
The South African Truth Commission

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The Politics of Reconciliation

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FOREWORD

Shortly after I took up residence in South Africa in 1997, on assignment for National Public Radio, I attended my first session of the Truth and Reconciliation Commission. The commission had been under way for about two years and I was feeling a little bit bypassed by the course of its history. Archbishop Desmond Tutu, the commission's chairman, had already undergone his emotional catharsis months before, collapsing on the table at which he was sitting, his body wracked with sobs after hearing the testimony of a black man in a wheelchair, the victim of torture, harassment, and imprisonment ordered by the apartheid state. And there was more sobbing to come, mostly from other victims of the brutality of the apartheid security agents. "The crying," wrote reporter Antjie Krog, is "the ultimate sound of what the process is all about."

Now, way past all that, I thought, I was entering a room where for the first time top political leaders from the apartheid state were going to testify about their role in what one called "the dirty war" against its opponents. The hearing was supposed to establish a clear picture of the chain of command from top to bottom—to determine who gave the orders that resulted in thousands of atrocities committed by police, soldiers, and freelance terrorists of the state. Up to that point, the testimony of the "little" people—generals, police, and others toward the lower end of the totem poll—had conflicted with the politicians. The operatives had said that they had been authorized by the politicians (up to and including the state president); the political leaders, in their written submissions to the commission, had claimed that they had not.

As I entered the room, I was stunned by the ordinariness of it. I'm not sure what I was expecting, but what I found was a gray, airless room, crowded with journalists and other observers. The commissioners were sitting behind wooden desks at the front of the room, between witnesses on one side and the investigators who were to ask most of the questions on the other. And everyone was just milling around, as if they were waiting for something as ordinary as the room we were in.

Most of the radio journalists were in a separate room, where they could take a "clean" feed of the proceedings directly from the microphones being used by the participants. I busied myself trying to get a seat near the speaker that was amplifying the proceedings in the hearing room. Since this was the first hearing I had attended, I wanted to see the faces and the body language. I also wanted to witness the precise moment, if it occurred, at which the sweat broke out on the face of one pressed by the weight of the proceedings into admitting the truth.

With my tape recorder now in place and set to "Pause," I sat and waited for the moment the testimony would begin, when I would press "Play" and record whatever history was left.

I was once again surprised by all manner of developments. I heard these top officials of the former government denying that they knew that black people were being routinely murdered by its agents—denying even that words such as "eliminate" and "neutralize," "wipe out" and "destroy" meant to kill, despite the fact that the people whose names appeared as the direct object of those verbs had indeed ended up dead.

At some point, Archbishop Tutu, outstanding in his scarlet cassock and cap, moved to intervene. "In our experience as black people," he said, "it was happening all over. If you got into trouble with police, you were going to get clobbered and we took that as a natural part of what was happening in this country. . . . It was not the policy of the state security council, it was not the policy of the cabinet, but it was happening and the question we are trying to find an answer for is: How does an aberration become such a universal phenomenon. . . . Who is the mastermind behind this thing?"

At the end of the day, the room and everything in it had been transformed in my mind. It was no longer ordinary, and I no longer felt that I had missed out on the historic moment. Indeed, it was ongoing, as I was to learn in countless other hearings I would attend over the rest of the life of the commission. I would hear time and again that “ultimate sound,” hear that “ultimate denial,” hear that “ultimate moral authority”—the unassailable rightness of a position, as often expressed by “the Arch,” as Desmond Tutu was affectionately known. I would hear, too, the voices of those who would denounce these proceedings as being fairer to the perpetrators—the murderers and torturers, many of who received amnesty even when their “truth” was found wanting—than to the victims, most of who have yet to receive compensation beyond their opportunity to tell their stories and unburden their souls. I would not hear, no one would ever hear, from the architects of apartheid an answer to the question, “Who is the mastermind behind this thing?” The truth commission process is now almost over, but there are many South Africans whose sense of justice has not been assuaged or satisfied. What will satisfy them? Who knows? One woman in Sebokeng, whose husband left home one day and never returned, told me that all she wanted were the bones of her husband, and that she would not rest until she got them.

