

# The South African Truth and Reconciliation Commission and Community Resolution

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## Introduction

This paper attempts to provide some understanding of the role of the Truth and Reconciliation Commission (TRC) in promoting reconciliation within the community of Duduza. While the TRC does not have a specific mandate to advance local reconciliation, it has defined its role as building a foundation for reconciliation in South Africa. In order to understand the future of reconciliation in South Africa, this paper examines how the TRC has changed the context within which communities pursue reconciliation.

This paper is the product of research conducted by the author in the township of Duduza during the period of January to December 1997. In the course of the research over fifty people with different insights into the local dynamics and the role of the TRC in Duduza and the Greater Nigel area were interviewed. Those interviewed included victims of human rights abuses,<sup>1</sup> community leaders, local councillors, council officials, Non-governmental Organisation (NGO) staff, and TRC commissioners and staff.<sup>2</sup>

## Duduza (Nigel)

Duduza is a black township that is part of the Greater Nigel Area. Nigel is a town on the East Rand (Gauteng) with neighbouring African, Indian and Coloured townships, the major ones being Duduza, MacKenzie Park and Alra Park, respectively. The total population of the town (and townships) is approximately 150 000 – 200 000. Over half of these people live in Duduza.

Duduza is a community that has experienced extensive political violence over the last 25 years. Duduza experienced some violence during the 1976 Soweto uprising, in which a number of youths were shot and killed by the police. After a period of relative political calm, the community mobilised in the early 1980s under the leadership of the Duduza Civic Association. In 1985 violence erupted after police fired on a march organised to protest against the bucket sewage system used by the Duduza Town Council. Ongoing violence occurred between members of the Duduza community and the police and council over the 1985-87 period. (Black) police and councillors living in the township were chased out of the area and the township was made "ungovernable" – state structures were effectively shut out of the township. Youth leaders emerged during this period and took a harder line.

Police responses to protest action also became more drastic and brutal. In one incident, the police attacked the house of one of the Duduza Civic Association leaders during which his two daughters were killed, both of whom were active in the Congress of South African Students (COSAS). In a revenge attack by Duduza youth, a white woman from a nearby farm was killed when her car was ambushed.<sup>3</sup> Police used detention and torture extensively, and in some cases, assassination in order to suppress political protests in the area. Police also infiltrated local political structures, particularly COSAS, and orchestrated the "zero hand grenade" incident<sup>4</sup> in which a number of Duduza activists were killed. Linked to these deaths was the murder in 1985 of alleged police informant, Maki Skhosana. Rumours that she had had a relationship with one of the police operatives and had informed on the victims spread through the community. She was beaten and stoned to death by members of the community, and her body set alight and mutilated. According to some reports she was necklaced. A number of people were subsequently prosecuted and sentenced to jail for the murder.

Tension also arose around the presence of IFP supporters in Duduza hostels. In 1991 violence erupted in the hostels as IFP hostel residents from neighbouring township (where they had been chased out by ANC supporters) fled to the Duduza hostels. The conflict that emerged in Duduza hostels was both among hostel dwellers and between the hostel and community residents. During this conflict members of the community burned down and demolished the hostels. Some of the hostel residents were absorbed by the community, while others fled to other townships.

After the democratic transition of 1994, political tension in the community continued in other forms. Tension emerged around the election of the Greater Nigel Council, the local government structure, in 1995. There were allegations of intimidation around internal nominations and elections for candidates to represent the ANC in the Council. The ANC candidates representing Duduza (six of the ten council seats), although opposed by National Party and independent candidates, won their seats by a wide margin. The three seats in the white neighbourhood of Nigel were won by the NP (previously held by the Conservative Party, and in 1995 contested by the Freedom Front), and the ANC narrowly won the seat in the coloured/Indian area against the NP. The ANC thus holds two-thirds of the Greater Nigel Council seats.

**TRC involvement in Duduza**

The TRC held a one-day human rights violation hearing in Duduza on 4 February 1997. The hearing combined cases from Duduza and neighbouring communities of Ratanda, KwaThema and Tsakane. In preparation for the hearing the TRC met with various parties and individuals in the community. These included the local town council, the Civic Association (an ANC aligned community-based structure), trade unions and churches.

TRC statement takers came to the area and collected statements from the public on a specified day. Additional statements were collected by Khulumani (a victim-support organisation) which was not included in the TRC's consultative workshops with the community.

The hearing was very well attended – the hall was filled to capacity and speakers had to be set up outside the hall. The hearing was mainly attended by local Duduza residents, with a few people coming from Ratanda, KwaThema and Tsakane. It appears there was only one white person from the local historically white town of Nigel – a National Party councillor. Of the ten cases heard on the day of the hearing, only three cases were from residents of Duduza. The witnesses from Duduza who told their stories were:

1. victims of the zero-hand grenade incident,
2. the sister of Maki Skhosana, and
3. a person who was tortured by police and accused by others in the community of being a police spy.

