

Race and Reconciliation in a Post-TRC South Africa

by

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Introduction

Truth commissions have become a common feature in the landscape of countries transitioning from systems of authoritarianism and civil conflict to a democratic order. The popularity of these commissions increased dramatically with South Africa's own Truth and Reconciliation Commission (TRC) established in 1995. Tasked with investigating and recording incidents of gross human rights violations that occurred during the apartheid past, as well as granting amnesty to perpetrators, the TRC has gained itself a reputation in the international arena as a successful facilitator of a transition that many feared would veer into civil war. Around the world, images were broadcast of an interaction of confession and forgiveness; the South African script of 'reconciliation' that was depicted as laying to rest a racially divisive past and paving the way to a new future as a 'rainbow nation'.

The realities of the transition however have been far more complex. Racial prejudice and violence did not suddenly disappear in 1994, but instead continue to play out through out this period of political transformation, standing as an obstacle to substantive equality and inclusive citizenship. The following paper evaluates the contribution of the TRC to current understandings of history, identity, and reconciliation.¹ The argument presented here is that the TRC, in its determined pursuit of a particular kind of reconciliation, was ironically silent on the issue of race – ironic given that it was functioning in the context of a country whose entire political and economic system was premised on the organisational principle of race. The impact of this silence is evidenced in the nature of the reconciliation it has achieved today.²

Individual versus Systemic Analysis

Perhaps the most widely-cited critique of the TRC has been its narrow interpretation of its mandate to investigate 'gross violations of human rights'. The Commission accepted a definition of such violations as including only death, torture or other 'severe ill treatment'. Even within this latter category, acts which constituted such treatment were restricted. Essentially, the Commission understood its mandate as dealing solely with those individual acts of violence which occurred in the course of political conflict. What was excluded from this mandate were the everyday administrative horrors of a system legally defined as a crime against humanity. Submissions by civil society commenting on the TRC's founding legislation warned against this narrow focus, stipulating rightly that it would not reflect

accurately the experiences of the majority and would leave unexamined the institutional violence of the apartheid system itself.

The weakness of an individual versus a systemic analysis of apartheid is that it did little to reveal the full impact of practices such as forced removals, which have been described as the 'Gulag' of apartheid South Africa (Mamdani 2000, 180).³ Mamdani writes that whereas the individualizing of responsibility may have been appropriate in dealing with the former dictatorships of Latin America, in South Africa violence was committed in the defence of racialised privilege:

... the violence of apartheid was aimed less at individuals than at entire communities, and entire population groups. And this violence was not just political. It was not just about defending power by denying people rights. The point of torture, terror, death, was even more far-reaching: its aim was to dispossess people of means of livelihood [The TRC model] obscured the colonial nature of the South African context: the link between conquest and dispossession, between racialized power and racialized privilege. In a word, it obscured the link between perpetrator and beneficiary. (Mamdani 2000, 179)

This narrow focus of the TRC's mandate blinded it to the experiences of all but a minority – that of perpetrators, defined as state-agents, on the one hand and victims, defined narrowly as political activists on the other (Mamdani 1998). In adopting this framework the TRC necessarily placed responsibility for apartheid in the hands of the previous governing elite and a few select foot soldiers. Whilst a limited number of sectoral hearings did take place, these were conducted in a manner which was largely uncritical, lacked any depth of analysis, were purely voluntary and were conducted during tight timelines with little background research preceding them (Chapman 2003).⁴

The TRC invariably admits its own shortcoming in the path that it chose – that of focusing exclusively on the individual excesses. The Final Report states that: "[T]his focus on the outrageous has drawn the nation's attention away from the more commonplace violations. The result is that ordinary South Africans do not see themselves as represented by those the Commission defines as perpetrators." (quoted in [Cronin 1999](#)). And yet the consequence of this mandate did not appear to be treated as a failure of the Commission but rather as an intended benefit. Richard Goldstone, former Constitutional Court judge and chief prosecutor at the UN war crimes tribunals, writes that the Nuremberg Trials "were a meaningful instrument for avoiding the guilt of the Nazis being ascribed to the whole German people" (Christie 2000, 183). It has been argued that this principle was equally applied in South Africa as a means of forging a bridge between otherwise divided communities (Christie 2000). By ascribing responsibility for the evils of the political system onto a handful of "bad apples", beneficiaries were invited to express shock and outrage alongside the previously disadvantaged, portraying themselves as 'betrayed' by their former government and thus victims as well.⁵

