

2010

RECONCILIATION AND JUSTICE IN SOUTH AFRICA

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RECONCILIATION AND JUSTICE IN SOUTH AFRICA

(Spine title: Reconciliation and Justice in South Africa)

(Thesis format: Monograph)

by

Duncan J.E. Todd

Graduate Programme in Theology

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts

The School of Graduate and Postdoctoral Studies
The University of Western Ontario
London, Ontario, Canada

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THE UNIVERSITY OF WESTERN ONTARIO
SCHOOL OF GRADUATE AND POSTDOCTORAL STUDIES

CERTIFICATE OF EXAMINATION

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Dr. William Danaher

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The thesis by

Duncan James Edward Todd

entitled:

Reconciliation and Justice in South Africa

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Chair of the Thesis Examination Board
Dr. Darren Marks

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Abstract

In this paper I argue that, understood theologically, reconciliation is both an accomplished, transacted fact and a progressively achieved, relational reality. Applied to South Africa, I argue that reconciliation was transacted in the negotiated end to apartheid and the peaceful transition of power, but that the relational aspect of reconciliation is still largely an aspiration, and that South Africa lives in the tension of the “already, but not yet”. Notwithstanding the Truth and Reconciliation Commission, I contend that South Africa has made little progress in relational reconciliation. I focus on two reasons for this: 1) a lack of repentance from perpetrators and beneficiaries of apartheid; and 2) a lack of progress in redressing apartheid injustices, particularly socio-economic justice. I propose that addressing these two deficiencies is key to greater reconciliation and that the Church, claiming to be the resurrection community, has a unique role to model a new, reconciled humanity.

Key words: Reconciliation; South Africa; Truth; Justice; Restorative Justice; Truth & Reconciliation Commission (TRC); Apology.

Acknowledgements

I wish to thank my Supervisor, Dr. Bill Danaher, for his infectious enthusiasm and passion for this topic. I also owe thanks to my fellow students, particularly to Joseph Royal and Courtney Spence for their valuable input at our “thesis support meetings.

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Introduction

In this paper, I will seek to address several interrelated questions concerning reconciliation in post-apartheid South Africa:

Is reconciliation possible without repentance?

How do justice and reconciliation interact?

Is reconciliation possible in the *civitas terrena*?

Is justice possible in the *civitas terrena*?

Was justice sacrificed for peace in South Africa? If so, can a peace that is not based on justice last?

And, to get to the heart of the matter, is “the rainbow nation” a reality, a lie or an aspiration?

In order to begin to answer these questions, I will examine firstly what is meant by the term reconciliation. That will lead into a discussion of the relationship between reconciliation, forgiveness and repentance, and promoting or *doing* justice as a mark of genuine repentance. I will take it as a given that reconciliation, by its very definition (see Chapter 1), cannot be one sided, that it requires a moving together from two sides. Furthermore, since the term also implies a preceding broken relationship, reconciliation necessarily involves repentance from wrongdoing on one or both sides, or a changing of the conditions that caused the breach in relationship. Thus, to pre-empt my answer

to the very first question, I believe that genuine reconciliation without repentance is not possible.

It is my contention in this paper, then, that justice is a necessary condition of reconciliation, but that justice, and therefore reconciliation, is never fully manifested or perfected in the *civitas terrena*. If that is so, in the *civitas terrena* we will always be living in a compromised state, and contemporary South Africa is an example of such a compromise where, indeed, justice was partially sacrificed for peace and we have, therefore, an imperfect and impermanent peace. “The Rainbow Nation” is, thus, both a reality and an aspiration. It is, like any *pax humana*, a fragile peace, an imperfect peace, but it is nevertheless a nation of both unity and diversity living in the tension of being both and always aspiring to a more perfect, sustainable peace and justice. As Villa-Vicencio writes, “Ultimately reconciliation is about *sustainable peace*. It is about the internalization of peace-building attitudes at the national, communal, and individual levels.” (Villa-Vicencio 2009, 172; emphasis added.) It is my contention in this paper that the sustainability of peace is directly related to the degree of justice in or between societies.

Chapter 1 – Theological terms and themes

Reconciliation

What is reconciliation? The *Oxford English Dictionary* defines it as “The action of restoring humanity to God’s favour, especially as through the sacrifice of Christ; the fact or condition of a person’s or humanity’s being reconciled with God”, and also, “The action of restoring estranged people or parties to friendship; the result of this; the fact of being reconciled”, and again, “The action or an act of bringing a thing or things to agreement, concord, or harmony; the fact of being made consistent or compatible.” (Simpson and Weiner 1989, 354) The dictionary also supplies an accounting sense, “The action or practice of rendering one account consistent with another by balancing apparent discrepancies.” (Ibid.) The *Webster Universal Dictionary* has in its definition of “reconcile”, the sense of restoring “friendly relations after a quarrel or estrangement” and includes the phrase “to smooth over, settle, compose (quarrels, disagreements, differences, disputes etc.)” (Wyld and Partridge 1970, 1199.)

The biblical use of the term is generally consistent with the secular use:

Eerdmans Dictionary of the Bible has the following entry under Reconciliation:

To 'reconcile' or bring about 'reconciliation' is to restore harmony or friendship between two entities formerly divided. In the biblical tradition, reconciliation denotes the fundamental fact of a restored relationship, either between human persons, among various elements in the cosmos, or between humans and God.

(Freedman et al. 2000, 1112)

The entry goes on to suggest that the Old Testament use carries a primarily "cultic sense whereby 'sin offerings and guilt offerings' would restore the harmony between [the covenant people] and God" (ibid.) and in the New Testament, especially as developed in Pauline writings, the sacrificial language of Judaism is used, but the emphasis is "on what God has done in the world through Christ." (Ibid., 1113.)

The New Testament uses the noun καταλλαγή (katallagē) and the verb καταλλάσσω (katallássō)¹ for "reconciliation" and "reconcile" respectively, and these words have their origins in commercial or financial usage, as a transactional exchange (Bauer 2000, 521). The prepositional prefix κατα adds the sense of a downward or toward movement (ibid., 511) to the root verb ἀλλάσσω, meaning "to make something other or different" or "to exchange one thing for another" (ibid., 46), which in turn has the etymological root ἄλλος, pertaining to "that which is other" (ibid.) Thus, contained within the word for reconciliation is a sense of a transformative embrace of the other and an

¹ διαλλάσσομαι in Matthew 5:24 and ἀποκαταλλάσσω in Ephesians 2:16 and Colossians 1:20,22. The root verb ἀλλάσσω is present in all.

exchange or transaction. Both the noun and the verb as used in the New Testament carry the sense of “reestablishment of an interrupted or broken relationship” (ibid.) as well as of an “exchange of hostility for a friendly relationship” (ibid.) Thus there is both a transactional and a relational aspect to the terms, and this should inform our theological understanding of reconciliation.

Traditionally Christian writers speak of reconciliation in terms of the cross², with atonement as a starting point, or what Danaher terms “a cruciform view of reconciliation” (Danaher 2007, 360): it is through Christ’s sacrificial death that we are reconciled with God and also with one another. For de Gruchy, “...atonement expresses, but does not exhaust, the meaning of reconciliation.” (De Gruchy 2002, 45) ‘Salvation’, ‘redemption’, ‘atonement’, ‘deliverance’, ‘justification’ are all used as metaphors for understanding the nature of reconciliation in Christian thought (ibid.) and “taken together all the metaphors form an indissoluble whole.” (Ibid.) The picture can become somewhat confused, however, when de Gruchy switches the metaphors, and calls ‘reconciliation’ “the preferred metaphor for describing the Christian doctrine of redemption today” (ibid., 57). Gorringer (2007) describes atonement in terms of 5 different metaphors: “redemption, justification, sacrifice, and reconciliation” and also “solidarity” (Gorringer 2007, 365), all centering on the cross, while Graham sorts the metaphors into four pairs: ransom

² See, for example, de Gruchy’s tracing of the history of (largely western) Christian conceptions of reconciliation and atonement from the early centuries CE to the modern period in *Reconciliation: Restoring Justice*, (Minneapolis: Fortress Press, 2002), pp 57-67. See also Timothy Gorringer’s essay, “Atonement”, in Scott, P. & Cavanaugh, W.T. (Eds.) *The Blackwell Companion to Political Theology* (Oxford: Blackwell, 2007), 363-375.

and redemption (Graham 2010, 125); sacrifice and satisfaction (ibid., 127); punishment and penal substitution (ibid., 130); and obedience and imitation (ibid., 133). The variety of atonement and reconciliation metaphors (since the use of the metaphors seems to be circular or at least two-directional), including cultic, judicial/forensic and relational metaphors, gives us approximations rather than tight definitions of reconciliation, with each casting light on a facet, not the whole. Or as de Gruchy puts it, "...there can be no adequate, fully satisfying, rational account of how it is that God has reconciled the world. What we have, rather, is a series of bold attempts to weave together a rich range of biblical images and metaphors into a coherent whole that seeks to interpret the grand narrative of redemption, helps faith and experience understand themselves, and informs both worship and witness." (De Gruchy 2002, 63) But the phrase, "God has reconciled the world", indicates de Gruchy's *cruciform* view of reconciliation as a completed act, an accomplished reality.

This accords with the cultic sense inherited from the Old Testament's sacrificial language, as noted above, and also with the transactional sense inherent in the Greek term. The sacrifice has appeased God's judgement; the transaction is completed: the cross is the place of exchange, where Christ exchanges our sin with his righteousness before God. In Romans 5:10, for example, the word *κατηλλάγημεν* is used in the aorist passive form (first person plural), suggesting that God, rather than humanity, is the active agent in accomplishing reconciliation, and that it is a completed transaction rather than an ongoing process, already accomplished through the death of God's son (*διὰ τοῦ θανάτου*

τοῦ υἱοῦ αὐτοῦ). The second occurrence as a participle in the second half of the verse is again an aorist passive construction, confirming the completed nature of reconciliation and God's rather than our initiative, and in the next verse, reconciliation is not something we accomplish or practise, but rather something that we receive: καταλλαγὴν (accusative; therefore the direct object of the verb "received") ἐλάβομεν (second aorist, meaning "we received"). The initiative and action seem from this passage to be one-sided, and the sense is of a transaction made or paid in the sacrificial death of Christ.

Danaher, however, drawing on 2 Corinthians 5 with its depiction of the risen Christ (verse 15) and the new creation in Christ (verse 17), highlights the importance of the resurrection in a fuller theological understanding of reconciliation. This he terms a "paschal view of reconciliation" (Danaher 2007, 360). The cross speaks of a finished work, but the resurrection speaks of an ongoing life. Thus, "when viewed through the prism of the resurrection, reconciliation has been perfected but remains unfinished." (Danaher 2007, 372) In a sense, then, both of these views are valid: the cross represents the legal accomplishment of reconciliation, the payment of the account, the removal of the sin that caused the breach. The resurrection speaks of the *living out* of that reconciliation. In this sense it may be helpful to see reconciliation as similar to a marriage: the legal transaction which contracts the marriage takes place on the wedding day, but the marriage is built and lived out in the days, years and decades ahead. It is an ongoing relationship, not merely a once-off legal transaction.

Reconciliation, since it speaks of restored relationship, cannot be solely about a static provision, an accomplished deed. It needs to be lived, and it is through the resurrection life of Christ that the reconciliation achieved or transacted by his death is lived. The Apostle Paul wrote to the Romans: “For if while we were enemies, we were reconciled to God through the death of his Son, much more surely, having been reconciled, will we be saved by his life.” (Romans 5:10-NRSV) Our reconciliation with God was accomplished through the death of Christ, but the reconciled life is lived through his resurrection.

And this reconciliation is not solely between humanity and God, but between people themselves. In being reconciled with God, humanity finds itself with a new identity, reconciled to one another, transformed into a new type of humanity, “a new creation” (2 Corinthians 5:17 – NRSV), no longer Jews and Gentiles, but fellow “citizens” and “members of the household of God” (Ephesians 2:19). In speaking of reconciliation, both of these passages (2 Corinthians 5 and Ephesians 2) refer to its accomplishment through the cross, but also of a new, living reality with the resurrection life of Christ.

Thus, the promise of the resurrection community is reconciliation with God and with our fellow humanity, an accomplished act and an ongoing relationship. As Danaher puts it, “this reconciled identity is a work in progress. The resurrection accounts depict the experience of reconciliation from *inside* the paschal mystery, from the perspective of disciples who have a specific set of gifts and flaws on

display. Thus, reconciliation is not so much an accomplished reality that stands beyond their current experience, but an unfolding mystery that continually surprises them as they work out their salvation with fear and trembling.” (Danaher 2007, 371, emphasis original.)

In this understanding of reconciliation, there is the theological tension of the already and the not yet, of reconciliation as accomplished, but also as a process being lived out and a state of greater perfection to which we aspire, like a marriage, legally sealed, but built and lived out by two flawed individuals towards an ideal of unity. In this vein Villa-Vicencio writes of reconciliation as “both *process and goal*” (Villa-Vicencio 2009, 170; emphasis original.)

The Church, Eschatology and Reconciliation

Such a theological understanding of reconciliation can also be seen in parallel in the socio-political reconciliation in South Africa. In a sense the legal mode of reconciliation was transacted in the negotiated settlement to end apartheid and sealed in the interim constitution of 1993, the transition to a government of national unity and the new constitution of 1996. However, the living out of that reconciliation, the *process* aspect of reconciliation is still far from complete and the goal still a distant aspiration.

If, as I contend here and as we shall see later, South Africa is still far from being a fully reconciled society, to whom do we look to reconcile it further? To individuals? To the state? To communities? To the Church? And, since justice is inextricably tied to reconciliation (as I shall argue in greater detail in Chapter 4), this leads us to the question of where justice begins: on the macro or micro scale? Is justice individual or corporate? Is justice before the final consummation always to be flawed? That is to say, is ultimate justice found only in the “Day of Judgement”, or is the transfer of a quest for justice to an afterlife merely an opiate for the mass victims of injustice in this life?³

In answering these questions, we are brought to examine the role of the Church in society. What is the Church’s role in the world? Is the Church a model for society or transformer of society? Does the Church bring the world into the Church and transform it, or does it seek to transform the world outside the Church? How are the *civitas dei* and *civitas terrena* intertwined now? And what does “thy kingdom come” mean for us?

There seems in Christian theology to be two broad streams of eschatology that are at tension with one another at this very point. One view is founded in Isaiah’s

³ I have not given a definition of the term justice here because it is generally a culturally shared concept, with many of the definitions being circular in nature. Words and phrases such as “equity”, “fairness” and “making right” are commonly associated with justice, and I intend all of these shades of meaning in the term, but in Chapter four, rather than define justice, I discuss different types of justice: retributive, restorative, redistributive and other adjectives coupled with justice.

prophecy of the child that was to be given, of whom it was said, “His authority shall grow continually, and there shall be endless peace” (Isaiah 9:7 – NRSV) and Daniel’s vision of the rock that shatters the iron and clay compound feet and then grows to fill the entire earth (Daniel 2:34-35) – the metaphor creates the expectation of a messianic reign that begins, and experiences a seamless and constant growth until the whole earth is subjugated under God’s rule. Matthew’s Gospel has, after the line in the Lord’s prayer entreating the coming of God’s kingdom, the added phrase “your will be done on earth as it is in heaven”, which is absent from the earlier manuscripts of the parallel passage in Luke’s Gospel. The redactor of Matthew’s Gospel seems also, then, to have an eschatological view which works for the establishment of the *civitas dei on earth*. And again, Jesus’ metaphor for the kingdom of God as the little yeast that works through the entire batch of dough (Matthew 13:33) seems to fit this school of eschatology.

Brian McLaren expresses this position in the following way in his “Conversation about Justice” in *The Justice Project* (McLaren et al. 2009, 18): “The Christian faith isn’t all about getting to heaven. It isn’t all about the church. It isn’t all about the individual spiritual life or ‘personal relationship with God.’ It is about all of these things, but they aren’t the whole point, or even the main point. The main point is God’s saving love for creation, God’s faithfulness to all of creation, God’s ongoing mission of healing a world torn by human injustice so that it can fulfil God’s original dream. It is about God’s kingdom coming to earth, and it is about God’s will being done on earth as it is in heaven.”

