence is given prime impor-

tance. The need for acknowledgement has, however, always been accentuated to a greater degree than the more conservative approach to co-existence adopted by the NP.

Despite these perhaps inevitable inconsistencies, the TRC does seem to have adopted a specific pattern toward the reconciliation process. They have generally first emphasised the need for acknowledgement, repentance and apology before adopting any legal or human rights strategy. In the absence of a holistic definition of reconciliation, mixed messages have come out of the TRC at times. This has given certain individuals too much space to manipulate the TRC process.

The charges brought against PW Botha for not obeying his subpoena is a case in point. Initially the TRC adopted a soft approach embodied by the religious and non-racial ideologies to reconciliation. They requested his co-operation with hopeful anticipation of his acknowledgement and an apology for atrocities committed under his leadership. Although this is a commendable example of tolerance for a man who headed a government that undoubtedly committed a range of abuses, it simply provided him with the space to avoid interacting with the TRC.

Difficult task

Then, when the TRC correctly in our opinion, adopted a more legal or human rights approach through court action against PW Botha he used the inconsistency of their approach as a weapon against them. As the TRC has seldom used the legal route and has largely adopted the religious and non-racial ideological approaches toward alleged perpetrators, PW Botha was given ammunition to 'call foul' saying that the TRC was biased and specifically targeting him. Even now it is not clear as to whether the TRC is going through with the court battle, for the purpose of extracting an expression of remorse and an apology from him, or whether they plan to use the court process to unequivocally demonstrate the need for accountabil-



Pretoria (South Africa) - Workshop on reconciliation.

ity. Either way the TRC remains in a difficult predicament. It appears that PW Botha will never admit to any wrongdoing, and equally so, it will be difficult to demonstrate the need for accountability through his case when so many perpetrators have been granted amnesty before him and walk free in our society.

Many of these difficulties are not the fault of the TRC alone. The TRC was handed a difficult task forged on compromise and any legislated process could never fully anticipate the "subtleties" of these competing notions of reconciliation. However, the real danger is that, as the TRC moves to closure, we continue to assume that all South Africans share a common understanding of the term. Consensus on a clearer definition than what has been used over the last few years will serve to avert conflict over who is, or who is not, committed to reconciliation. This will be critical once the TRC has ended and its hegemonic ideologies of reconciliation are no longer present.

Holistic approach

A shift in emphasis will also be necessary in which reconciliation work is moved out of the realm of the strictly political. An approach that takes the interests of local communities more seriously will prove to be critical. This will address victims' criticism that the TRC has been about a political rather than victim-centered process and that

the TRC's approach to reconciliation has favoured perpetrators.

In addition, we will have to confront some of the more difficult questions raised by the reconciliation process South Africa adopted through the TRC. Over the last three years trials against alleged perpetrators have largely been seen as counter to the non-racial and religious ideologies implicit in the TRC. However, with the end of the TRC in sight, we have to ask the question of whether bringing charges against alleged perpetrators, who did not apply for amnesty, should be seen in this way. It could be argued that such trials are a component of a more holistic approach to reconciliation, in which a strong human rights framework is added to the non-racial and religious ideologies of reconciliation, that the TRC has championed. The human rights approach of trying the guilty is internationally accepted as a method for re-establishing the rule of law, which the granting of amnesty has invariably undermined.

Perhaps it is only additional prosecutions, a greater emphasis on facilitating local community reconciliation and the delivery of reparations to victims, that will serve to help integrate and complete South Africa's complex reconciliation puzzle.

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