The Truth and Reconciliation Commission as a Vehicle for Nation- Building

Truth commissions, as their name indicates, are tasked with revealing and recording truth. Truth however is not neutral, both from the side of those who recall it, as well as those who

seek to uncover it. The assumption of the TRC, and of truth commissions in general, that there is a passive truth just waiting to be recalled by those who experienced it, is flawed. Memory is dynamic and constantly engaged and reconstructed through the process of recollection and transmission (cf. [Posel and Simpson 2002](#); Jelin 2003). It is further impacted by the social identity of the individual who experiences the event: factors such as age, gender and social grouping all influence how we experience events as well as our recollection of them (Jelin 2003). The fabric of a life lends experience its significance and interpretation, and the unravelling of a single thread from the broader tapestry of a life story isolates the thread from this interpretive framework.

The revelation of 'truth' is also influenced by the audience, and different truths, or aspects of it, are revealed in different circumstances (Jelin 2003). Whilst the adversarial nature of a court session may disclose certain aspects of a story, the gentle probing of a truth commission, or intimate conversation with a family member certainly reveals different facets of the same story.

Similarly, on the part of those who seek the truth, there is a role played in what story is revealed. The TRC has been subjected to criticism from numerous quarters for pursuing a truth which fit a narrative of racial reconciliation and nation-building, limiting the voices of victims in the process (Verdoolaege 2002; Williams 1999). Beyond the written mandate of the Commission codified in its constituting act, lay an underlying mandate and pursuit - that of national unification. The means used to achieve this objective were two-fold: the first was through the use of archiving in order to gather and order memories into one institutionalised national narrative; the second, was through a distancing of apartheid responsibility from past beneficiaries, thus making room for a uniform identity of 'victim' to be used as a common ground for the 'new South African'.

Nation-building is premised upon a sense of belonging to a group which shares a common unifying characteristic. In most cases this requires at a minimum a shared history. In the case of South Africa, the absence of a shared history necessitated the use of other grounds for the construction of a common identity. The TRC contributed to this identity by recasting all South Africans into a similar relationship with their past – that of victim. In the search for a new national identity, the Commission appeared to be following the advice of one of the greatest theorists of nationalism, Ernst Renan, who once stipulated that; "suffering in common unifies more than joy does. Where national memories are concerned, griefs are of more value than triumphs, for they impose duties, and require a common effort." (Renan 1990, 19). The importance of consolidating this new identity can be witnessed by its invocation at some of the most symbolic moments in the Commission's life, such as the inauguration where President Mandela observed that:

[L]ooking at the guilt and suffering of the past, one cannot but conclude: *In a certain sense all of us are victims of apartheid, all of us are victims of our past.* (in Meiring 2000, 196. Emphasis mine)

The public hearings of the Human Rights Violations Committee were used as an invaluable site of both public education as well as identity formation in the pursuit of a nation-building objective. The narrative of national victimisation was carefully constructed through the selection of victims that would testify before the nation – whites were disproportionately over-represented in the public hearings (Chapman and Ball 2000) in a deliberate attempt to

construe all South Africans as victims; and alternatively as a now treasured part of the new democracy.⁶

Carin Williams writes of how the public hearings were shaped by the Commission's broader pursuit of a nation-building discourse. She observes that there was an unequal interaction between witnesses and officials in the pursuance of testimony that would 'fit' the overall narrative being constructed:

The commissioners would lead witnesses and subjugate their testimonies, their stories to the national public memory that the TRC was entrusted to create The author/creator of memory/public history/ official history/ official, public narrative/ teacher is thus the TRC and not the 'voiceless' public The commission decided what was important for the national identity and the nation state and not the witnesses. This selection of who was allowed to tell their stories had to intersect with the 'new' nation ... (Williams 1999)

Beyond the process of selecting who would be heard in a public forum, the stories themselves became a site of contestation. Stories were circumscribed and crafted through a variety of means, including the pre-rehearsing of those who were to tell their stories publicly, the controlling of testimonies in the public arena using uniform questions and interruptions where witnesses strayed from expected testimony into unanticipated topics (Verdoolaege 2002). Victims were encouraged to talk only to 'the highlights' of their story, forcing them to discard the context of everyday racial discrimination and violations of a 'lesser order' which gave the incident meaning and significance for the teller.