The second view, by contrast, seems to suggest a progressively worse world, a deterioration in godliness and an “increase of wickedness”, leading to the love of most growing cold in the last days (Matthew 24:12), and a small, righteous remnant that manages to cling on faithfully to the end and that is rescued by the second coming of Christ: “I am coming soon; hold fast to what you have.”

(Revelation 3:11 – NRSV) In other words, instead of the kingdom of God coming constantly and increasingly to the *civitas terrena*, it is receding and retreating, only to be rescued by the return of the messiah, this time as a conqueror to supplant the *civitas terrena* forcefully with the *civitas dei*.

Fundamentally, then, it is our eschatology as Christians that will determine our view of our role in this world and our hope of bringing about greater justice this side of the grave or of deferring hope to the final judgement and an afterlife.

Related to this examination of the Church’s role in the world, particularly in matters of justice, is our ecclesiology. I do not intend to discuss either eschatology or ecclesiology at length here, but, suffice to say, one’s view of the role of the Church in society and how that role is fulfilled depends very much on whether one has an institutional or personal concept of the Church, whether one has in view the “Visible Church” or the *congregation fidelium*. In other words, if “the Church” is an institution or multi-institution, then its role in matters of justice will be at a more macro, institutional level, but if “the Church” is a para-institutional or an a-institutional multitude of redeemed individuals and groups in no visible, institutional organisation, but members nonetheless, albeit

mysteriously, of one catholic and apostolic corpus, then its role is more diverse, localised and even individualised.

I would argue that both views can be true and even complementary, and therefore that the Church's role in the *civitas terrena* can be both at a macro and micro level, witnessing to civil rulers and to nations, witnessing within nations and provinces, at community and family levels, and as individuals to individuals. That is to say, there is room for both the Popes and the Mother Theresas, for the Martin Luther Kings and the unnamed, unknown servants.

Perhaps a more personal question for each of us on justice is this: do I really want justice? Is justice not too costly? As a white South African, for example, what would justice, or what would making things right, cost me? Would a cheap apology or a once-off payment, even a financially costly, but ultimately easy restitution, be enough? Or is what is required a life-long commitment of all my resources to redress, repair and restore until justice is, if not fully achieved, at least more closely approximated? Ultimately, I believe, genuine justice is indeed too costly for us to contemplate. The price is too high or the debt too great, which is perhaps why we defer to a God who paid what we could not or would not. We may still pay what does not discomfort us too much, but is enough to ease our consciences, seeking a comfortable resting place between peace of mind and peace of body, between physical or material comfort and a comfortable conscience. The outstanding balance we can write on Calvary's ledger. The reconciliation of which the letter to the Ephesians speaks, between God and

humanity, and between humanity themselves, is “in Christ” and “through the cross” (Ephesians 2:12-20) rather than transacted from our own means. We too are called to take up our crosses as followers of Christ (Luke 9:23), but the price of justice has already been paid; reconciliation has already been transacted on our behalf. Here again is the accomplished reality and the attempt to live it out, albeit imperfectly, in the resurrection community.

Understanding the Evil of Apartheid

In their essay titled, “Expiating Evil: Reflections on the Difficulties of Cultural, Organizational and Individual Reparation”, Guy Adams and Danny Balfour explore the “possibilities of expiating evil, including administrative and structural evil, through processes of forgiveness, reconciliation and reparation” (Adams & Balfour 2008, 881). Particularly relevant to South Africa’s journey is their definition of “administrative evil”, where “people participate in acts of evil while thinking they are just doing what they should be doing in their organizational role.” (Ibid.) I would like to spend some time examining their discussion of evil and applying insights to South Africa’s quest to expiate the evils of its past.

Adams and Balfour attempt firstly to understand or define the nature of evil, and they describe it in broad terms as something which harms human beings. (The narrowness of this definition and arguments that harming animals, and even

plants and the natural environment, regardless of whether or not this indirectly harms human beings, is beyond the scope of my discussion here, but worth bearing in mind particularly as future generations may judge the evils of our generation by such standards.)

The events of 11 September 2001 are highlighted by Adams and Balfour as a particularly clear manifestation of evil in current American consciousness, “the very epitome of evil in our time” (Adams & Balfour 2008, 881), but it seems to me that this view depends very much upon identification and empathy, with one’s ability to empathise being tied to one’s ability to identify with those suffering. Thus it is possible, and even likely, that people who identify themselves more closely with the “perpetrators”, and with their aspirations, cause and community, than with the “victims” might not see the infamous events of that day or the actions of the attackers as evil at all. In this vein, Staub’s description of evil as “not a scientific concept with an agreed meaning” (cited by Adams & Balfour 2008, 882) allows for a more nuanced understanding of evil as contextually and culturally relative: “the idea of evil is part of a broadly shared human cultural heritage.” (Ibid.)

It may be simple to speak in general and non specific terms of the harming or destruction of human beings, but, as the possibility I mention above for divergent views of September 11th illustrates, when it comes to the specifics of *which* human beings were harmed or *whose* humanity was being destroyed in the wider timeframe of the years leading up to September 2001 and the years following,

one's view of what evil has been committed, when and against whom, may be radically different. A "broadly shared human cultural heritage" need not necessarily imply universal or common to all humanity, but rather broad in the sense of shared norms within a particular culture, conceivably quite distinct from those commonly shared in another culture. Hence, adjudging something as evil in a different culture or in an earlier generation needs to be undertaken in the context of an understanding of that culture or period. This is important when trying to come to an understanding of why a majority of white South Africans accepted apartheid in principle, and some of the measures to preserve it as understandable or justifiable.

It may be possible to identify certain universal human conceptions of evil, such as Adams and Balfour's suggested standard of harm done to human beings, but cultural identity will always muddy these waters. For example, "collateral damage" may be suffered by faceless children in alien cultures whose value (in Western eyes) does not measure up to that of one Madeleine McCann, who is "one of us" or like "one of ours". Furthermore, in an end-justifies-the-means morality, a "lesser" evil can be countenanced in the context of a "greater" evil or for a greater good. In the context of the myth of pure evil (Adams & Balfour 2008, 885), whether it is "the Great Satan" of the USA or the "flat evil" of Al Qaeda (Lincoln 2006, 276), and the counterfoil myth of pure good, such as Bush's "nation of good folks" (ibid.), any destructive action against the humans on the other side is naturally construed as a lesser evil or even as good.

The point concerning identification and empathy is important in tracing the development of collective or administrative evil in distant and divergent societies through the ages, and certainly in apartheid South Africa. In my own observation, two important conditions usually need to be met before a critical mass of human beings in one society will acquiesce to the destruction of other human beings.

The first condition is fear. From the biblical narrative of the Egyptians murdering Hebrew babies as the Hebrews became “too numerous” (Exodus 1:9) and “the Egyptians came to dread the Israelites” (ibid. v12) to the *swart gevaar* (black danger) and *rooi gevaar* (red danger) used by apartheid propagandists, from the demonised Jews of Nazi Germany to the centrifugal ethnic, religious and counter-revolutionary chimeras of Stalin’s Soviet Union, fear of an “other” quickly becomes hatred, contempt and consent to destroy.

The second condition, which is naturally related to the first, is the dehumanising of the “other” in order to obviate identification and empathy. If harming other human beings is a universally accepted generality of evil, then it follows that one needs to perceive the “other” as somehow less than human, or certainly less human than “we” are, before one will consent to their harm. This contempt for the validity or dignity of another underwrites the endorsement of their destruction. In the preparation of soldiers for war, it seems there is a need to label enemy combatants with a variety of derogatory monikers that help create a buffer between the soldiers and anything that will remind them of the humanity of those they must attempt to kill. Realising the humanity of an enemy combatant, and

especially their similarity to oneself, would threaten to undermine the conduct of war.

In a poignant scene in Remarque's novel, "All Quiet on the Western Front", the chief protagonist, Paul Bäumer, is stuck in a shell-hole with a French soldier he has stabbed and who has died slowly over the course of several hours. The realisation dawns over Bäumer that he has killed a person, not an impersonal or depersonalised enemy, and he addresses him as a fellow human: "Comrade, I did not want to kill you. If you jumped in here again, I would not do it, if you would be sensible too. But you were only an *idea* to me before, an *abstraction* that lived in my mind and called forth its appropriate response. It was that *abstraction* I stabbed. But now, for the first time, I see you are *a man like me*. I thought of your hand-grenades, of your bayonet, of your rifle; now I see your wife and your face and our fellowship." (Remarque 1929, 244, emphasis added.) The revelation of the man's name, Gérard Duval, in his pocketbook, together with a photograph of his wife and daughter, completes the rehumanising in Bäumer's eyes. In a similar way, Antjie Krog reports the profound psychological distress of apartheid torturers when they face their former victims as human beings in the Truth and Reconciliation Commission hearings (see, for example, Krog 2000, 307-308).

White South Africans had (and many still have) a number of terms for black South Africans, some deliberately derogatory, some historically offensive, and some having little emotive force, but nevertheless helping to obscure the

humanity of black people. Recognising the common humanity of their black compatriots would certainly have undermined the logic of apartheid.

Perhaps one of the clearest examples of these two factors (fear and dehumanising) that I have personally witnessed in operation was a change that came over Russian society in 1999. The failures of the first Chechen War and subsequent mishandling of the Chechen “problem” had previously made any hints at renewed military intervention extremely unpopular with the Russian public, but a series of mysterious early-morning bombings of apartment blocks, in which scores of ordinary (“like us”) people died in Moscow and two other Russian cities, spread fear amongst the inhabitants of Moscow and St. Petersburg in particular. A Chechen separatist group allegedly claimed responsibility, and this news was followed shortly by graphic audio-video footage, reportedly sent by Chechen rebels and played on Russian public television, of a group of captured young Russian soldiers (“like our sons and brothers”) having their throats slit. The atmosphere of fear and hatred in the streets and marketplaces of Russian cities such as St. Petersburg where I was living (and I would have no reason to doubt it was the same in smaller towns and villages) was tangible, and the then Prime Minister, Vladimir Putin, with his blunt, dehumanising prose on “hunting down those animals”, or “chasing them back into their holes” and “urinating on them”, became immediately and immensely popular in Russia. The second Chechen War began with broad public support and Putin was president within four months. Fear and dehumanisation of the Chechens paved the way not only

for renewed war with wide popular support, but for the atrocities (admittedly on both sides) that accompanied it.

Related to dehumanising the “other” (if I am to harm or commit evil against him/her) is the depersonalisation of both the perpetration and victims of evil, and this happens perhaps most effectively in administrative evil with its diffusion of individual responsibility (Adams & Balfour 2008, 887) and its compartmentalised roles (ibid.) By way of hypothetical example, a Nazi bureaucrat responsible for logistics in transporting Jews to Auschwitz may have done his individual job of allocating numbers to train carriages with efficiency and may even have congratulated himself on doing it with a degree of humaneness, ensuring the relative comfort of those being transported by restricting the numbers per carriage and thus preventing overloading. In this manner, he might have felt morally good about his role without giving thought to the greater mechanism in which he was only a small, compartmentalised element. Unless there is an awareness of the entire machine and its evil function, the individual element is unlikely to feel any guilt or moral difficulty with its role. A later revelation of the whole might still fail to draw any sense of guilt or remorse in a single role player who feels he or she fulfilled their role with a clear conscience. Does a single cog, which sees nothing other than the two cogs with which it interlocks on either side, in a machine that is used for evil carry any more liability than an identical cog with an equally limited view in a machine used for good?

Apartheid involved a systemic evil and one in which many, perhaps even the majority, of its supporters played compartmentalised roles with either wilful or unintended ignorance about the suffering that the whole system was causing, and this is what makes it very difficult for individuals to take personal responsibility for the crime of apartheid. I would argue, however, that once that single cog is aware of the role of the entire apparatus of which it was a fragmentary and even unwitting part, it nevertheless has a responsibility to seek to right whatever harm it was involved in causing.

Redressing collective evil

Adams and Balfour address numerous issues surrounding the “expiation” of corporate evil, from restitution and reparation to apology and forgiveness, often by proxies or representatives at a generational remove from the identified evil, and highlight the practice and benefits of restorative justice for restoring not only the offenders, who take practical responsibility for the harm they have caused and for amending it (ibid., 891-892), but also the victims who are empowered through empathy-based forgiveness (ibid., 889) and, where possible, receiving restitution.

A central question arising out of South Africa’s Truth and Reconciliation Commission is whether justice and mercy are complementary or mutually

exclusive, balanced in a pragmatic scale of realpolitik (see Tutu's statement quoted by Graybill 1998, 62). And, related to this, are forgiveness and reconciliation conditional (on sincere repentance)? The question of repentance becomes complicated, of course, where the majority of white South Africans saw themselves as "innocent" bystanders (ibid., 54). In my view, the principal failure of the South African exercise was the tendency to focus on the crimes of apartheid whilst largely ignoring the crime of apartheid. I will return to this point in Chapters 2 and 3.

Bystander culpability

This brings up the interesting question of the bystanders' culpability in cases where either individual or administrative evil is committed. To paraphrase a well-known saying (usually attributed to Edmund Burke), "For evil to succeed it is enough for good people to do nothing." Ethicists might agree on the moral duty of bystanders to intervene when they see a wrong being committed, but this may be tempered by the caveat: *when they have the power to do so*. In Nazi Germany, a bystander's intervention could well have proved fatal, but I am less inclined to view this as a valid excuse in apartheid South Africa where white people faced no significant threats for expressing opposition to government

policies⁴ and where a near or narrow majority of the white electorate repeatedly returned the Nationalist government to power. Nonetheless, feelings of individual isolation and impotence commonly paralyse opposition under autocratic regimes. Here, however, I do not wish to delve into the psychology of ordinary citizens in conditions of widespread administrative evil (such would be beyond the scope of this paper), but rather into legal liability for sins of omission. Can or should people be held legally liable for what they ought to have done, but did not do?

If I may indulge again in anecdotal reference, in 2003 I had a discussion with a Professor of Law at the University of the Witwatersrand (Wits, Johannesburg) who was involved in an advisory capacity in a case prosecuting a “bouncer” from a Johannesburg nightclub who had stood by passively whilst his employer, the nightclub owner, had assaulted and seriously injured another employee. The professor argued that, notwithstanding possible negative consequences for the “bouncer”, he certainly had the power and therefore the obligation to prevent a serious crime being committed and serious harm to a victim. In standing by, he was effectively condoning, even giving tacit support, to his employer’s actions. I argued that such an obligation was moral, not legal and that therefore no legal sanction could be appropriate. The law may legislate certain administrative obligations, but it is largely concerned with proscribing offenses, not prescribing virtue. In my view, then, if this “bouncer” could be held legally liable for doing nothing, ordinary white South Africans could also be held legally, not just morally

⁴ That is not to deny the personal danger, and sometimes mortal sacrifices made by some who participated at a more intense level of opposition to the state.

liable for apartheid. Clearly, such a legal exercise would not be practicable, and generalised, corporate sanction is as morally problematic as the case where a teacher, failing to discover the perpetrator, punishes an entire class of seven-year-olds for an individual's infraction.

Nevertheless, there exists if not a legal, then at least a moral imperative to take responsibility for what one could or should have done, but failed to do, and to seek to redress that omission. This, in my view, together with a willingness on the part of white South Africans to accept vicarious responsibility for apartheid, is a crucial and absent ingredient in the process of reconciliation. (I will return to this point in Chapter 3.)

The Truth and Reconciliation Commission's Final Report points out precisely this need for "all those who supported the system of apartheid (or simply allowed it to continue to function)" (*TRC Final Report*, 1998, 1:131) to take responsibility for apartheid rather than allowing the apartheid security forces to carry all responsibility:

It is, therefore, not only the task of the members of the Security Forces to examine themselves and their deeds. It is for every member of the society they served to do so. South Africa's weapons, ammunition, uniforms, vehicles, radios and other equipment were all developed and provided by industry. South Africa's finances and banking were controlled by institutions that went so far as to provide covert credit cards for covert operations. South African chaplains prayed for 'victory' and

South African schools and universities educated for war. The media carried propaganda and the enfranchised white community voted the former government back into power, time after time, with ever-increasing majorities.

(Ibid.)