The other day, as I was preparing to go to work, now as the Johannesburg bureau chief for CNN, I was listening, as usual, to an early morning talk show. As usual, the people on the show were engaged in an intense debate—South Africans love to debate—this one about the role of the state in ensuring an education based on morality. The participants on the program had strong opinions and were encouraged to express them. The deputy minister of education, a Catholic priest who came to his present role via the liberation struggle, was the lightning rod for the debate. The people calling in were black and white, and individuals from both racial groups attacked as well as defended the minister’s position. Sometimes these debates can become quite esoteric, as this one did from time to time. But, for the most part, it was a stimulating exchange among people clearly struggling to define what kind of society they want and what kind of democracy they hope their new system will turn out to be. It was a long way

from the debates still churning over justice, truth, and reconciliation. But it struck me that this was what the Truth and Reconciliation Commission was ultimately about. The commission had helped to create the space for words and not weapons. The space for the tender roots of a new democracy to take hold. The space for those still seeking justice to continue their pursuit without fear.

To understand this singular achievement and its effect on South Africa's transformation from apartheid to democracy, which many have called "a miracle," students of the process like Dorothy Shea, a seasoned observer of world events, are invaluable. For she has taken us beyond the "rough draft" of history that we journalists produce and given us a kind of classic study that will endure.

Charlayne Hunter-Gault
Johannesburg, September 2000

My first assignment as a foreign service officer was in South Africa. Living in Johannesburg from 1992 to 1994, I witnessed some of the most exciting historical events of my lifetime. Although these were still difficult times in South Africa—with senseless violence a constant menace—promise was in the air. That promise culminated in May 1994 with the inauguration of Nelson Mandela as the first democratically elected president of that country. I remember being intrigued by talk of a Truth and Reconciliation Commission (TRC), planning for which was already under way when I returned to Washington, D.C. Little did I know that I would have the opportunity to return to South Africa and study the TRC in depth.

In carrying out this study, I have been mindful of the impressive and growing body of literature on transitional justice and I have tried to avoid duplicating the important work that has already been done. I have also been keenly aware that much about South Africa is *sui generis*—few societies have endured anything akin to the systematic repression and the myriad indignities that occurred each day under apartheid. It is largely for these reasons that I have focused on the political context in which the TRC process has been played out, looking for lessons that might be pertinent to other societies contemplating establishing truth commissions. No truth commission can be completely insulated from politics; the stakes are too high.

I am extremely grateful to the Council on Foreign Relations for awarding me the International Affairs Fellowship that allowed me to conduct this study. I also wish to thank the United States Institute of

Peace—in particular, Joe Klaitz, who directs the Jennings Randolph Fellows program, and Neil Kritz, who leads the Rule of Law program—which warmly welcomed me as a guest scholar. I am thankful, too, to John Strelau and the University of the Witwatersrand's International Relations Department for the opportunity to serve as a guest lecturer.

I am indebted to many colleagues and former colleagues at the Department of State, especially my former boss, Greg Craig, in addition to Alan Romberg and Steve Morrison, and other colleagues on the Policy Planning Staff: thanks for believing in my ability to see this project through and for all the times I bounced ideas off you and they came back better than I ever could have formulated them. Many colleagues outside of government were likewise helpful in providing leads and encouragement; in particular, I would like to thank Ambassador Donald McHenry and Pauline Baker. Many friends and colleagues indulged me by listening to my endless monologues about the TRC. Some were even kind enough to read early drafts of the manuscript.

I was fortunate to have the opportunity to meet with and interview many of the leading experts in the field of transitional justice; I am grateful for their generosity in sharing their time and imparting their expertise. Finally, I owe a debt of gratitude to scores of South Africans: commissioners and staff of the TRC; politicians, journalists, and opinion leaders who took the time to meet with me; and, most importantly, the “ordinary” South Africans who shared their stories with me.

I continue to be inspired by the vision and sacrifices that made the TRC what it was: more than an institution, it was a process of, by, and for the South African people. It is too early to evaluate the TRC's long-term success or failure, just as it is impossible to predict how, in concrete terms, South African society will change as a result of this process. But it is not unreasonable to look for indicators of the politics at play, as well as their implications, and this is what I have attempted to do.

I concluded most of my work on the manuscript for this book in August 1999, after which I returned full time to the State Department, where I have been privileged to work for David Scheffer, the ambassador-at-large for War Crimes Issues, and where I have tried to apply some of the lessons I learned in the course of this study. I look forward to continuing

to do so in my new position at the National Security Council. Having completed this study in August 1999, I regret that I have not been able to update this book except in respect of those areas that have seen significant developments. But I am pleased to report that, as the TRC's amnesty process continues to run its course, my findings remain the same.

The views represented in these pages are mine alone; they do not necessarily reflect views of the National Security Council or the U.S. State Department, which generously allowed me to undertake this study.