The limits imposed on the boundaries of discourse further included coaxing certain emotions from witnesses and muting others. In initial hearings of the Committee victims were asked by Commissioners if they were "ready to forgive". The crass and forced nature of this exchange met with protest by civil society and victims themselves. More subtle tools were then employed, such as the explicit praise for those who chose to demonstrate a reconciliatory attitude towards perpetrators. This prizing of a discourse of reconciliation at the hearings took place at the cost of invalidating displays of 'negative' emotions. Some of these emotions – such as anger, anguish or resentment – are legitimate healing emotions for those who have suffered great loss. Their dismissal in favour of an easily achievable and feel good sentiment of 'add Commission and stir' reconciliation had the potential to do damage by not allowing those testifying to experience a natural grieving and healing process ([Hamber 1995](#)).

In the workings of the Amnesty Committee, similar patterns of racial denial manifested itself. The indivisibility of race and politics under the apartheid system was ignored and the lens of party politics was the sole tool of analysis employed. Race was only accepted as a motivating factor in those cases where the applicant belonged to a political party who explicitly endorsed racially-motivated violence in the pursuit of political objectives; parties such as the Pan African Congress's military wing the Azanian People's Liberation Army (APLA) and the right-wing Afrikaner Weerstandsbeweging (AWB) (Saino 1998). The Committee did not however consider the context of a racialised system where the nature of violence was often informed by an internalised value of a racial hierarchy, or where applicants were socialised to consider all members of the black/white race as the enemy

(cf. Saino 1998; [Fullard 2004](#)).⁷

Not only was race not employed as an analytical tool or explanatory factor by the Commission, it appeared to be actively avoided. One researcher, working with the transcripts of the Amnesty Committee noted an institutional discomfort on the part of the Committee in dealing with race. During hearings, Commissioners visibly steered participants away from discussing race – applicants and witnesses were both quickly guided to 'safer' ground (Carnita Ernest, in personal communication). The TRC Final Report itself mentions racism fleetingly but does not allow it much explanatory value ([Fullard 2004](#)). In sum, the TRC was characterised by a denial of the politicisation of race and the fundamental racialisation of politics that characterised the apartheid era.

The Nature of the TRC's Reconciliation

The nature of the reconciliation informed by the work of the TRC has been impacted by the processes through which it was achieved, and the result has been a superficial reconciliation which denies the implications of a racist past, has left much of the structures of inequality intact and unaddressed and has suppressed dialogue on the persistence of racism in the new South Africa. Moreover, the TRC has failed in its attempts to forge either a shared identity or a shared memory of the past. Many whites regarded the Commission as "an ANC-led witch hunt" (Hamber 1997; May 2003),⁸ and whilst there may be a common moral denunciation of the 'excesses' of apartheid, ten years into a new democracy one in five whites express that they would rather go back to apartheid than live in the new South Africa (The Kaiser Family Foundation 2004).

Despite a growing black elite, economic power remains largely in the hands of former beneficiaries. The deracialisation of the apartheid conflict through the lens of the TRC as well as the false separation constructed between the political system and its economic impact, has delinked injustice from its historical rooting in racial categories. As a consequence less than a third of former beneficiaries acknowledge that they benefited from apartheid in the past or continue to benefit from it today (Institute for Justice and Reconciliation 2003). The denial of responsibility for the injustices of the past stands as an obstacle to the acceptance of any redress currently. This can be witnessed in attitudes towards Affirmative Action (cited alongside crime as primary reasons for 'white flight') as well as the rejection of any form of reparation. The rare expressions of apology and reconciliation symbolically made before the TRC appear to have been misidentified as somehow being synonymous with a process of transformation – leading to the easy claim by many former beneficiaries that what happened through the Commission was somehow enough to constitute adequate transformation (Gobodo-Madikizela 2000).