In the following three chapters, I propose to discuss the national debriefing that took place in the aftermath of apartheid, the South African *Truth and Reconciliation Commission* (hereafter, the TRC), and its contribution to reconciliation in South Africa. I will examine the work and success of the Truth and Reconciliation Commission, before referring back to the *Kairos Document's* critique of “church theology” to ask whether true reconciliation has indeed been fostered through the TRC process. I will discuss critically questions of truth, forgiveness, repentance, justice and reconciliation. My focus will be on the “white” apology or lack of apology, and the relationship between justice and reconciliation.

Chapter 2 – Truth, Reconciliation and the TRC

Two fundamental questions that arise from South Africa's Truth and Reconciliation Commission are to do with its very name:

- 1) Was truth advanced? and
- 2) Did the process bring about, or at least promote, reconciliation?

These two questions are, of course, related, because the first seems at least to be one of the preconditions of the second – that is to say, reconciliation needs to be based not on a concealment or obfuscation of the truth, but a substantial revelation of the truth about whatever it is that has caused a breach in good relations. Audrey Chapman lists the following six preconditions for (national) reconciliation⁵:

- 1) *Discernment, preferably by a body with official status, of the truth about the extent, causes, and perpetrators of the violence and abuses in the past.*
- 2) *Open and shared acknowledgement of moral responsibility by those who inflicted the harm and others who were complicit by their silence and failure to oppose the wrongdoing.*

⁵ I have chosen Chapman's model here because she is focusing particularly on the relational rather than transactional aspect of reconciliation, and this is the aspect that I am primarily seeking to address in this paper.

- 3) *A willingness to let go of the past and not seek vengeance.*
- 4) *Achieving justice, specifically a measure of appropriate redress.*
- 5) *Commitment on the part of all parties to repair and reestablish their relationships.*
- 6) *Create and sustain a network of understandings and relationships necessary to shape and support a new and common future.*

(Chapman 2003, 13)

Thus, uncovering and discerning the truth is, in this model, the very first step towards reconciliation. The second precondition, however, implies that the truth is to be known on both sides of past conflict, not just by those who may be identified as victims of abuse. Thus, if the truth about abuses has been largely discerned by a body with official status, it profits little towards reconciliation if it has not been widely communicated and, perhaps this is the key, *received*, particularly by those who inflicted or were indirectly complicit in wrongdoing.

Chapman's second precondition further implies not merely a reception of the truth by perpetrators and others who were complicit, but a response to that truth in the form of acknowledgement, acceptance of responsibility and, in points 4 to 6, commitment to justice, including redress, and to an ongoing new relationship. In this sense, as I shall argue in the remaining chapters, the TRC could not hope to be anything more than a contributor to the process of reconciliation in South Africa since its mandate covered little more than the first of Chapman's six preconditions above. Beyond that it could only encourage, not coerce,

Chapman's second and third preconditions (that is, the response to revelations of the truth by perpetrators and by victims) and make recommendations for the fourth. The fifth and sixth preconditions would need to be left to all sides to achieve beyond the life and mandate of the TRC. Perhaps, then, the name *Truth and Reconciliation Commission* was a little overambitious, or perhaps it was intended to point to an aspiration beyond its own lifespan. This latter intention is supported by the use of the word "promote", which appears both in the name and the wording of the Act establishing the Commission: "The Promotion of National Unity and Reconciliation Act 34 of 1995" (see *TRC Final Report*, 1998, 1:301 Appendix 1).

According to this Act, the Commission's objectives were:

To promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past by establishing a complete picture of the causes, nature and extent of gross violations of human rights by conducting investigations and holding hearings; facilitating the granting of amnesty to persons who make full disclosure of all the relevant facts relating to these acts; establishing and making known the fate or whereabouts of victims and recommending reparation measures in respect of them; and compiling a report providing a comprehensive account of the activities and findings of the Commission.

(*TRC Final Report*, 1998, 1:304 Appendix 1; for the full wording of the Act, see *TRC Final Report*, 1998, 1:55-57.)

Note that the Commission was “to promote”, not to begin nor complete national reconciliation, and, more importantly, the means by which it was to promote reconciliation was spelled out in several tasks which could be put into two main categories, truth and justice, with by far the larger part of the assignment relating to truth: “establishing a complete picture”, “conducting investigations and holding hearings”, “establishing and making known” and “compiling a report providing a comprehensive account”. With respect to the two tasks relating to justice, the Act delegates real power to the Commission in waiving punitive justice (“granting of amnesty”), but delegates only influence rather than real power in executing restitutive justice: “recommending reparation measures”. Anything resembling retributive justice was thus excluded from the mandate of the TRC, leaving it able only to make recommendations concerning reparations. It could be argued that the TRC had power to refuse amnesty, which in effect handed them over to the retributive justice system, but in fact the amnesty applications were essentially prejudged by the Act which stipulated the conditions for amnesty, and the Commission could decide only whether those conditions had been met, not whether the conditions were just. For example, even in a retributive justice system, the attitude of a defendant, their sense of remorse, is taken into account in the sentencing, but for the TRC remorse or any sign of repentance for the crime or crimes was not a condition or material factor in granting amnesty. Furthermore, even in those cases where amnesty was refused, there was no guarantee that a prosecution would follow in the civil courts: in fact this was the exception rather than the rule.

I think, therefore, that it would be unfair to judge the success of the TRC on the extent of reconciliation evident in South African society. It may indeed have provided the forum for some limited reconciliation, the opportunity for willing individuals to reconcile, but it was more a launch pad for reconciliation than a landing strip. The *response* to the TRC process was key to the achievement of greater reconciliation, and this was something over which the TRC had very little control.

The TRC, then, can only be fairly critiqued on its role in discerning and recording the truth, and to a much lesser extent its effectiveness in encouraging constructive contrition on the part of perpetrators and forgiveness on the part of victims. (I will return later to what I mean by constructive contrition and also to the term “victim”, which tends to lessen or disempower those labelled as such. Journalist Antjie Krog discusses the preference for the term “survivors” as opposed to “victims” – Krog 2000, 303 – and, particularly in the case of businesses and the white South African population at large, the term “beneficiaries” as opposed to “perpetrators” – *ibid.*, 315.)

What is Truth?

This was the somewhat cynical, perhaps, and apparently rhetorical question Pilate voiced before the bound Christ (John 18:38). Volume 1 of the TRC’s final

report outlines “four notions of truth: factual or forensic truth; personal or narrative truth; social or ‘dialogue’ truth and healing and restorative truth” (*TRC Final Report*, 1998, 1:110). But, as Wilson laments, the report “gives no guidance about how the four categories of truth might be connected, integrated and synthesized.” (Wilson 2001, 37) He believes that forensic truth and narrative truth predominated, and that the former carried epistemological value whilst the latter only cathartic value (*ibid.*) However, the latter, in my view, was given the greater publicity and thus more closely represents the public perception (as the surveys referred to below reveal) of the truth that the Commission uncovered and that became the shared (or perhaps more accurately, partially shared) national narrative.

Much debate has taken place over the truth of these narrative “revelations” before the Commission, both by victims and relatives of victims, and by perpetrators of human rights violations who, either subconsciously or deliberately, shaped their testimony to justify their own positions. As Chapman and Ball remark (in Van der Merwe, H. & Chapman, A.R., eds. 2008, 144), “Memory is inherently subjective and open to change over time, particularly memories related to traumatic experiences and public events.” Commissioner Malan’s minority position in the *TRC Final Report* highlights the possibility, or even probability in his view, of exaggerations in oral testimony:

Exaggeration is a natural consequence of human suffering. Often deponents were not present at the actual violations to which they testified and their stories were accounts of what they were told. They reflect oral history. They also reflect

perspectives. Often deponents gave evidence in terms of their own understanding of what happened. Evidence was not tested. It was not intended to be tested. Except for a few statements, they were not even attested to under oath. Most deponents giving oral evidence, when taking the oath, made it clear that they would speak the truth “as they see it”.

(TRC Final Report 1988, 5:441)

It is important to note that, although this was published in the report, this view was not supported by all the Commissioners, and is challenged directly in the same report:

We dispute the allegation that “most deponents giving oral evidence, when taking the oath, made it clear that they would speak the truth ‘as they see it’ ”. This is an unfounded generalisation. Quite significantly, no details or examples are given to substantiate this sweeping statement.

(TRC Final Report 1988, 5:459)

Here, however, it is not made clear to which aspect of Commissioner Malan’s statement the other commissioners object. Perhaps the word “most” makes the statement objectionable and its place would have been better occupied by the word “some” or “a few”, or perhaps by specific examples of what he claims. Underlying the objection seems to be a sense that the phrase “as they see it” implies an overly subjective and unreliable version of what happened. Yet it need not do any more than underline the observation that such evidence, by its very nature, is not empirical, but from a particular perspective, that is to say,

subjective. Truth in such circumstances can seldom, if ever, be obtained empirically, but is more closely approximated with a greater multiplicity of perspectives. Why, then, did Commissioner Malan highlight this (alleged, or disputed) qualifier to the oath? How could the testimony of a witness be anything other than “their own understanding of what happened”, or the truth “as they see it”? Perhaps he was deliberately trying to cast doubt on the veracity of testimonies before the Commission, which would explain the other Commissioners’ annoyance with this particular observation, or perhaps he was merely trying to remind the other Commissioners (and any readers of the report) of the importance of bearing in mind the Commission’s own framework of different types of truth.

I cannot, of course, pretend to have special insight into the mind of Commissioner Malan nor of the other Commissioners, but qualifying the truth of the Truth and Reconciliation Commission gets to the very heart of its work. Wherever the dispute (about the qualifying tag, “as they see it”, appended to the taking of oaths before some of the oral testimonies) might lead, the point remains that these were not legal proceedings in which rigorous cross-examination took place to examine the verity and consistency of victims’ testimonies, but rather opportunities for people to tell their stories. As Tutu himself said at a Port Elizabeth hearing, “It is important that everyone should be given a chance to say his or her truth *as he or she sees it...*” (*TRC Final Report* 1998, 1:112; emphasis added). The *TRC Final Report* went on to underline this point: “The stories told to the Commission were not presented as arguments or claims in a court of law.”

(Ibid.) These were personal narratives, not courtroom statements. This may mean less precision and more subjectivity in some cases, but it does not necessarily diminish the truth of the greater picture being exposed, or what Chapman and Ball term “macro-truth” (in Van der Merwe, H. & Chapman, A.R., eds. 2008, 144). In fact, as Chapman writes elsewhere, a narrative approach may offer a more complete historical account than courtroom proceedings would: “Because the purpose of a truth commission is to provide a narrative of a specific period and regime, it is far more likely than court trials to yield a historical account of the events in question.” (Chapman 1999, 242)

The *TRC Final Report* also acknowledges the particular difficulty of discerning truth in amnesty applications where there was a natural tendency, motivated in some cases by a legal imperative for self-preservation, for individuals to downplay their guilt. It was again Commissioner Malan who noted:

Applicants [for amnesty] generally downplayed their own roles in abuses. Because of the wording of the Act, applicants structured evidence to construct an order. While every application had to be dealt with on its own merit, all too often deceased individuals were implicated. The Amnesty Committee is not obliged to make a finding on implicated persons and seldom does. Implication may be blatantly false. It may also be an honest perspective, especially where there is reliance on implied rather than an explicit order from a superior authority.

(*TRC Final Report* 1988, 5:441)

Scepticism of such testimony seems more common than doubts about the testimonies of victims. As one of the Afrikaner respondents in Vora's research into student perceptions of the TRC in South Africa commented: "I would also tell any version of the truth to get out of jail." (Vora & Vora 2004, 310) And a statement by a Xhosa respondent reflects a similar sentiment: "Not all the people are honest, they just want to be forgiven." (Ibid.)

In a broader nation-wide survey on perceptions of the TRC, conducted in 2000/2001, approximately 85% of black respondents felt the TRC did either an excellent or pretty good job of "providing a true and unbiased account of the country's history", whilst fewer than 35% of whites felt the same way. (Gibson 2005, 346.) This reflects what became a recurring criticism from the National Party and other groups of the Commission's "irreconcilable bias" against the former ruling party and the supporters of apartheid in general (see O'Brien 2000, 12). It seems that this was a common white response to the TRC and a natural one coming from a group that was still largely in denial about its role in the past. According to psychiatrist, Dr. Sean Kaliski, "The reactions of white South Africans to the revelations of the Truth Commission can be divided into two main groups.... There are those who refuse point-blank to take any responsibility and are always advancing reasons why the commission should be rejected and regarded as a costly waste of money. And then there are those who feel deeply involved and moved, but also powerless to deal with the enormity of the situation." (Quoted in Krog 2000, 215.) I will return to these groups, the apologists and the apologisers, in Chapter 3.

More than that, however, the TRC was seen by and large as a forum for black victims of apartheid, and it was their story that was told. (See, for example, Gibson 2005, 346; and Vora & Vora 2004,319.)

In addition to the difficulties highlighted above, the TRC, like all truth commissions, had numerous limitations in its ability to uncover truth, including a limited mandate, time and resource constraints, and reliance in many cases on documentation and testimony from officials of the previous regime. (See Chapman 1999, 243.) The issue of the Commission's limited mandate with respect to the period it was to cover from 1960 to 1994, and the effect this had on isolating apartheid from its broader context, and thus portraying an incomplete truth about the past, is highlighted in Volume 1 of the *TRC Final Report* – twenty pages (pages 24 to 43) of the report are devoted to discussing the historical context of apartheid – and the minority position in the *TRC Final Report* adds another perspective to that broader context: “It [apartheid] originated and developed as a result of different influences over at least a century.” (*TRC Final Report* 1988, 5:445) This section of the report (the minority position) goes on to list, amongst other such influences, colonialism, British Empire politics, the Great Depression of the 1930's, Afrikaner nationalism, the civil rights movement in the USA and decolonisation (particularly British) in Africa. (Ibid.) Cold War geopolitics might well have been added to that list, and was discussed briefly in Volume 1 of the report (*TRC Final Report*, 1998, 1:37-38).

Despite these limitations, however, there is broad consensus that, quite apart from the fact that Nuremburg-style trials were not feasible (as Graybill and others point out, apartheid did not end in military defeat, but a negotiated settlement – Graybill 1998, 61; see also O'Brien 2000, 1; and *TRC Final Report Volume 1*, 1998:5, paragraph 21), they would likely have resulted in a greatly diminished narrative of the apartheid era.

And finally, the *TRC Final Report* highlights an aspect of truth that is not so much concerned with creating novel truths as with reducing untruths. Volume 1 of the report quotes Michael Ignatieff as stating: “All that a truth commission can achieve is to reduce the number of lies that can be circulated unchallenged in public discourse.” (*TRC Final Report*, 1998, 1:111) The report then goes on to list a number of lies or popular misconceptions (for example, that the practice of torture by state security forces was not systematic and widespread; that only a few ‘rotten eggs’ or ‘bad apples’ committed gross violations of human rights; that the state was not directly and indirectly involved in ‘black-on-black violence’; that the chemical and biological warfare programme was only of a defensive nature; that slogans by sections of the liberation movement did not contribute to killings of ‘settlers’ or farmers; and that the accounts of gross human rights violations in the African National Congress [ANC] camps were the consequence of state disinformation – *TRC Final Report*, 1998, 1:112) that it believed had been in circulation, but which now, thanks to the Commission, had been successfully and publically debunked or discredited. The shared national story, then, is as much

about dispelling the disinformation of the previously dominant story as creating a new national narrative.

The TRC and Reconciliation

*The quality of mercy is not strain'd,
It droppeth as the gentle rain from heaven
Upon the place beneath: it is twice blest;
It blesseth him that gives and him that takes:
'Tis mightiest in the mightiest: it becomes
The throned monarch better than his crown;
His sceptre shows the force of temporal power,
The attribute to awe and majesty,
Wherein doth sit the dread and fear of kings;
But mercy is above this sceptred sway;
It is enthroned in the hearts of kings,
It is an attribute to God himself;
And earthly power doth then show likest God's
When mercy seasons justice.*

(Portia in *The Merchant of Venice*, Act IV, Scene I)

I have discussed the TRC's mandate in the previous section. Its focus was, I believe, primarily on truth, and it was perhaps rather naïvely assumed by some that reconciliation would be a natural bi-product of truth-telling. As the report states:

In some cases, especially where the remains of loved ones were exhumed and dignified reburials were made possible, the Commission's disclosure of truth helped people to reach 'closure', to make peace with what had happened. However, the reconciliation of victims with their own pain is a deeply personal, complex and unpredictable process. Knowing the complete picture of past gross human rights violations, or even the facts of each case, may not lead to reconciliation. Truth may, in fact, cause further alienation.