And whilst the structures of past privilege remain intact, the very rhetoric of reconciliation itself is now invoked to consolidate these privileges against encroachments which seek redistributive justice or redress. The recent reparations lawsuits launched in a New York court against international corporations who profited unjustly from the oppression of blacks in the past has led to an odd partnership between government and business who oppose the lawsuits on the grounds that they would interfere with the path of reconciliation chosen by South Africa. Talks of a further amnesty which is likely to violate international law (and to meet none of the criteria set out by the Constitutional Court judgement which regulated the

TRC's initial process of amnesty), have been justified as being in the interests of protecting national reconciliation. Attempts at changing the name of Pretoria to a name of African origins last year elicited cries from the leader of the opposition of redividing the country and taking us back to the divisive identities of the past.⁹

In short, what South Africa has consolidated is what Hale refers to as an identity of "corporate multiculturalism" (Hale 2002); that is, the acceptance of certain rights that flow from the recognition of cultural differences, but not those rights that would challenge or upset entrenched systems of economic power or lead to substantive equality. The commodification of a corporatist reconciliation is epitomized in the recent renaming of Sandton Square to Mandela Square, replete with a six metre high bronze statue of the former President doing his famous 'Madiba jive'. As one reporter expressed in outrage, the liberation struggle has been "stripped of all radicalism", particularly its Freedom Charter socialist ideals, and sold back to the public in pieces by the very capitalist entities that sustained and profited from apartheid (What next, Mandelaland? 2004).

The commodification of reconciliation has also occurred in the media industry where there is a concerted effort to capitalize on the feel good sentiment of the rainbow nation myth. Today's youth are fed a steady stream of advertisements portraying a racially mixed and mingling South Africa. New sitcoms on television are all painstakingly representative – including having a token Indian and so-called coloured to ensure all former apartheid racial categories are represented. But this steady diet of candy-coated national unity by a demographic who has never adequately engaged with the historical legacy of apartheid has meant that youth don't see the relevance of the past, or of their racial identity, on who they are and their life circumstances. Willem Verwoerd, grandson of the architect of apartheid and today a former ANC MP, writes of how white youth believe that they are the beneficiaries of hard work and good luck (Verwoerd 2000). The other side of this coin however is that black youth seem to have internalised black poverty as something natural and inherent to those experiencing it,¹⁰ that is the result of personal weakness rather than a product of the constraints and conditions of an apartheid past.¹¹

Beyond the handful of formerly disadvantaged that can today afford to share in a shopping mall culture of corporatist reconciliation, relations between the races have not fundamentally transformed over the past ten years. In a recent study, just under half (46%) of South Africans reported that they never socialize across racial boundaries. A further quarter (23%) state that they do so only rarely. The pattern of interaction amongst South Africans has been described by one analyst as one of "daytime integration and nocturnal withdrawal" (du Toit 2003, 11). This characterization accurately describes a country which is seeking to transform public spaces however continues to grapple with the physical barriers imposed by the spatial legacy of apartheid as well as with continued social racism. Du Toit writes that although this represents a progression from the "overt hostility and oppression" of the past (du Toit 2003, 11), it is a far cry short of social cohesion or a shared identity.

The avoidance of a painful but necessary dialogue on race and racism during the life of the TRC continues today, lending itself to the persistence of racial inequalities in new guises. Former Chairperson of the South African Human Rights Commission Barney Pitso Moseneke remarked how race has become unspoken but more entrenched today than ever before:

We've removed evidence of the formalised apartheid system. We've removed the "*Nie Blankes*" and the "Non-European" signs. But racism continues to manifest in our society in more subtle forms. For example you can exclude someone from accessing a bond by simply saying, "The people in Hillbrow generally don't repay their bonds". So the bank redlines Hillbrow and the bank manager legitimately tells anyone with an address in Hillbrow, "I can't grant a bond for a flat there". Of course the people who live in Hillbrow are mostly black. Thus, without even referring to race, a whole group of people are excluded because of their race. ([Pityana 2001](#))