(TRC Final Report, 1998, 1:107)

Indeed, where truth-telling was accompanied by a certain set of circumstances and favourable dispositions from both perpetrators and victims, remarkable instances of personal reconciliation took place and the *TRC Final Report* records many of these. National reconciliation, however, depends on more than a dotted collection (albeit a significant collection) of personal experiences of reconciliation, and in this sense I believe South Africa still has a long way to go in the process.

The Commission itself was under no illusions (at least by the end of its operational period) about its limitations in bringing about national reconciliation and the fact that this quest would outlive the TRC's brief life:

With its short lifespan and limited mandate and resources, it was obviously impossible for the Commission to reconcile the nation. The following selected moments from the life of the Commission do, however, express significant steps in the reconciliation process. Some are beacons of hope. Others warn of pitfalls. Together they constitute signposts on the long road towards making *individual*, *communal* and *national* reconciliation a living, lasting reality in South Africa.

(*TRC Final Report* 1988, 5:350; emphasis added)

I believe that a significant level of reconciliation has taken place in South Africa, evidenced by a relatively peaceful transfer of power from white minority rule to democratic majority rule, the continued peaceful transition of power (most recently to the new administration of President Jacob Zuma, our third democratically elected president) and the normal functioning of major state institutions. Political stability is not necessarily the same thing as reconciliation, however, and the reasons for my contention that reconciliation has been very limited in scope are multiple, and include the large socio-economic gap between the majority of black South Africans and the majority of white South Africans, the high levels of crime, particularly violent crime, the lack of social transformation and generally low levels of racial integration (see Gibson 2004, 117 and 123-124, Table 4.1; see also Gibson 2006b, 91, Table 1). I will return to the large socio-economic gap in discussing the theme of justice in Chapter 4, and in my conclusion.

There is little doubt that the space for victims to tell their story had an enormously cathartic effect on many who had suffered terribly under the previous regime (see Villa-Vicencio 2000, 203). In this respect, Hayner draws a connection between truth-telling and justice: “Some victims and family members of those killed say that just having the full truth publicly told can provide some sense of justice. After years of denial and silence, a government’s acknowledgment of the harm done can be powerful. And if names of perpetrators are published in the commission report, perhaps that will at least provide moral sanction and public disgrace for the wrongdoers, if there is not to be legal sanction and punishment.” (Hayner 2002, 106)

The most common reaction to the TRC’s truth-telling recorded, however, was a sense of personal restoration or reconciliation. The *TRC Final Report* states:

Clearly, not everyone who came before the Commission experienced healing and reconciliation. However, extracts from testimonies before the Commission illustrate the varying ways and degrees in which people have been helped by the Commission to restore their human dignity and to make peace with their troubled past. They include cases where an astonishing willingness to forgive was displayed, where those responsible for violations apologised and committed themselves to a process of restitution, and where the building or rebuilding of relationships was initiated.

(*TRC Final Report* 1988, 5:350)

As one man, who had lost his sight in a police attack in the informal settlement of KTC near Cape Town, expressed it “I feel that what has been making me sick all the time is the fact that I couldn’t tell my story. But now it feels like I got my sight back by coming here and telling you the story.” (Ibid., 352) Thus, the catharsis involved simply in the telling of stories was an important factor in national healing and, therefore, reconciliation. But a sense of relief and healing for victims is, as Chapman’s model cited above indicates, only one dimension of national reconciliation. In my view, and according to Chapman’s model, the admittedly vital ingredient of forgiveness needs to be complemented by repentance, accompanied by restitution as a mark of its sincerity, if fuller reconciliation is to be achieved. Villa-Vicencio, by contrast, claims that forgiveness is not a vital ingredient of reconciliation: “Reconciliation does not necessarily involve forgiveness. Antagonists need not forgive one another or love one another in order to explore the beginning of new relationships.” (Villa-Vicencio 2009, 171) But I would argue that the Christian understanding of reconciliation is about a fully restored relationship, not merely an agreement to work together despite unresolved offenses. That is to say, it is about a whole relationship, not merely a working relationship or mutual tolerance, and as such, forgiveness and repentance, where there have been offenses, are prerequisites for a complete relationship.

Father Michael Lapsley was a New Zealand-born, Australian-trained Anglican priest and anti-Apartheid activist, and later a member of the ANC, who lost both of his hands and one eye in a letter-bomb explosion in April 1990. He records

that he was a convinced pacifist on his arrival in South Africa, but reports, "It was clear to me that if you were white and did nothing to change the situation, you were actually a functionary of the apartheid government." (Quoted in Krog 2000, 175.) In his testimony before the TRC, Father Lapsley said that he saw himself not "as a victim, but as a survivor of apartheid." (Ibid., 177) Turning, then, to the topic of forgiveness, he said, "Forgive I will be able to, but then the asking of forgiveness must take place within the framework of repentance." (Ibid.)

As someone who has never suffered in such a way, I have little grounds to enter debate with Lapsley on that point, but I believe that forgiveness can be unilateral, that an individual may choose to release another's debt regardless of that person's deserving or seeking it. Tutu affirms precisely this: "Does the victim depend on the culprit's contrition and confession as the precondition for being able to forgive? There is no question that, of course, such a confession is a very great help to the one who wants to forgive, but it is not absolutely indispensable." (Tutu 1999, 272) He goes on to refer to the example of Jesus' forgiveness when he was being nailed to the cross, but for Tutu, the victim's independence from the perpetrator's contrition is about the power not to remain a victim: "If the victim could forgive only when the culprit confessed, then the victim would be locked into the culprit's whim, locked into victimhood, whatever her own attitude or intention." (Ibid.) The act of forgiveness, Tutu claims, empowers the victim to transcend victimhood. In effect, in releasing the debt of the wrongdoer, the victim is releasing him- or herself.

Nonetheless, forgiveness still needs to be directed at someone if it is to be an actuality rather than merely an abstract concept. A dialogue between one unnamed victim testifying at the TRC hearings and the chairman, Archbishop Tutu, illustrates exactly this:

Chairperson: Thank you very much for taking the trouble to come to us. Our sympathy goes to you for all the hurt that you had to go through. What we are going to try and do according to the powers that we have, we are going to find the truth and medicine that will heal our country to make us one – something that will unite all of us and make us one, so that we can have reconciliation. Thank you very much for having sympathy for other people while you have your own problems and your own hurt. That is called humanity. Something that we are trying for our country to have, and everybody should have humanity. That is what we are trying to have now so that everybody can stop being selfish. Thank you very much.

Witness: Thank you, Bishop, but I am sorry there is something else that I would like to ask. Do not take me wrong my Bishop, you cannot make peace with somebody who does not come to you and tell you what he has done. We will have peace only when somebody comes to you and says, this is what I did. I did this and this and that and that. If they do not come, if we do not know who they are, we would not be able to. But now I will forgive somebody who has. That is the whole truth, sir. We take it that the people who are listening and the people who are coming to the Commission will be touched as well. Their conscience will tell them that if they want forgiveness they should come and expose themselves so that they can also get the healing that the victims are getting.

Unidentified: This is why we are trying to investigate the truth. Thank you.

Witness: Thank you, Bishop, but there is something more. I do not want to lie to this house. Yes, Bishop, you are my Bishop. I will not be able to forgive anyone until I know who they are. Then I will shake their hands. Otherwise, I will not be able to forgive somebody that I do not know.

(*TRC Final Report 1988, 5:379*)

In his statement, Tutu indirectly defines reconciliation as being brought to oneness or unity. It is not so much a national (or even tribal or cultural) oneness, but a sense of common humanity – *ubuntu*.⁶ Selfishness, for Tutu, is the opposite of humanity, the antithesis of *ubuntu*. Tutu also mentions here the key role of truth in bringing about the healing, and another undefined “medicine”, but the unnamed witness respectfully declines an abstract forgiveness. He or she does not ask for repentance, contrition or any act of reparation on the part of perpetrators, only that they expose themselves. For him or her, reconciliation is equated with making peace, and the conditions for peace are not stringent: it simply involves an openness, a truth-telling. And to underline that this is not an

⁶ The concept of *ubuntu* is summed up in the Xhosa proverb: *umntu ngumntu ngabantu* (literally, “a person is a person through people”). There is no direct equivalent of *ubuntu* in English, but it is often rendered “humaneness”. The Xhosa prefix *ubu-* is similar in meaning and use to the English suffixes *-ship* or *-hood*, as in “friendship” or “childhood”, so perhaps a good translation of *ubuntu* would be “personhood”. It carries a sense of the essential inter- or intradependence of all people. As Tutu expresses it elsewhere, “...my humanity is caught up, inextricably bound up, in yours” (quoted in Villa-Vicencio 2009:127). Its sense is perhaps best seen at work, in its application in concrete situations. De Gruchy, by way of example, gives it practical application in the liberation struggle in South Africa: “As long as some people are not free, all are in bondage. Thus it was that the liberation of black people from oppression paved the way for the liberation of white people from being oppressors.” (De Gruchy, 2006:36)

abstract concept, but something real, concrete and physical, the unnamed witness speaks of a physical contact between victim and perpetrator: the physical act of shaking hands becomes the consummation of forgiveness and the sign of peace and reconciliation.

Danaher suggests that, “One unintended side effect of the TRC was that survivors often felt pressured to forgive perpetrators in order to fulfill the conditions of amnesty.” (Danaher 2007, 367; see also 362.) Anecdotal evidence suggests that some victims did indeed feel a degree of pressure to forgive (see also Graybill 1998, 46), although I believe it would be mistaken to link this to amnesty, since the granting of amnesty to perpetrators of gross violations of human rights was not conditional upon the forgiveness of their victims. (See Boraine 2006, 306-307 and also *TRC Final Report* 2003, 6:3-13 for conditions of amnesty in South Africa.) Remorse and repentance on the part of perpetrators of “gross human rights violations” may have been desirable and appreciated, and forgiveness on the part of victims and their sympathisers may have granted a sense of psychological and even spiritual closure to both victims and perpetrators, but none of these was factored in as a condition for amnesty. It may have granted the perpetrators a certain peace of mind or closure to the guilt they carried, but, as Tutu pointed out above, it had as much to do with peace of mind and closure for, and indeed empowerment of, the victims.

As I have already argued in Chapter 1 above, however, reconciliation cannot be unilateral, since by definition it involves the coming together of two formerly

separated. Herwitz claims that to speak of reconciliation in South Africa is a myth, since it assumes a fictional former state of unity between people, and this, he asserts, from the arrival of the very first European settlers in South Africa through to the apartheid state, has never been a reality (Hertz 2003, 41). Perhaps, then, it may be more accurate to speak of conciliation than reconciliation, but the latter term implies (regardless of the tendency towards conflict almost anywhere that diverse communities have encountered each other in human history) that there is an essential humanity, a humanness that unifies us all, but that is violated by such conflicts and divisions. The term “reconciliation” then is not a myth, but an affirmation of common humanity and perhaps common origin.

Bearing in mind the diffusion of responsibility and of roles in administrative or systemic evil, such as apartheid, it is often extremely difficult to identify specific offenders other than symbolic representatives such as leaders and a few particularly notorious exemplars, and it is equally difficult for some offenders, who are able to hide behind the diffuse nature of administrative evil, to acknowledge either to themselves or others their guilt. This has certainly been the case in South Africa where, as Graybill points out, the National Party leadership largely denied any wrongdoing or responsibility for identified crimes (Graybill 1998, 51; I shall discuss the National Party’s “apology”, delivered by FW De Klerk, in Chapter 3) and where the majority of white South Africans claimed the status of “innocent” bystanders (ibid., 54; see also Tutu 1999, 217ff). And without a more

thorough acknowledgement of and acceptance of responsibility for wrongdoing, reconciliation cannot be complete.

As I said in Chapter 1, I am of the opinion that one of the principal failures of the TRC exercise was the focus on the *crimes* of apartheid whilst largely ignoring the *crime* of apartheid. The TRC's final report repeatedly reaffirms the definition of apartheid itself as a crime against humanity (see, e.g. Volume 5, p217, paragraph 71), but in effect it becomes a crime without a specific perpetrator since no individual or even collective group assumed or was accorded responsibility for it. Instead, guilt was fragmented onto the individual crimes of apartheid, the assassinations, torture and other abuses committed by agents of the regime, particularly during the security clamp-downs and state of emergency during the 1980's. Because of this fragmentation, there may be expiation of individual offences, but not of the systemic evil that apartheid was. To the extent to which there has been a lack of acknowledgement of and repentance for the crime of apartheid (as a system), I believe there will continue to be incomplete reconciliation in South Africa.

One aspect of the problem, however, was that the provisions of amnesty were part of a negotiated settlement between the former ruling National Party and the liberation movements (headed by the ANC) before the former relinquished power. The granting of amnesty removes the possibility in those cases for retributive justice, and since restorative justice relies on the willing participation (and contrition) of perpetrators of crimes, it has little power to coerce when willingness

is absent. As the character from Shakespeare's *Merchant of Venice*, quoted at the beginning of this section, observes, "The quality of mercy is not strain'd", (i.e. "constrained" in modern use), and the same is true of the perpetrators: neither can penitence nor contrition be constrained.

This brings up the question of "whether justice was sacrificed for the creation of a new South African government," as Shore writes (2008, 162). If so, we end up with a "reconciliation that arises from expediency and not from true repentance for past wrongs" (LenkaBula 2005, 109). In Krog's view, the negotiated amnesty provision amounted to a morally questionable condoning of abuses that had been committed: "The price for the negotiations was the embrace of violation and abuse – a moral ambiguity that suited the Afrikaner bureaucracy perfectly in its last decaying years." (Krog 2000, 336) Danaher puts it thus:

As Tutu himself acknowledges in his memoirs, however, political expediency and prudential calculations contributed to the decision to institute the TRC. That the TRC failed to achieve reconciliation in full is no surprise then, given the less than altruistic motivations behind its institution.

(Danaher 2007, 363)

Others argue that such "expediency and prudence" was not necessarily morally wrong. Dr Alex Boraine, Vice-Chairperson of the TRC, asserts the moral defensibility of the compromise: in his view, "amnesty is the price we had to pay for peace and stability." (Boraine 2006, 315) Peace and stability, however, is not

the same thing as reconciliation. This was about realpolitik (Tutu, quoted in Graybill 1998, 62), not justice, but can there be sustainable reconciliation without justice?

According to Shore, “One of the primary deficiencies of the TRC was its apparent incapacity to make justice a central concern.” (Shore 2008, 162) She is of the opinion that “...the constitutional right of citizens to pursue civil claims against perpetrators was denied and ...this was nothing short of a compromised justice.” (Ibid., 167) Furthermore, “...the individual truth-telling and amnesty that the TRC adopted prohibited the pursuit of structural justice and reparations.” (Ibid.) Of course criminal prosecutions, such as the high-profile trials of Wouter Basson, Eugene de Kock and other apartheid agents, running concurrently with the TRC hearings (see Villa-Vicencio & Verwoerd 2000, 29) provided what Boraine calls the “judicial stick” as a complement to the “TRC carrot” (Boraine 2006, 308), but for those who received amnesty, they could no longer be pursued for punitive justice or reparations.

In his foreword to the TRC’s *Final Report*, Tutu lists several arguments in his discussion of “Transitional Options”, both practical and moral, for why the TRC’s amnesty provisions were preferable to pursuing a retributive justice through the court systems (see *TRC Final Report*, 1998, 1:5). And in a later section on “Amnesty, Truth and Justice” (ibid., 117ff), the report speaks of “accountable amnesty” as opposed to “impunity” (ibid., 118). It claims that the TRC’s amnesty process promoted greater justice (than a punitive route would have) by, *inter alia*,

ensuring a fuller exposition of the truth, more effectively preventing future violations, bypassing the limitations and constraints of the judicial system, and promoting greater social justice (ibid., 120-125). In addition, the report claims that far more victims were given both answers and practical assistance as a result of the TRC's amnesty process than would have been the case had justice been pursued through the criminal system (ibid., 128-129). Admittedly however, the report was written in anticipation that the Commission's recommendations for reparations would be substantially executed by the state, and perhaps in hope of greater social justice. This has yet to be fulfilled. Furthermore, as I stated earlier, I believe the individualisation of the process did indeed inhibit the potential for the furtherance of structural justice.

To return, then, to Chapman's six preconditions for reconciliation, (that is, in brief, 1. discernment of the truth; 2. acknowledgement of moral responsibility for wrongdoing; 3. willingness to let go of the past and not seek vengeance; 4. justice, specifically a measure of appropriate redress; 5. commitment on the part of all parties to repair and re-establish relationships; and 6. sustaining a network of understandings to shape and support a new and common future – Chapman 2003, 13), it seems fair to say that the TRC was relatively successful in achieving the first and third conditions, whilst the fifth and sixth conditions were largely beyond its ambit. I believe the TRC did everything in its non-coercive power to solicit the second precondition, and was certainly partially successful in this, but that, sadly, there is still a large void in the process left by the absence of any significant acknowledgement of responsibility, even those "complicit by their

silence and failure to oppose the wrongdoing” (ibid.), on the part of the vast majority of white South Africans. “Reconciliation,” writes Miroslav Volf, “requires more than truth, more than full disclosure. It also requires moral judgment, and along with moral judgment the wrongdoer’s acceptance of moral responsibility – as well as the victim’s willingness to release the wrongdoer from a genuine moral debt.” (Volf 2006, 219) South Africa’s transition seems to have been blessed with an abundance of the latter, the willingness to release, but a tragic paucity of the former, of accepting moral responsibility.

In this vein, Tutu wrote somewhat poignantly of his disappointment in his foreword to Volume 6, a codicil to the TRC’s Report, published in 2003, but, typically, writes hopefully about the long-term process that preceded and outlives the TRC:

It is something of a pity that, by and large, the white community failed to take advantage of the Truth and Reconciliation process. They were badly let down by their leadership. Many of them carry a burden of a guilt which would have been assuaged had they actively embraced the opportunities offered by the Commission; those who do not consciously acknowledge any sense of guilt are in a sense worse off than those who do. Apart from the hurt that it causes to those who suffered, the denial by so many white South Africans even that they benefited from apartheid is a crippling, self-inflicted blow to their capacity to enjoy and appropriate the fruits of change. But mercifully there have been glorious exceptions. All of us South Africans must know that reconciliation is a long haul

and depends not on a commission for its achievement but on all of us making our contribution. It is a national project after all is said and done.

(*TRC Final Report* 2003, 6:1)

As this last sentence indicates, Tutu understood that the TRC was merely a part of the process of reconciliation, which is a national project both preceding and continuing beyond the TRC. I will return to the subject of white South Africans taking responsibility for apartheid in the next chapter.

The Kairos Document and Reconciliation

In its section on “church theology”, the *Kairos Document* states that “there can be no true reconciliation and no genuine peace *without justice*” (*Kairos Document*, 2nd Edition, 3.1 – see Logan, ed. 1988, 16) It goes on to say that, “Any form of peace that allows the sin of injustice and oppression to continue is a false peace and counterfeit reconciliation.” (Ibid.) Consequently, “No reconciliation is possible in South Africa *without justice*, without the total dismantling of apartheid.” (Ibid.) As Kjeseth puts it, “Reconciliation and peace are empty words, even lying words, when they are not combined with justice.” (Kjeseth 1993, 101)

How, then, does the TRC process measure up to the *Kairos Document’s* standard of reconciliation?

The sentence quoted above from section 3.1 of the document links justice in this context to “the total dismantling of apartheid”. I would argue that this has happened legally, but not socio-economically. Apartheid has been eradicated from the statute books: it is legally dead. However, its legacy of racial inequality (I am aware and have noted above that this inequality was not solely the result of apartheid, but multiple other factors – see *TRC Final Report* 1988, 5:445) continues in large measure to the present, and thus the justice spoken of by the *Kairos Document* is not (yet) achieved. The Constitution of the Republic of South Africa contains a Bill of Rights (Chapter 2) which, in Section 9 on the theme of equality, enshrines legal equality and explicitly outlaws apartheid-era discrimination, yet simultaneously acknowledges the reality of inequality and provides for measures to rectify this:

9. Equality:

(1) Everyone is equal before the law and has the right to equal protection and benefit of the law.

(2) Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.

(3) The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic

or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.

(4) No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3). National legislation must be enacted to prevent or prohibit unfair discrimination.

(Constitution of the Republic of South Africa, No. 108 of 1996 – Chapter 2, Section 9)

Subsection (2) above explicitly acknowledges that equality, though a legal reality, has not yet been achieved in practice, and provides for the advancement of the previously disadvantaged.

Thus, in terms of the *Kairos Document's* definition, justice, and therefore reconciliation too, is still an aspiration rather than an achieved reality. Christie records the response of an elderly woman from the black township beside Grahamstown who responded to the TRC commissioners' talk of reconciliation in the following way: "It's alright for you to forgive and embrace perpetrators of heinous crimes for the sake of reconciliation. Indeed it's alright for Nelson Mandela to forgive since his life has also changed. But our lives have not changed. We still live in the same shacks or matchbox houses." (Christie 2000, 189) As the TRC demonstrated, many people, despite their impoverished, unchanged physical circumstances, were nevertheless able to demonstrate extraordinary forgiveness. But, until the socio-economic legacy of apartheid (and colonialism) is eradicated and equity achieved, I believe the *Kairos Document* is correct that reconciliation will be largely illusory.

Puleng LenkaBula speaks not of retributive or restorative justice, but “redistributive justice” (LenkaBula 2005, 103) as a key element to reconciliation in South Africa. She “calls for the entrenchment of justice and reconciliation in South Africa, particularly following the public and ecclesial discourse in South Africa that emphasized issues of truth, forgiveness and healing whilst underplaying the imperative for redistributive justice as a component that could possibly complement and facilitate reconciliation.” (Ibid.) Dr Laurie Nathan in his submission to the TRC expressed better than I could this responsibility, as yet unacknowledged, of white South Africans:

Whatever the individual talents and efforts of whites, our lives of privilege today are the product of a grand historical act of theft. We stole the land, the labour, the dignity and, in countless instances, the lives of the black people of our country. The majority of blacks still live with the consequences, and the majority of whites still enjoy the fruits of our acts of violence. The past is present. It is present in our suburbs and in our townships. It's present in our individual and national psyche. White domination may have been eliminated in the political arena but it still prevails at an economic level and in forums like universities and the media which have a powerful impact on the ideas and the debates of broader society.

(TRC Final Report 1988, 5:404)

The redistribution of political power alone does not constitute justice in South Africa. Herein lies the unfinished business of the nation's reconciliation process.

Chapter 3 – Repentance and Apology: a missing ingredient?

“The power and importance of apology lie in its potential to offer victims a *moral recognition or acknowledgement* of their human worth and dignity.”

(Govier & Verwoerd in Doxtader & Villa-Vicencio 2004, 243; emphasis original.)

At this point, then, I would like to look first at the question of apology as an essential ingredient in the process of reconciliation, before returning to the theme of justice and more specifically restorative and redistributive justice as markers of the repentance which should underlie a genuine apology.

Personal context

I have already used some examples from my personal experience, and perhaps at this point, before I embark on a further account of personal perspective and involvement, I should contextualise it with a brief sketch of my background. What I engage in further is not strictly speaking an auto-ethnography⁷, but is

⁷ I understand the term to imply the use of oneself in reflexive study in order to obtain an inside cultural perspective or to conduct an ethnography of one's own ethnic group or cultural background. For an in-depth discussion of auto-ethnography, see White, Sue, 2001: “Auto-Ethnography as Reflexive Inquiry: The Research Act as Self-Surveillance” in Shaw, I. and Gould, N., *Qualitative Research in Social Work*, (London: Sage Publications, 2001), pp100-114. See

nevertheless a commentary on South African reconciliation from an insider's perspective, from the perspective of a member of one of the protagonist ethnic groups.

I am a white, English-speaking South African from a traditionally liberal background – my parents were supporters of the main opposition party, Van Zyl Slabbert's "Progressive Federal Party" (PFP), during the years of the National Party's apartheid government. My father was the headmaster of two successive private schools and was responsible for admitting the first black students to these formerly all-white schools in the 1970's and early 1980's, something for which he was initially only slapped on the wrists by the Transvaal (Provincial) Education Department, but for which eventually, as he proposed more substantial changes to the demographics of the second school in supposedly "liberal" English-speaking Natal, he lost his job and my parents were both unemployed for several months whilst two of my siblings and I were all still at school. In this sense, my family might have been seen as having made a sacrifice to oppose apartheid in our small way. Nevertheless, despite this relatively small hiccup in the family's fortunes, along with almost all white South Africans we were massively privileged by the apartheid system and enjoyed a high standard of living that was made

also Leon Anderson's brief history of autoethnography (pp375-378) in his article, "Analytic Autoethnography" in *Journal of Contemporary Ethnography*, Volume 35 Number 4 (August 2006), pp373-395.

possible by the disparities that apartheid maintained, and whose perpetuation was ensured through the unequal education we enjoyed.

With both our parents as teachers (a profession reputed to be not particularly well rewarded financially in South Africa), we were not considered a wealthy family, yet such was our birthright as white South Africans that we lived at a level of affluence comparable to much wealthier people in West European countries. We had two full-time domestic servants: a Xhosa-speaking woman who worked as our “maid” and “nanny”, doing all of the menial domestic chores such as cleaning, laundry and ironing, and a fair amount of the cooking too; and a Shangaan-speaking “gardener” (often referred to in South Africa as “garden boys”, even as elderly men) who maintained our spacious garden. They lived in a nearby separate servants’ compound, for the most part ate different food (usually more basic maize-based staples) from us and, when at work at our home, ate outside or in a separate side room using dedicated utensils. Their families lived far away in other parts of the country, and they were usually able to visit them only when we ourselves were away at our holiday home on the coast, where we always had one, sometimes two seasonal “maids” to take care of domestic chores, and where we enjoyed many miles of beach unspoilt by anyone other than a small and almost exclusively white smattering of frequenters.

Growing up, I do not recall questioning much of this in any way, and I am reasonably confident that our domestic servants did not question it much either. We considered ourselves to have an excellent relationship with our black

servants (since *baas*⁸-servant relationships were the only ones we had with black people, with very few exceptions) wherever we lived, and, without seeing a different society, it was hard to imagine anything other than the *status quo*. I dare say, to most of us, black and white, this was our normal.

As a university student in Cape Town in the late 1980's and early 90's, I had some superficial involvement in student anti-apartheid protests, more I suspect from the thrill of defying the state authorities than from passionate conviction. At that stage we all knew that apartheid was winding down, but I do not think many of us expected any significant changes in our white South African lives when apartheid ended, and by and large I believe we have thus far been proven right.

Such, then, is the personal history which I carry into this discussion. I carry it with no particular personal sense of guilt or shame, nor of pride. I would not consider myself a perpetrator of apartheid abuse, but most certainly a beneficiary. This is the starting point for my own sense of responsibility for the crime of apartheid.

⁸ An Afrikaans word widely used by black South Africans of almost all white males during apartheid. It translates as "master", "employer", "boss" or "superior". The female equivalent was usually "miessus" or "madam".

A White Apology? – A personal journey

In 1999, while the country was still reeling from the revelations of the TRC, I had a growing sense that, not only was there a crucial missing ingredient in the process of reconciliation, but that the time was ripe to try to take a step towards addressing that shortfall in the reconciliation account. What was missing, in my view, was a substantial acknowledgement of responsibility for apartheid on the part of white South Africans, and a commitment to redress the injustices that it had brought. There was also a global movement at the time, largely motivated by Christian convictions, and strongly supported by South African churches, calling for debt relief as a way to redressing injustice and inequality that could be attributed by and large to colonialism and western imperialism. The Jubilee 2000 movement called for the large-scale cancellation of third-world debt, and it seemed to me that this dovetailed in a certain sense with the “debt” of white South Africans to their compatriots. It seemed an appropriate time to seek forgiveness of that debt along with the national debts that were strangling many African countries.

I was of the opinion that none of the existing white leaders was likely to make any significant further movement in that direction and that, in any case, there was no single leader who could be said to represent white South Africans in general. Thus, I concluded, we would need a grassroots campaign, not led by any particular individual, party or organisation, but one that would somehow grow

organically and obtain an apology and commitment to justice from a critical mass of white South Africans. In 2000 I drafted a “Confession” for white South Africans that I hoped might be widely circulated with the help of churches and spontaneously willing people to gather signatures from white South Africans, together with an account to be administered by a post-TRC reparations committee, into which white South Africans could make voluntary donations for reparation and development of historically disadvantaged communities.

During the following months I visited various priests and pastors of largely white congregations, and was somewhat disappointed by the lack of enthusiasm, and in one case by the active hostility. I finally ended up in the Anglican Archbishop’s office and was thereafter invited to a meeting with various like-minded people, from which emerged a steering committee for a campaign which came to be known as “The Home for All Campaign”. The steering committee on which I now sat consisted of an interesting mix of people, including: the chairman of the *Institute for Justice and Reconciliation*, Charles Villa-Vicencio; Wilhelm Verwoerd, the grandson of Hendrik Verwoerd, who is usually referred to as the “architect of grand apartheid”; Mary Burton who had led the Black Sash (a women’s anti-apartheid movement) and who had been a commissioner on the TRC; Afrikaans journalist, author and poet, Antjie Krog; Carl Niehaus, an Afrikaner who had been vilified for joining the ANC in 1980 and becoming part of their underground armed struggle inside South Africa, and who had subsequently spent several years in jail for high treason; a University of Stellenbosch chaplain, Fanie du Toit; the

current Executive Director of the Centre for Conflict Resolution, Laurie Nathan; and a handful of ordinary citizens such as I.

What emerged was a “Declaration of Commitment by White South Africans” which acknowledged responsibility for apartheid and pledged commitment to redressing the imbalances of its legacy:

DECLARATION OF COMMITMENT BY WHITE SOUTH AFRICANS⁹

We acknowledge that apartheid inflicted massive social, economic, cultural and psychological damage on black South Africans. It undermined our common humanity.

We acknowledge the white community’s responsibility for apartheid since many of us actively and passively supported that system. Some white people were deeply involved in the struggle against apartheid but they were few in number.

We acknowledge our debt to fellow black South Africans since all whites benefited from systematic racial discrimination.

We acknowledge that the damage caused by apartheid has not been overcome. The legacy of racial discrimination remains evident in the acute deprivation experienced by most black people and in the privileged lives of most whites.

We acknowledge that racist attitudes of white superiority and black inferiority continue to shape our lives, communities and institutions.

⁹ From the “Home for All Campaign” (later changed to the “Home to All Campaign”) press release on 15 December 2000.

We acknowledge that our failure to accept responsibility for apartheid has inhibited reconciliation and transformation.

We deeply regret all of this.

We therefore believe that it is right and necessary to commit ourselves to redressing these wrongs. We pledge to use our skills, resources and energy, through individual and collective action, to empower disadvantaged people, eliminate racism and promote a non-racial society whose resources are used to the benefit of all its people. To these ends, and in recognition of the need for restitution, various initiatives will be undertaken, including the establishment of a Development and Reconciliation Fund.

This document had deliberately shed much of the Christian terminology of confession, repentance and forgiveness which my initial draft had included, and this was intended to make it equally accessible to all white South Africans, regardless of their religious or non-religious convictions, but it retained three important points that I believe needed to be underlined: 1) an acknowledgement that white South African's as a group were, and to a large extent continue to be, beneficiaries of the exploitation of black South Africans under apartheid; 2) that racism still pervades South African society; and 3) that acceptance of responsibility is tied to reconciliation and transformation. The campaign, with its first few hundred signatures to prime the pump, was launched on December 16th, a public holiday in South Africa known as the Day of Reconciliation.

Sadly, the declaration was severely criticised by the Democratic Alliance (the largely white liberal political party that was the successor to the main opposition

party to the ruling National Party of the apartheid period) and the other two largest of the predominantly white political parties, (see, for example, minutes on the “Proceedings of the National Assembly”, 7 March 2001, found at http://beta.parliament.gov.za/live/commonrepository/Processed/20091112/100416_1.doc)¹⁰ and also by respected liberal white leaders such as Helen Suzman, who had a long track record of opposing the apartheid government from her liberal (United Party, later Progressive Federal Party, and then Democratic Party, which formed the core of the Democratic Alliance) seat in the all-white parliament.