In many ways the application of the thin bandage of rainbow nation reconciliation has merely allowed the wounds of the past to fester beneath the surface. Racially-motivated incidents today are treated as deviant extremes, isolated from their context in a broader spectrum of problematic relations. Similarly, in the new social discourse adopted through the transition, 'racism' has come to be associated as the most radical of evils, as opposed to merely an acknowledgement of the impact of generations of socialization. Examples of the denial of racist attitudes abound in the popular press. Wouter Basson former head of the apartheid state's chemical and biological warfare program, was charged with, amongst other crimes, conducting experiments to create diseases and sterilization measures aimed only at blacks. In interviews with the press Basson vehemently denied that he was racist, and claims that he was merely "doing his job". In a similar vein, Judge Johan Els of the Pretoria High Court recently handed down a fine of R36,000 to a farmer who ran over his worker with his truck and killed him in anger when the worker failed to arrive for work that morning. The judge remarked in his judgement that he was "satisfied that the incident had not been racially based" ('Bakkie killing "not racially motivated", 2004).

In the same way that one would be hard pressed to find a South African who voted for the National Party in the past, it is equally improbable that any South African would openly admit the influence of a racialised past on their own attitudes and behaviour. This is not to say that the demonization of racism is not a progression or that a common moral denunciation of such attitudes is not positive. However when coupled with a failure to address the legacy of historical racism, an unwillingness to see racism in its everyday manifestations means ironically that this legacy is only preserved through a premature celebration of reconciliation.

Racially-motivated Violence Post-1994

An uncritical acceptance of the existence of the fully reconciled rainbow nation has meant that each incident of racial violence is accompanied by a renewed sense of surprise, as though there is a genuine belief that come 1994 the country merely stepped across a threshold into unity and solidarity. Despite the depiction of these stories in the media as occurring in small town South Africa and being of a deviant and isolated nature, the stories that accompany these incidents point to their manifestation within a context of everyday racist practices ([Harris 2004](#)). A key example of this is the violence which shook the community of Kuruman in the Northern Cape late last year when a black man was allegedly accosted and beaten by three white men on the steps of a hotel in the town centre. Similar to incidents that have occurred in towns across the country, the incident itself sparked the dry tinder of latent tensions and divided the town dangerously. One local councillor reported that more guns were sold in the six days after the incident than in the

entire hunting season – sparked by fear amongst whites of a "black uprising" (Christina Stucky, in personal communication). The police similarly divided themselves along racial lines with implications for future relations in their work in the community. In reflecting on the incident the remarks of Mayor Mogodi, an ANC appointee, were telling. She noted: "We never gave it (racism) special attention and thought it would wear off. We shouldn't have waited for things to come up, though we did try when we came into office. This thing of the rainbow nation, we took it as something that happens instantly." (Christina Stucky, in personal communication). The mayor further remarked that this had been just one of a number of incidents of racialised violence that had occurred in the past year.

It is only when extreme forms of racist violence emerge that reference is made to the persistence of everyday racist practices. In the case of nine rugby players convicted of beating to death a young black teenage boy and then dumping his body in a dam in the Limpopo province, reporters profiled the town itself, canvassing opinions on the criminal case which had, similarly, divided the community along racial lines. The owner of a hardware store in the town remarked to a Sunday paper that in his experience, whites still expected not to have to sit in queues behind blacks, and that he had on numerous occasions had to deal with whites "demanding to be served ahead of blacks". The boss of one of the accused noted that although he didn't believe his employee to be racist, if the black men caught reportedly 'poaching' on his farm had been white, the result would not have been murder, rather 'They would probably have invited them in for a drink' ([Alfreds, 2001](#)).