The objections were primarily on three fronts. Firstly, it was felt that this campaign laid an indiscriminate and unfair blame on all whites, ignoring the noble role played by many white South Africans from both inside and outside the system to bring apartheid to an end. Secondly, it was felt that the campaign simultaneously denied the guilt of many black South Africans for the current ills and injustices of South African society by laying all blame exclusively at white feet. Thirdly it was felt that the campaign was simply a politically motivated tool, led by the ANC, to silence the white population and main opposition parties, that by laying guilt on them they would be disqualified from criticising the current government.

¹⁰ Accessed 9 December 2009.

I believe the criticisms completely misjudged or misunderstood the spirit of the declaration. A careful reading of the document, especially the second paragraph, will show that the first of these was unreasonable. The second objection misses the point that one person's (or group's) acknowledgement of guilt neither implicates nor exonerates others. As one of the steering committee members, Laurie Nathan, wrote, "The Declaration does not suggest that black deprivation is mainly due to racism or any other factor. It does not purport to offer an analysis of poverty. The focus is much narrower: a personal acknowledgement by whites of their individual and collective responsibility for apartheid, as perpetrators, passive supporters and/or beneficiaries." (Laurie Nathan in *The Mail and Guardian*, January 19-25, 2001.)

The third objection is based on an ignorance of the process that led up to the document and the campaign – it certainly was never under the auspices, directly or indirectly, of any political party, and the objection that it was designed to silence whites is again flawed.

I undertook to answer the principal objections to the campaign in a letter, reproduced below, to the *Cape Times* (an English language daily newspaper based in Cape Town and distributed widely in the Western Cape) on 28 January 2001:

“Home for All Campaign” a great opportunity

Much has been written in recent weeks about the “Home for All Campaign” and, more particularly, the “Declaration of Commitment”. I would like to respond to some of these comments by pointing out what the declaration is and what it is not.

The Declaration of Commitment is not, as some have charged, “a hand-wringing apology” or an exercise in “breast-beating guilt from angst-ridden whites”. Far from being motivated by guilt, the campaign is motivated by [Albert] Luthuli’s vision of South Africa as a “Home for All”, where the old apartheid labels of “white” and “black” will at last be superfluous.

Neither is the declaration designed to perpetuate the myth that vilifies all whites as racists and oppressors, and portrays all blacks as innocent victims. No race holds a monopoly on racism! The declaration does not seek simplistically to blame all our current national problems on whites or apartheid, nor does it exonerate the present government from its shortcomings. Rather than silencing any critical voice of whites, a willingness for self-criticism lends greater integrity to critical commentary on others.

The campaign is not, as some have assumed, an initiative of the ANC or of any other political party - in fact it studiously avoided becoming embroiled in party politics by waiting until after the local government elections in December before becoming public.

Rather, what the campaign with its declaration is, is an attempt by ordinary whites simply to acknowledge a degree of complicity in wrongs committed either by them as individuals, or corporately, or merely on their behalf, and to move on from there into a constructive role in the country. Its logic is that, as white South Africans, we all enjoyed in some measure the material benefits of racial discrimination and we all therefore share complicity in the offence, whether directly or indirectly, whether in action or attitude, of racial injustice. Such an expression of sorrow for what has passed, and of human solidarity with the suffering inflicted by apartheid on so many, would be a fitting popular response by whites to the TRC process.

Though we could never all agree on the precise wording of such a declaration, – there will always be certain phrases or paragraphs in dispute – why allow quibbling over semantics to undermine what should be a great opportunity to take

another positive step towards closer national reconciliation? Late though such an acknowledgement may already be, why leave our unfinished business to future generations?

Lastly, far from being an empty symbolic gesture, the campaign offers people the opportunity to give it substance through donations to the Development and Reconciliation Fund, and also through activities and projects committed to working with poorer communities.

We would be naïve to think such a campaign will rid this country of all racism, but a large number of signatures, coupled with meaningful actions, would make this a significant step in the right direction and maintain South Africa's status as a model for other strife-torn nations.

Duncan Todd is a member of the Home for All steering committee, writing here in his personal capacity.

There was, perhaps, a certain naïveté to the project, overestimating the extent to which the majority of white South Africans were ready to take responsibility for the past. (See Gibson's survey, where only around half of white South Africans accept that whites [English and Afrikaans] were to blame for apartheid – 2005, 352; and where 51% of whites felt that, "There were certainly some abuses under the old apartheid system, but the ideas behind apartheid were basically good ones." – *ibid.*, 354.) Personally I was somewhat disappointed, if not disillusioned with the negative response from the press and the critical mass of white South Africans, and I felt I had little more usefulness to add to the campaign in any case, so my involvement on the steering committee ended in 2001. The campaign never garnered more than a few thousand signatures and public interest all but faded away after the early, if mostly negative, attention.

But why do I bring this example up at all, this attempt to mobilise a white response to the injustices of apartheid? For me it serves to illustrate the human complexities of reconciliation, the fact that there are no quick fixes and seldom simple solutions to damaged relationships. Some argue that a voluntary movement of restitution is inadequate, that restitution and reparations from the beneficiaries of apartheid needs to be legislated. Villa-Vicencio, perhaps occasioned by his own experience and disappointment in the same campaign, writes, "What the South African experiment in restorative justice since 1994 shows... is that, unless legally imposed, restorative measures are not likely to be either common or extensive enough to meet the demands of most victims and survivors of gross violations of human rights. Few perpetrators (or benefactors) voluntarily seek to restore the damage of the past." (Villa-Vicencio in Villa-Vicencio & Doxtader 2003, 41)

Others, such as Adams and Balfour, suggest that time needs to pass, that the evil needs to be "safely in the past" (Adams & Balfour 2008, 888) and "the principal actors dead" before the evil can be fully acknowledged and justice done. As Cape Town psychiatrist, Dr. Sean Kaliski (one of those responsible for counselling participants in the TRC process) put it, "I personally would be very concerned if, overnight, whites could integrate information that turns their whole worldview upside down. It will take decades, generations...." (quoted in Krog 2000, 170.) For Dr. Kaliski, the stages which white South Africans need to pass through on their road to acceptance of responsibility for their role in the past are

akin to those faced by a patient encountering a personal tragedy: “denial, rage and isolation, bargaining, and depression, out of which acceptance will eventually surface.” (Ibid., 170.) But there also lies the danger of “trans-generational transmission” (Adams & Balfour 2008, 885) where past traumas are not effectively expiated and resentment or enmity is carried forward to future generations to perpetuate or resolve. In South Africa’s case, as in other nations, the unfinished business of the reconciliation process can threaten future peace and stability.

What may make it extremely difficult for many or most white South Africans to move beyond denial is the effectiveness of apartheid era propaganda and apartheid apologetics, and the narrowness of the focus on the evil of apartheid without analysing some of the parallel and contributing themes globally only serves to reinforce a perception for those who seek a measure of self-justification or an excuse for apartheid, that they are being fed a one-sided, victor’s history.

Apology or apologetics?

In his foreword to the TRC’s Final Report, Desmond Tutu wrote of those who supported apartheid with a clear conscience, in the belief that what they were doing was right and even morally good:

I do believe that there were those who supported apartheid who genuinely believed that it offered the best solution to the complexities of a multiracial land with citizens at very different levels of economic, social and educational development. I do not doubt that many who supported apartheid believed that it was the best policy in the circumstances to preserve their identity, language and culture and those of other peoples as well. I do believe such people were not driven by malicious motives. Many believed God had given them a calling to help civilise benighted natives. I do not for a single moment question the sincerity of those who believed that they were defending their country and what they understood to be its Western Christian values against the atheistic Communist onslaught. No, I do not call their motives into question. I do, however, condemn the policy they applied.

(TRC Final Report, 1998, 1:13-14)

It may be, then, that those who acted from such motives feel that they have nothing for which to apologise, but as the last sentence implies, sincerity does not justify evil, and neither, as he is at pains to explain elsewhere in his comments on violations committed by those fighting against apartheid (see *TRC Final Report, 1998, 1:13, paragraph 54*), do noble ends justify ignoble means.

As a school teacher and parent (and I am certain most parents would testify similarly) I have seen several techniques to which young people resort apparently instinctively when they are found out or accused of wrong-doing, and I would venture to say that what is true of children in this respect is equally true, if sometimes more subtle and cleverly obscured, of adults. The default reaction is

generally denial, which was certainly common amongst white South Africans before the TRC and, despite the *TRC Final Report's* assertion that certain myths about the past were now “impossible to claim” (*TRC Final Report*, 1998, 1:111), continues to some extent to date. Miroslav Volf notes that “...when wrongdoers deny their wrong acts they violate victims all over again. As it turns out, most wrongdoers do precisely that – at least until their backs come up against the wall of hard facts.” (Volf 2006, 219) If, then, indisputable evidence or testimony, or if having been caught red-handed, makes it impossible or unreasonable for the accused to deny the accusation, the most common responses fall into one, and sometimes both, of two categories:

- 1) the implication of others in the act, or counter accusations of similar or, better still, worse acts; and/or
- 2) an attempt to justify the act, to claim that it was not wrong at all.

The need to make oneself feel better by drawing others in as partners in crime, by deflecting or reflecting at least some of the responsibility by pointing fingers at others, and the need to justify one's actions invariably comes more readily than a willingness to accept guilt, to confess and to make restitution. The story of the guilty man and woman in the garden, confronted by the direct question of God, “Have you eaten from the tree that I commanded you not to eat from?” models exactly this tendency: the man's first response is to deflect blame onto his companion, “the woman...”, and back onto God, “...whom you gave to be with me”, and the woman, thus left unkindly in the lurch, resorts to pointing at the serpent. (Genesis 3:11-13 – NRSV)

I grew up at a time when apartheid was on the defensive from both internal and foreign opposition, and the responses followed a similar pattern to what I have observed in school children. These are some of the common, if somewhat simplistic, counter accusations and justifications I heard, which I would venture to call popular apartheid apologetics:

- The Australians killed most of the aborigines, and the Americans wiped out most of the Indians, so what right have they got to tell us that we're mistreating blacks?
- Other countries are just as racist as we are, but they aren't as open about it.
- Blacks are better off in South Africa than in other African countries where they rule themselves.
- When whites came to South Africa, the blacks were primitive savages. They've come a long way, thanks to whites civilising them, but they're not ready to run the country yet.
- You can criticise apartheid, but South Africa is wealthier and more stable than any other country in Africa thanks to the whites running the show.
- The blacks would ruin this country if they took over.
- Sure, some whites are racist, but plenty of blacks are racist too.
- Apartheid just means separateness. What is wrong with groups sticking with their own kind? It's the natural way.

- Whites in South Africa have the same standard of living as whites in Britain and Europe, so why should they say we're prospering at the expense of blacks? I'm not exploiting anyone. I work hard and earn the same as I'd be getting in any other developed country.
- Blacks are different to whites, physically, culturally and mentally, so why should we try to pretend we should all be together and equal?
- Blacks are simply not as clever or advanced as whites, so it's natural and right that whites should run the country.

Some of these may sound quite laughable now, and some might hold an element of truth, but whether or not there is partial truth in any of these does not, of course, justify the immorality and brutality of what apartheid did to maintain its favourable-to-whites *status quo*. It may indeed raise questions about the integrity of some of the critics of apartheid in countries with a history of genocide or slavery, or both, but wrongs others may have perpetrated do not diminish mine.

Having said that, those who criticise might do well to keep looking at themselves and their own shortcomings, and the western world in particular is implicated in the wider historical and economic context of apartheid. One of the more useful tasks the minority report by Commissioner Malan undertook, and one for which he was commended by the other commissioners, was to conduct an analysis of this wider context, a brief summary of which I provided in Chapter 2.

My point here is that, whilst many white South Africans may now deny ever having supported apartheid, or pay lip service to the idea that apartheid was wrong, the insidious nature of apartheid propaganda, whether state orchestrated or popular apologetics as I described above, is that it still lingers in the consciousness of large swathes of the white population. My assertion is based on personal and anecdotal experience rather than empirical research (although see Gibson 2005, 354), but I believe empirical research would likely be unreliable since racial prejudice is taboo and generally secretly held, whispered only conspiratorially by one white person to another who for some reason has been deemed likely to harbour the same thoughts. The charge that white South Africans are publicly assenting to the victor's history and victor's new paradigms, but privately continuing in their former prejudices would be a gross generalisation and thus grossly unfair, but I have little doubt that this is true of many and that the unwillingness of so many white South Africans to apologise for or commit to redressing the systemic injustices of apartheid is attributable in part to these largely unspoken beliefs. It amounts again to a recognition that there were many crimes of apartheid, but a lack of acceptance that apartheid itself was a crime.

Apartheid was founded on racist principles and thus, when we speak of reconciliation in South Africa, we are speaking largely of racial reconciliation, and continuing racism is thus inevitably a major inhibitor of reconciliation.

Racism

White racism is alive and kicking. It no longer takes the form of legislated supremacy, but it continues to manifest itself in crude and subtle ways. The most insidious is the assumption that white values are universal and by implication superior to those of other groups. The most offensive is the endless complaining about corruption, inefficiency and falling standards. This is one of the bad jokes of the new South Africa. The previous government set unsurpassed standards for corruption, incompetence and neglect.

(Dr. Laurie Nathan, then director of the Centre for Conflict Resolution and former Chairperson of the End Conscription Campaign quoted in *TRC Final Report* 1988, 5:405)

South Africa is not alone in having problems with racism, but because racism was institutionalised under apartheid, it did and still does have a prominent place in public discourse. Furthermore, for all the remonstrances of white South Africans about reverse racism and black racism towards whites, the direction of racial prejudice and attitudes of racial superiority is still overwhelmingly from whites towards blacks. As Tutu lamented in the *TRC Final Report*, "Sadly, in almost all cases, there was an outcry [against the granting of amnesty] only when the victim was white and the perpetrator black." (Tutu in *TRC Final Report*, 1998, 1:12)

Although he does not say so directly, Tutu here pinpoints one of the key obstacles to greater reconciliation in South Africa: racism. It is self evident that apartheid was a racist ideology and it should not surprise us, therefore, that since

it was an ideology supported and sustained by a majority of white South Africans, that racist attitudes were internalised in the majority of the white community. The law may have changed, but the law does not necessarily change the heart or mind.

Racism in South Africa, as elsewhere in the world, was promoted and undergirded by both theological and scientific support, or what Christie calls “absurd quasi-genetic and quasi-religious justifications” (Christie 2000, 160). The Church itself, or at least certain branches of it, as we shall see below, was complicit in apartheid apologetics, particularly in justifying racial discrimination.

The two principal justifications for racism in Christian theology come from supposedly biblical sources. The first and most common, which lay at the root of the Dutch Reformed Church’s consent to apartheid, is the curse of Canaan, son of Ham, in the book of Genesis 9:20-28. When Ham saw his drunk, naked father, Noah, lying exposed in his tent, he did nothing to cover his shame (since such exposure was considered shameful in that context), but rather spread the knowledge to his brothers, who in turn acted properly by covering their father whilst taking pains not to look on his nakedness. The curse which Noah utters on regaining sobriety and being informed of the incident falls on Canaan, Ham’s son, rather than on Ham. This seems to offer some justification for later Hebrew (Semitic people, i.e. descendants of Shem) enslaving some of the Canaanites after conquering the land. However, the story is often combined with a myth from the *Aggadah* which has Ham as the only brother violating the supposed code of

sexual abstinence on the ark, and a later (apparently English version, influenced by Talmudic literature) addition which, as a result of such a violation, has Ham cursed with a black skin by Noah. (Twesigye 1991, 214. See also Felder 2002, 11.)¹¹ Any biblical justification this was felt to give to the enslavement of Africans by Europeans and Asians may be extremely tenuous to say the least, but it was nevertheless used extensively by churches in the United States to rationalise slavery and segregation, and notoriously by the Dutch Reformed Church in South Africa to justify apartheid (Twesigye 1991, 215-219).

The second, and probably less well-known, supposedly biblical justification for racial segregation has been used mostly by certain fundamentalist Christians in the USA and also in South Africa, and is found in the books of Acts and of Revelation. Whilst there are various incidents throughout both the Old and New Testaments which may allude to prejudice based on race or skin colour (such as the objection of Aaron and Miriam to Moses' Cushite wife in Numbers 12:1-16, the pressing into service of a man from Africa, Simon of Cyrene, to carry the cross, and the baptism of the Ethiopian treasury official in Acts 8:26-39 – see Cain Felder's comprehensive discussion of these and other incidents in Felder 2002, 20-43), these do not condone ethnic prejudice, but the concept of racial segregation and a New Testament justification for laws against miscegenation have hinged largely on passages from two books: Acts and Revelation.

¹¹ Jewish scholar, David Aaron disputed this interpretation of the rabbinic literature in his essay "Early Rabbinic Exegesis on Noah's Son Ham and the So-Called 'Hamitic Myth'", claiming that the myth of the black skin of Ham's descendents cannot fairly be attributed to Jewish tradition.

In Acts 17:26 Paul is recorded as saying: “From one ancestor he made all nations to inhabit the whole earth, and he allotted the times of their existence and the boundaries of the places where they would live.” (NRSV) Most readers of this text would probably take this as a positive affirmation of the essential unity of all humanity, but for some Christians (such as Dake, 1991 – see below) the emphasis falls on the second part of the verse, and this seems to suggest a divine directive for the different races to remain separate in their God-determined places. In John’s revelation he records, “After this I looked, and there was a great multitude that no one could count, from every nation, from all tribes and peoples and languages, standing before the throne and before the Lamb.” (Revelation 7:9 – NRSV) Again, most readers would take this to imply the inclusion together of every ethnic group in the heavenly company, but again, some Christians (see below) take it as an affirmation of ethnic distinction and segregation, and the preservation of differing ethnicity even in heaven.

Finis Dake, in his “Annotated Reference Bible”, first published in part in 1961 and in full in 1963, and still much loved in some fundamentalist circles, uses these two passages as the basis for his “30 reasons nations are separated”. (Dake 1991, 159 - New Testament) He makes the leap from “nations” in the King James Version which he uses (in the Greek text πᾶν ἔθνος – every nation or people group) to “races” in his comments. Based on these two texts, he concludes that “God wills all races to be as He made them. Any violation of God’s original purpose shows resistance to His will. Even in heaven certain

groups will not be allowed to worship together.” (Ibid.) In the same context, and drawing additionally on Old Testament creation narratives as well as laws prohibiting the Israelites from intermarrying with the Canaanites, he asserts that miscegenation too is contrary to God’s will: “God made everything to reproduce ‘after his own kind’,” and, Dake explains, “Kind means type and color or He would have kept them all alike to begin with.” (Ibid.) As an American of European descent, he shows an astonishing naïveté or wilful ignorance about human history and the movement and migration of peoples by claiming that not only did God determine “the bounds of the habitations of nations”, but also that “all nations will remain *separated* from one another *in their own parts of the earth* forever.” (Ibid. Emphasis added.)

A discussion of scientific racism is beyond the scope of this paper (such a discussion focuses primarily around issues of intelligence and IQ differentials between different races, and the supposed degree of inheritability of these traits¹²), but the point is that the spurious theological foundations of a racist ideology dovetailed with supposed scientific support for the superiority of European over other races (with the possible exception of East Asians) to undergird apartheid and those who believed or still believe racial domination of “whites” to be justified. It seems unnecessary to point out that such an attitude is

¹² See, for example, J.P. Rushton’s claims of inferior intelligence amongst “negroid” races in Rushton & Jensen, 2008:630-631, and R. Nisbett’s rebuttal of these claims in Nisbett, 2009: Appendix B – “The Case for a Purely Environmental Basis for Black/White Differences in IQ”, pp209ff.

inevitably counter-productive to reconciliation in South Africa as it tries to build a non-racial society.

What I claim here is that racism is still an issue and an obstacle to reconciliation in South Africa, but I do not offer an easy solution to remove this obstacle. I would like merely to leave it as an observation at this point, and return to discuss how to overcome it in my conclusion, where I return to the theme of the Church's mandate to reflect a new humanity. For now I would like only to note that racism is part of the apologetics of apartheid, before returning to the central issue of an apology for apartheid.

False Apology

They have treated the wound of my people carelessly,

saying, 'Peace, peace,'

when there is no peace.

(Jeremiah 6:14 – NRSV)

Govier and Verwoerd discuss differences between individual and institutional apologies, the latter usually being made by duly authorised representatives (see Govier & Verwoerd in Doxtader & Villa-Vicencio 2004, 247-250), but they omit a third type which I believe is similar in some ways, but nevertheless distinct from

institutional apologies, and that would be corporate, collective or communal apologies. These differ, in my view, from institutional apologies in that they are by and on behalf of a community rather than an institution. This is the sort of apology that I had hoped would be forthcoming through popular endorsement of the Home for All Campaign, and this is perhaps the apology that I feel is most absent from the South African reconciliation process.

In his foreword to the *TRC Final Report*, Tutu wrote that “the greatest sadness that we have encountered in the Commission has been the reluctance of white leaders to urge their followers to respond to the remarkable generosity of spirit shown by the victims. This reluctance, indeed this hostility, to the Commission has been like spitting in the face of the victims.” (*TRC Final Report*, 1998, 1:17)

In the National Party recall submission in Cape Town in May 1997, Mr FW De Klerk, the former president of South Africa (the last white president of the all-white government, and the leader of the National Party, which ruled from 1948, which introduced the socio-political doctrines of apartheid and which ultimately presided over the dismantling of apartheid) claimed to have made an “unqualified apology” for apartheid in April 1993 and to have repeated this in his first two submissions to the TRC. (See transcript of the Political Party Submissions on 14 May 1997 in Cape Town; found at <http://www.justice.gov.za/trc/special/party2/np2.htm>, accessed February 3, 2010.)

He also claimed that his explanation, at the Commission's request, of the circumstances that gave rise to apartheid had been unfairly misconstrued as an attempt to justify and defend apartheid and his own personal role in it (ibid.). In order to set the record straight, De Klerk made, for the record and on behalf of the National Party and of those [white] South Africans he represented, the following "renewed apology" for apartheid:

Let me place once and for all a renewed apology on record. Apartheid was wrong. I apologise in my capacity as leader of the National Party to the millions of South Africans who suffered the wrenching disruption of forced removals in respect of their homes, businesses and land, who over the years suffered the shame of being arrested for pass law offences, who over the decades and indeed centuries suffered the indignities and humiliation of racial discrimination, who for a long [time] were prevented from exercising their full democratic rights in the land of their birth, who were unable to achieve their full potential because of job reservation, and who in any other way suffered as a result of discriminatory legislation and policies. This renewed apology is offered in a spirit of true repentance, in full knowledge of the tremendous harm that apartheid has done to millions of South Africans.

(Ibid.)

As an apology and as a claim of "true repentance", this statement certainly carried a lot of promise. Notably absent, however, is any indication of how such "true repentance" might be practically demonstrated in acts of restitution. Furthermore, what followed this apology was a resolute and persistent denial of

any personal or even corporate responsibility for specific abuses that took place during his leadership. De Klerk rejected any legal liability for the senior leadership of the apartheid state in his repeated assertions that the gross violations of human rights were never party nor government policy and that they took place outside his knowledge or those of his senior leadership. He claimed to be as shocked as everyone else at the extent of the abuse that was being revealed during the TRC process, and that “many things happened which were not authorised, not intended and of which we were not aware.” (Ibid.) Many South Africans felt, therefore, that it was an empty apology because it purported to accept “overall moral and political responsibility” and yet ultimately there was nothing specific for which De Klerk and his National Party were prepared to take responsibility or make restitution. (Ibid. See the first question to De Klerk by Dr Ramashala.) Furthermore, outside observers continue to note a general attitude of denial and rejection of responsibility from white South Africans. As Christie notes, “Perhaps the biggest stumbling block in the movement towards reconciliation in South Africa is the attitude of whites. ...I continually heard denials from white people that they knew what their government was doing under apartheid; that they could do nothing to change it and that they were totally unaware of the massive levels of political violence within and without their own borders.” (Christie 2000, 156) Sadly, without an acknowledgement or even vicarious acceptance of responsibility, reconciliation and justice is likely to remain elusive in South Africa.

Chapter 4- Justice and Reconciliation

Reconciliation without the anchor of restitution is not merely false reconciliation, not only a travesty of justice – that is, to victims or people who have suffered – but it is to confirm people in their suffering rather than to affirm them in their survival and create new opportunities for the future.

(Boraine 2000, 351)

Reconciliation is about justice. There is perhaps no such thing as pure justice in an imperfect world. Justice, at the most practical level, is about fair play, which needs to be implemented in as courageous and evenhanded a way as possible.

(Villa-Vicencio 2009, 172)

The proof of the pudding...

The truth-telling aspect of the TRC's work did, as I have argued earlier, comprise in some measure a form or aspect of justice. As Volf puts it, "If no one remembers a misdeed or names it publicly, it remains invisible. To the outside observer, its victim is not a victim and its perpetrator is not a perpetrator; both are misperceived because the suffering of the one and the violence of the other go unseen. A double injustice occurs – the first when the original deed is done and

the second when it disappears.” (Volf 2006, 29) The corollary, then, is that the remembering or naming of the abuses is an ingredient for justice: “Since the public remembering of wrongs is an act that acknowledges them, it is therefore also an act of justice.” (Ibid.)

However, the removal of the injustice of invisibility for misdeeds, their acknowledgement alone, constitutes a facet of justice rather than a comprehensive fulfilment of the demands of justice. Govier and Verwoerd speak of both moral amends and practical amends, the former incorporated in a genuine apology (that is, an expression of sorrow and regret for wrongs done as opposed to a defence or justification of acts committed), and the latter flowing naturally from the apology if its sincerity is not to be doubted. (See Govier & Verwoerd in Doxtader & Villa-Vicencio 2004, 244-245.) The Revd. Mxolisi Mpambani told the following parable at a public meeting of the TRC in Cape Town in January 1997 to illustrate the importance of restitution in the process of reconciliation:

There were two boys living opposite each other. John stole a bicycle from Tom and then after a year John came to Tom and said: ‘Tom, I stole your bicycle and what I need now is reconciliation.’ Then Tom looked at John and said: ‘Where is my bicycle?’ He said, ‘No, I am not talking about your bicycle now, I am talking about reconciliation.’

(Quoted in Govier & Verwoerd in Doxtader & Villa-Vicencio 2004, 245.)

The acceptance of an apology as sincere and its efficacy in promoting reconciliation is linked, therefore, directly to reparations: “As the TRC debate about reparation after apartheid highlights dramatically and painfully, victims and victim communities are likely to question the sincerity of an apology if the speakers are *in no way* willing to commit themselves to concrete measures to repair damage that has been done to the victim.” (Ibid.; emphasis original.) In questioning Mr Roelf Meyer, the National Party representative at the hearings for the Bisho Massacre, one of the Commissioners, Dr Ramashala, put this issue directly to the former governing party:

As you address that submission, please address the question of the perpetrators on your side. The other parties will deal with the perpetrators on their side. But the perpetrators on your side who, so far, when they apply for amnesty and present themselves, and even say they are sorry, none of them has said: “This is my contribution. I would like to do the following.” It stops with, “I am sorry”. None of them has said: “As a demonstration, perhaps of how sorry I am, this is what I would like to do”. None of them have done that. [sic]

(TRC Final Report 1988, 5:403)

The overwhelming cry from the TRC process, then, was not for retributive justice, but for meaningful reparation, which we could put under the labels, already mentioned in Chapter 2, of restorative and redistributive justice. And for reparation to be meaningful, it has to come from and at the expense of those who have acknowledged their responsibility for the damage done, not, as was largely

the case in South Africa, from the new government. The inadequate amounts paid out by the government to certain victims designated by the TRC were, of course, little more than a token, but since they came from the state coffers rather than from the perceived perpetrators and beneficiaries of apartheid, they would quite justifiably be seen by the recipients as “hush money” or as a sop thrown to keep them quiet.

In February I drove into Khayelitsha, an almost exclusively black township in the Greater Cape Town Metropole and one of the largest and most impoverished of the apartheid era black townships. The dwellings are densely packed and consist largely of extremely small (by Canadian and white South African standards) houses and shanties made from gleaned building materials, boards, plastic and corrugated iron sheets. At a physical and material level, it would appear that very little has changed since the days of apartheid and certainly that there was very little evidence of economic justice. The purpose of my visit was to interview¹³ Revd. Xola Skosana, pastor of one of the largest congregations in Khayelitsha and author of the book, “The things we feel, things we dare not say: Disband the White Church” (2006). It was an appropriate setting for what turned out to be a most interesting discussion on reconciliation, justice and race in South Africa. One of his statements early on in our meeting seemed to echo what I have tried to express in the previous paragraph: “I think whites have got off scot free,” he said. He went on to explain that white South Africans have enjoyed the

¹³ The interview took place in Khayelitsha, Western Cape, at 9.00am on Wednesday, 24 February, 2010.

material benefits of a peaceful transition and had to make few, if any, sacrifices. They have not had to pay reparations and their economic standard of living has improved since the end of apartheid. The heart of what Skosana was talking about was the lack of justice, particularly economic justice, and he used the word “travesty” several times in speaking of the *status quo* in South Africa.

Skosana is, of course, making generalisations about white South Africans. This does not mean, however, that his complaints are not valid, but only that they may be unfair to some. His broad assessment of South African society, of a relatively wealthy white nation and a still impoverished black nation (see Mbeki’s “Two Nations” speech in the National Assembly, quoted in my conclusion) is hardly deniable. Many white South Africans may counter this by pointing at the growing numbers of wealthy middle class black South Africans and the policies of “affirmative action” and “Black Economic Empowerment” (BEE) which they feel discriminate unfairly against whites, but Skosana has an appropriate metaphor to put this into perspective:

Metaphorically speaking, I think of South Africa and what it offers to its citizens, as a house. All these years, you could say, we have been trying to persuade white people to open the door so we can all come in and enjoy some warmth. Finally, after many sacrifices, the door was opened in that historic year, 1994, and black people started coming in.

Suddenly we realised that there is not enough room for all of us in the house. So we faced two options: get everybody out and destroy the house so we can build it all over again with enough room for everyone... Oh, but that would be too much trouble, that would be too much inconvenience for white people; just leave things as they are, whites inside, a few black people filling up the extra room and IF and WHEN there is one more room, then bring in more blacks, but only ONE AT A TIME. Let's call it Black Economic Empowerment.

(Skosana 2006, 59)

For Skosana, the route to genuine justice and equity would have been to reconstitute the country's economic and political structures completely, or, to use his metaphor, to build a completely new house. If social and economic justice is deferred indefinitely or for too long, his contention is that conflict will inevitably ensue. "What the world calls a miracle," he writes, "is actually postponed conflict." (Ibid. 40)

As Villa-Vicencio writes, "Sustainable peace involves more than the absence of rebellion and war. It requires justice, human fulfilment, mutual respect, peaceful coexistence, and the building of a caring society." (Villa-Vicencio 2009, 115)

Peace based on an unjust settlement cannot last. Peace without justice is brief and illusory.

When I speak of an unjust settlement, I do not refer to the waiving of retributive or punitive justice that the negotiated settlement between the National Party and

African National Congress provided for those who qualified. Rather, I refer to the agreement that essentially cost white South Africans, the beneficiaries of apartheid, little or nothing in economic terms, and which, other than political rights, gave the majority of black South Africans little tangible benefit. Whether or not the impoverished black masses have been betrayed by the ruling party that they voted into power, whether or not many of those for whom they voted have become corrupt and enriched themselves dishonestly, is beyond my field of discussion or knowledge, and beside the point to boot. The sins of others cannot absolve me from mine, nor remove from me the responsibility to make amends for wrongs I have committed. White South Africans, as the beneficiaries of injustice, cannot be absolved of responsibility for justice and restitution simply because there may be corruption amongst the current government. If anything, as I suggested earlier, righting the wrongs of the past would liberate white South Africans to be able to criticise current wrongs with greater integrity. Criticism of others is surely undermined by an absence of self-criticism. Or, to paraphrase Christ's words, only once the beam is removed from oneself can the splinter in another's eye be rightly discerned and removed.

Chapter 5 of Volume 1 of the TRC's final report is titled "Concepts and Principles", and has a subsection discussing various principles relating to reconciliation. In its discussion on the different levels of reconciliation, the report has the following to say under the heading "Reconciliation and Redistribution":

The broad challenge of reconciliation between those who benefited from the past and those who continue to be disadvantaged by past discrimination is central to the vision contained in the postamble to the interim Constitution.