Conclusion

The denial amongst beneficiaries of historic injustice and the need for current redress has been facilitated by the TRC's pursuit of a narrow 'truth' which fit a broader objective of racial reconciliation and nation-building. Whilst the feel good sentiment of the Mandela era's rainbow nation rhetoric may have been necessary in 1994, its entrenchment through the mechanisms of the TRC consolidated a reconciliation which has to date been more about accommodating former beneficiaries than redressing past injustices. Pumla Gobodo-Madikizela, a leading psychologist with the TRC, concludes from her experiences that as truth commissions become more popular, they risk the danger of, like in South Africa, becoming merely vehicles for the legitimization of a limited transformation. In particular, that truth commissions risk becoming sites of mere symbolic apology and reconciliation that then stands as a substitute or excuse for actual and substantive transformation. I would add to this that in the experience of South Africa, the entrenchment through a truth commission of a reconciliation founded on superficial properties and celebrated as a success, can stand not just as an excuse for real change, but also as an obstacle to genuine transformation and thus reconciliation.

Notes:

¹ This paper is informed by my research for the 'Race and Citizenship in Transition Project' at the Centre for the Study of Violence and Reconciliation in Johannesburg. For a comparative look at race, citizenship and violence in transitions with a specific focus on South Africa and Guatemala see [Valji, 2004](#).

² The analysis in this paper privileges truth commissions as an important vehicle for

informing national identity and citizen relations post-conflict precisely because of the goals of these institutions, amongst which are: to write an inclusive history, to hear and acknowledge the experiences of victims and to foster a new relationship between citizens and between citizens and the state. Implicit in these goals is the notion of constructing an identity, of telling the nation the story of itself. In theory, truth commissions serve as a site of internalizing much of the material that gives a state a post-conflict identity.

³ It is estimated that between 1960 and 1982 more than three and a half million Africans were forcibly removed from their communities, their houses bulldozed and their possessions dumped in an open veld now designated as a 'black spot' (Mamdani 2000).

⁴ As the sector hearings were voluntary, participation was low in all of them. This was particularly the case however in the hearings on the legal sector where judges refused to come before the Commission, and media hearings, where Afrikaans newspapers threatened to fire any employee who made a submission to the Commission (Chapman 2003).

⁵ Simpson (in personal communication) notes that if the TRC had chosen to focus on the everyday repression that characterized apartheid, it would have removed the evidentiary burden necessary in proving individual acts of violence, as the laws which imposed institutional violence on the masses were publicly recorded and impossible to deny. Whilst Simpson acknowledges the need to uncover accounts of individual atrocities, he argues that a simultaneous focus on apartheid norms and legislative practices would have provided a far sounder foundation for race relations today.

⁶ The role played by the TRC in creating a homogenized internal identity of victimhood has led one analyst to question whether the instrument that was intended to build one unified nation has not merely legitimised the formation of "increasingly deracialized insiders and persistently black outsiders" (Bundy 2000), and thus lent itself to increasing incidents of violent xenophobia against Africans from outside South Africa ([Valji 2003](#)).

⁷ The result of denying a racial context to the conflict led to inconsistent amnesty outcomes – whilst members of the AWB were granted amnesty for killing blacks based on the perception that all members of the race group were 'the enemy', ANC cadres, because of the party's espoused policy of non-racialism, were denied amnesty in similar circumstances (Saino 1998).

⁸ In the first weeks of the TRC, CSVr conducted a phone survey with white South Africans to gauge attitudes towards the Commission. 44% felt that the former system was not unjust, 46% believed it was merely an ANC led witch hunt to discredit the former government (Hamber 1997). Recent surveys show little change in this perception (May 2003).

⁹ One Afrikaner leader (Cassie Aucamp) has remarked that the renaming project was essentially an act of ethnocide against the Afrikaner culture. He conveniently ignores that the Afrikaner names in place today replace the original pre-colonial African names. Here too, the denial of historic injustice manifests itself in a denial of the need for redress.

¹⁰ This particular observation was made during CSVr working groups on race and

citizenship conducted in secondary schools in Johannesburg and attended by the author.

¹¹ Whilst I'm not advocating that the legacy of apartheid be adopted as an excuse by historically disadvantaged youth for all failures in life, the complete denial of historical processes on one's personal situation holds the equal danger of an internalization of the hierarchies legislated by apartheid.

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