Gross socio-economic inequalities are the visible legacy of the systematic, institutionalised denial of access to resources and development opportunities on grounds of colour, race and sex. But they are also the less tangible consequences of centuries of dehumanising devaluation of 'non-Europeans', 'non-whites' and 'non-males'.

(TRC Final Report, 1998, 1:109)

The two terms "benefit" and "disadvantage" are central to this discussion since, as the report notes, both the benefits and the disadvantages continue today. For many white South Africans, this is difficult to understand, especially when they feel themselves disadvantaged by affirmative action and equity targets, but perhaps I may indulge in a brief parable to try to make it a little clearer.

Two boys, one with brown hair and one with blond hair, compete every year for a prize of a cow by swimming across a wide river. The previous organisers of the competition wanted the brown-haired boy to win, so they gave him extra swimming lessons and training, gave him a special high-nutrition diet as he was growing and allowed him to wear flippers for the swim. The blond boy was undernourished, was not allowed to wear flippers and, just to make sure he wouldn't win, his feet were amputated. Not surprisingly, the brown-haired boy

won every year and built up a good herd of cattle. But then new organisers took over and declared no boy should be given a special advantage, so from then on the brown-haired boy would not be allowed to wear flippers and would be given no extra assistance. He still continued to win easily, however, year after year.

It may be a somewhat odd story, but it serves to illustrate a point: the boy who benefited from past injustices continues to benefit even when the discrimination is removed, and on the other hand, some of the earlier injustices permanently disadvantaged the other boy. Perhaps no-one would suggest wronging the brown-haired boy to make things right by, say, amputating his feet, but yet it is not fair that he should continue to win due to the unfair advantages of the past. One might, however, suggest that he share some of his cows with the blond boy and that some other measures, such as a staggered start, be put in place to give both an equal opportunity of winning in the future.

In a similar way, the disadvantages of, *inter alia*, a deliberately inferior education system (e.g. Verwoerd's Bantu Education Act of 1953 designed to educate blacks chiefly for labour – see Shore 2009, 38), appropriated land, and social and cultural dislocation do not melt away when they are de-legislated. “Affirmative Action” and “Black Economic Empowerment” may offer a marginally staggered start, but still do not create anything resembling equal opportunity for the majority of black South Africans, and few, if any, of the cows have been redistributed. At best a little of the milk has been shared!

Whilst the TRC's mandate did not include justice, the *Final Report* identifies justice, individual and social, as integral to reconciliation: "Reconciliation requires not only individual justice, but also social justice." (*TRC Final Report*, 1998, 1:117.)

The question of financial reparations to victims of apartheid has been a controversial one and the South African government has come under much criticism for failing to implement the recommendations of the TRC (see, for example, Llewellyn in Doxtader & Villa-Vicencio 2004, 167 and Shore 2009, 141). As the TRC's report points out, "The Commission itself only had the power to place before the State President and Parliament its proposals for the provision of reparations. It could not implement reparations, nor could it take the final decision as to the type of reparation measures to be implemented. This responsibility lies with government." (*Ibid.*, 129)

It is my contention, however, in line with the parable above, that the beneficiaries of the past rather than the current government should be making restitution. Furthermore, we should take a broader view of who should receive reparations than only those who fell within the ambit of the TRC's activities, that is, the victims of gross violations of human rights. The TRC made specific recommendations about individuals, but there is the broader issue of reparations for the entire black (by which I mean to include those designated by the apartheid system as "Coloured" and "Indian" – see *TRC Final Report*, 1998, 1:3) populace which was collectively disadvantaged by the apartheid system. Doxtader

expresses this very tension in the original discussions that led to the formation of the TRC: “If victims were defined narrowly, as those individuals who suffered violations of human rights, what would be remembered of the everyday and collective suffering inflicted by apartheid?” (Doxtader 2009, 252)

The *TRC Final Report* highlights this issue by according “the new, democratic government discretion when making difficult choices about the distribution of scarce resources between the victims of gross human rights violations (who fall within the mandate of the Commission) and those many victims who fall outside of the Commission’s mandate.” (Ibid., 124.) The TRC points out here that its mandate included only those who were victims of gross human right violations and, it could equally be said, perpetrators of gross human rights violations. The vast majority, then, of those victims of the general human rights violation of apartheid and those who could perhaps not be designated perpetrators, but still beneficiaries of apartheid’s human rights violations, fell outside the ambit of the Commission. In this vein, the report reiterates the state’s responsibility towards general social upliftment:

The plight of those who, through the legacy of apartheid, need assistance in the form of social spending (for housing, education, health care and so on) must also be remembered. The provision of reparations to the (relatively) few victims of gross human rights violations who appeared before the Commission cannot be allowed to prejudice apartheid’s many other victims. The need to provide reparations for the former cannot be allowed to constitute so great a drain on the

national fiscus that insufficient resources remain for essential social upliftment and reconstruction programmes.

(Ibid., 129)

Again, however, I believe that the beneficiaries of apartheid (that is, white South Africans, if I have not yet made this clear enough) should be taking the lead in such reparations rather than the state.

The TRC's report also goes on to distinguish between retributive and restorative justice, acknowledging the validity of the former, but also the tension between the demands of retribution and the political expediency of amnesty, and thus seeking to entrench the latter, that is restorative justice, as an alternative: "...the tendency to equate justice with retribution must be challenged and the concept of restorative justice considered as an alternative. This means that amnesty in return for public and full disclosure (as understood within the broader context of the Commission) suggests a restorative understanding of justice, focusing on the healing of victims and perpetrators and on communal restoration." (Ibid., 118)

The report defines restorative justice in the following four terms:

Restorative justice can be broadly defined as a process which:

- a seeks to redefine crime: it shifts the primary focus of crime from the breaking of laws or offences against a faceless state to a perception of crime as violations against human beings, as injury or wrong done to another person;

- b is based on reparation: it aims at the healing and the restoration of all concerned – of victims in the first place, but also of offenders, their families and the larger community;
- c encourages victims, offenders and the community to be directly involved in resolving conflict, with the state and legal professionals acting as facilitators;
- d supports a criminal justice system that aims at offender accountability, full participation of both the victims and offenders and making good or putting right what is wrong.

(Ibid., 126)

If indeed this was the TRC's vision of restorative justice, it fell dismally short in one crucial aspect: that of offender accountability and involvement in making good or putting right what is wrong. I do not wish here to lay blame at the feet of the TRC for this shortcoming, but rather to point out (as I did in the previous chapter) that the Commission had no power to follow through on its own definition of restorative justice. As far as material reparations are concerned, I have already noted that the TRC had no power of implementation, but only to make recommendations. And as for offenders, the TRC had authority only to summon and question, and to waive punitive justice for applicants who met certain conditions, but it had no power to coerce repentance, restitution or even remorse from offenders. It had no means other than moral force to encourage perpetrators to participate in the full cycle of restorative justice processes. In fact, the TRC's only real power in the process of restorative justice was in the encounter phase, which is not the whole of restorative justice, but only a part of

the greater process outlined above. (See Llewellyn in Doxtader & Villa-Vicencio 2004, 169 for discussion on the misconception of identifying “restorative justice itself with the encounter portion of the restorative process.”)

Llewellyn goes on to explain that “generally reparation plays the most significant role in restorative justice as part of the process following the encounter. Reparation forms a significant part of the plan for the future arising from restorative encounters. It is a significant means through which restoration is sought and achieved.” (Ibid., 171) In this sense, South Africa’s experience in restorative justice is in danger of being a still-born child since little meaningful reparation has been made, and reconciliation as a process which is lived out is in danger of giving way to renewed conflict, proving Xola Skosana right in his estimation that South Africa’s so-called miracle is merely “postponed conflict”. (Skosana 2006, 40) Without a broader understanding of reparations as including social and economic justice, and what LenkaBula terms “redistributive justice” (LenkaBula 2005, 103), South Africa will remain a divided rather than reconciled society, with the work of the TRC having been solely symbolic, without practical substance for the majority of South Africans. As Doxtader puts it, “Between the material and the symbolic, the bridge was unsteady if even built.” (Doxtader 2009, 283) “What is needed,” writes Villa-Vicencio, “is a new sense of the need for South Africans to face the reality of what level of economic justice is required to enable the new order to hold. What is clear is that the level of poverty that presently prevails is a threat to the wellbeing of those South Africans whose quality of life is both adequate and in many cases above that of many in first

world countries. This reality ought to be enough to provide the incentive to contribute voluntarily to the transformation of the existing economic order” (Villa-Vicencio in Doxtader & Villa-Vicencio 2004, 78).

Conclusion

Legal reconciliation has been achieved in South Africa, but the living out of that legal provision is still far from reality in the everyday lives of South Africans. It is still a country of two nations, as Thabo Mbeki, the second democratically elected president of South Africa, but at the time Deputy President under Nelson Mandela, described it in a debate in parliament in 1998:

A major component part of the issue of reconciliation and nation building is defined by and derives from the material conditions in our society which have divided our country into two nations, the one black and the other white.

We therefore make bold to say that South Africa is a country of two nations.

One of these nations is white, relatively prosperous, regardless of gender or geographic dispersal. It has ready access to a developed economic, physical, educational, communication and other infrastructure.

This enables it to argue that, except for the persistence of gender discrimination against women, all members of this nation have the possibility to exercise their right to equal opportunity, the development opportunities to which the Constitution of '93 committed our country.

The second and larger nation of South Africa is black and poor, with the worst affected being women in the rural areas, the black rural population in general and the disabled.

This nation lives under conditions of a grossly underdeveloped economic, physical, educational, communication and other infrastructure.

It has virtually no possibility to exercise what in reality amounts to a theoretical right to equal opportunity, with that right being equal within this black nation only to the extent that it is equally incapable of realisation.

This reality of two nations, underwritten by the perpetuation of the racial, gender and spatial disparities born of a very long period of colonial and apartheid white minority domination, constitutes the material base which reinforces the notion that, indeed, we are not one nation, but two nations.

And neither are we becoming one nation. Consequently, also, the objective of national reconciliation is not being realised.

(Statement of Deputy President Thabo Mbeki at the Opening of the Debate in the National Assembly, on "Reconciliation and Nation Building", Cape Town, 29 May 1998. Viewed at <http://www.dfa.gov.za/docs/speeches/1998/mbek0529.htm>, accessed 14 January 2010.)

Like all generalisations, notable exceptions may be found, but I believe this is still, twelve years later, a fair summary of the current reality of South African society which has the highest disparity between rich and poor in the world and a disparity that is still predominantly along racial lines. “South Africa’s Gini coefficient [measuring socio-economic disparity] remains the highest in the world (between 0.66 and 0.7). In 2007, the earnings of the poorest 10% of South Africans constituted only 0.6% of the GDP, whereas the top 10% earned an astounding 72.5%.” (Du Toit 2009, 5) It is clear, then, that socio-economic justice still needs to be realised in South Africa, not perfectly, but to a much closer approximation of the ideal, if reconciliation is to be a lived reality.

In a chapter titled, “Recommendations”, Chapter 8 of Volume 5 of the TRC’s *Final Report*, it makes the following recommendation to the South African government, and goes on to speak of the importance of the private sector’s involvement and the contribution of the beneficiaries of apartheid:

The Commission recommends that government accelerate the closing of the intolerable gap between the advantaged and disadvantaged in our society by, *inter alia*, giving even more urgent attention to the transformation of education, the provision of shelter, access to clean water and health services and the creation of job opportunities.

(*TRC Final Report* 1988, 5:308)

The theological question that this raises, however, is: where or to whom do we look to accomplish this justice and reconciliation? To the state? The Church? God? The individual? In a sense, it is to all of these that we look for greater justice and reconciliation in our society, but the starting point for each person must necessarily be themselves. From a Christian perspective, “the practice of justice is at the center of God’s purpose for human life. It is so closely related to the worship of the living God as the only true God that no act of worship is acceptable to [God] unless it is accompanied by concrete acts of justice on the human level.” (Padilla, C. R. in McLaren et al. 2009, 23) Furthermore, “Christians have no option when it comes to reconciling, since failing to reconcile with fellow human beings, for whom Christ died to reconcile them to God and to each other, is to reject God’s work on our behalf.” (Volf 2006, 222) In this sense reconciliation, and with it justice, is the duty of every Christian both individually and corporately. As a Christian, I live in the freedom of having no debt, and yet simultaneously owing all. “Christ also suffered for sins once for all, the righteous for the unrighteous” (1 Peter 3:18 – NRSV), and yet in following Christ I am to take up my cross daily (Luke 9:23). The debt I have as a white South African is forgiven or paid in Christ, and yet I have the “continuing debt to love” my fellow human being (Romans 13:8 – NIV), not to love merely “in word or speech, but in truth and action” (1 John 3:18 – NRSV), which is tied in this context to sharing of material resources (see preceding verse).

I can thus only summarise here what I have already concluded in the preceding chapters, namely that the TRC played an important, impressive, even herculean

role in bringing about greater reconciliation in South Africa. However, it could never be expected to meet the expectations of those who thought it was the alpha and omega of reconciliation. As Krog writes, “We all wait for the end. And we assume the Truth Commission will provide this end.” (Krog 2000, 169)

“People thought that the Truth Commission would be this quick fix, this Rugby World Cup scenario, and that we would go through the process and fling our arms around each other and be blood brothers forevermore. And that is nonsense – absolute nonsense. The TRC is where the reality of this country is hitting home and hitting home very hard. But there will be no grand release – every individual will have to devise his or her own personal method of coming to terms with what has happened.” (Psychiatrist, Dr. Sean Kaliski, quoted in Krog 2000, 169.)

More than coming to terms with what happened in the past, however, is determining how the future will be different to the past and the legacy it attempted to bequeath. In this respect, as I have argued in the preceding chapters, two vital and related key elements, quite beyond the control of the TRC, (as de Gruchy points out – 2002, 190) are missing: without a critical mass of white South Africans acknowledging and apologising for apartheid, and without the increasing socio-economic equity that such a genuine acknowledgement and repentance should bring in its wake, reconciliation will not be a lived reality. Of course complete reconciliation and racial harmony is a utopian or perhaps next-world dream. As Volf puts it, “God’s reconciliation will become complete and uncontested reality on the Day of Final Reconciliation, the Day of Judgment and

Embrace, the Day that would be the last day of the old world and the first of the new. Reconciliation that has been partial and fragile now will be complete and unassailable then.” (Volf 2006, 228) So perhaps South Africans can at least aspire to that partial, fragile reconciliation now, which promises a better, if still imperfect, future than the enormous disparity and violent society of our present.

For Volf, Augustine and others, then, it may be important to underscore where our final, realised reconciliation or salvation lies. Both the modern state and the church hold out a soteriology for humanity. The former offers a humanistic salvation, an elusive “end of history” through the consummation of reason and politics; the latter holds out both a temporal and spiritual salvation, but one only fully consummated in eternity or in the *civitas dei*. In the final analysis, in a Christian analysis, the state is a false messiah, because Caesar cannot render to humanity what God alone can render: the political theology of Rome “cannot bestow salvation, for salvation is found at the altar of another city, the city of God” (Bell 2007, 424).

Ultimately, therefore, I would have to agree with Augustine’s realist view of the *civitas terrena* and the possibility or even duty that that brings to the Church, by which I do not mean a particular institution or denomination, but rather the mysterious and undefined body of Christ on earth, and earthly representation of the *civitas dei*. In the *civitas terrena* the norm will always be divisions and conflicts with the “other”, whether identified in terms of race or some other differential. The opportunity for the Church is to model a different type of humanity, a reconciled

humanity, united, and united to God. And this is not a place of mere racial reconciliation, which, as Katongole points out, implies an acceptance of the world's racial terms and paradigms (see Katongole 2005, 216-217), or a place of greater socio-economic equity, but rather a place where a new humanity can be found, a humanity with a new identity based not in the definitions of the *civitas terrena*, but based in its regeneration in Christ.

The highest hope I can have for the *civitas terrena* in this South African instance is that the Truth and Reconciliation Commission, limited though its success may have been, has begotten a different future South Africa from, say, the Balkans of recent centuries, where each generation has borne the grudges and wounds of the previous generations. Forgiveness, justice and reconciliation is always costly, but unforgiveness, injustice and conflict may ultimately be far more costly.

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