#### Strengths of the TRC Hearings in Duduza

**Story telling:** The victims who testified were able to share their story with the community and many outside of the Duduza context via the national media that covered some of the stories. They spoke, when interviewed for this study, of their suffering having been acknowledged by the TRC. Eveline Puleng Moloko, the sister of Maki Skhosana (the necklace) felt particularly relieved that her sister's innocence had been acknowledged. She felt that a stigma had been lifted from the family:

**After I had told my story the commissioners asked the hall to stand and observe a minute's silence. I was surprised that nobody hesitated. It was very meaningful. Some people called me after the hearing to ask that I forgive the community for what they had done to the victim (her sister) and the family. People in the community had treated the family with suspicion for a long time.<sup>5</sup>**

**Revealing the Truth:** Some new information had been made public by the TRC hearing. Particularly, new light was shed on the events around the hand-grenade incident which had been subject to much speculation. Rather than serving to reveal what was necessarily "objective truth" that all could accept as a true reflection of events, the value was to reveal new perspectives or new versions of what had

happened. The culture of silence that kept many victims from talking publicly, began to unravel.

**It felt good to testify, to get things out in the open. It made me feel good to help in assisting the inquiry to uncover the truth.<sup>6</sup>**

**Victim mobilisation:** There had been several meetings of victims (sometimes crossing previous divisions of the past). They were able to submit their stories to the TRC statement takers in relatively large numbers. Victims felt this was an opportunity to be heard and have their needs addressed. In addition Khulumani was able to utilise the interest in the TRC to bring victims together and initiate an informal support network to address the various needs of victims.

### Shortcomings of the TRC Hearings in Duduza

**Public participation:** The TRC contacted a range of people in the community to encourage their participation in the TRC activities. The main conduit between the TRC and the affected communities was the Greater Nigel Council (consisting of ANC and NP councillors). The council was, however, not effective in mobilising community involvement in Duduza and other areas. ANC leadership did not seem to have an effective process of channelling information regarding the TRC to the members of their organisation, or to their supporters. Some victims felt that this was a deliberate attempt to suppress certain stories which might implicate the councillors and their colleagues. However, a large part of the problem seems to be the demobilisation of grass-roots political structures. ANC members in the community complained that the ANC had not held public report-back meetings since they took office after the local elections and that the Civic structures had been similarly inactive.

While the TRC also liaised with religious leaders in the community, this interaction was mainly one of mobilising the church structures to provide publicity about statement taking and the public hearing. The church leaders did not feel that they were sufficiently included in the broader TRC liaison process. They were, for example, not included in the planning activities steered by the council.

The level of public interest in the TRC was clearly significant, as indicated by the attendance at the hearing. However, the majority of residents interviewed (other than councillors and council staff) felt that they had been insufficiently informed or consulted about the TRC process in their community.

**Revealing the truth:** In the cases that were heard at the public hearing, some new information was revealed, but each case opened up more questions than it answered. In certain cases, people subsequently felt that they had been presented with different versions of the "truth", but no clear answers. In the case of Maki Skhosana it was perceived (incorrectly) that the TRC had made a finding that she was an innocent victim who had been wrongly accused of working for the police.<sup>7</sup> Much suspicion still remains about the role of Maki Skhosana and others, and it appears that the TRC has not collected sufficient information to provide conclusive answers to the community.

"The TRC is about revealing the truth about atrocities and deaths ... . It helps root out the criminals within the liberation movement. Many questions remain unanswered though. For example, some of the ANC leaders knew that Maki (victim who was killed after allegations that she was a police informer) was innocent. We need to know why they did not say anything."<sup>8</sup>

"The whole community was very interested in the hearing. People took leave from work to attend. People had high expectations, but they were disappointed because very few details emerged at the hearing. They are still expecting more."<sup>9</sup>

The case of the victim who testified about how he was accused of being a police spy also introduced doubts about the TRC's commitment to public. The victim wanted to name the people in the community who had made the accusations, but was prevented from doing so in public. The Commissioners merely assured him that they had the names in the statement and would look into it. While they may have had legitimate legal or security related concerns about such public disclosure, they did not explain why he could not give the names at the hearing.<sup>10</sup>

The aspects of truth that the TRC was interested in also did not always match those of people in the community. Some victims were more interested in identifying the local actors in their victimisation. It was of less interest to them to find out who gave the orders, than to know who it was in the local community who assisted the police. They wanted to know whether their neighbour, whom they suspected of involvement, was in fact working for (or manipulated by) the police. Seeing this person on the street every day without knowing whether they should greet him was, for example, something that intruded on their daily existence and thus of more immediate concern for many of those interviewed. The TRC's primary concern was, however, to expose involvement at the higher levels of political and security structures in order to expose broad patterns of human rights abuses at a national level. The balance between the needs of the local community and the important collective exposure of truth does not seem to have been achieved.

**Selection of cases:** There was general concern that only three cases from Duduza were heard at the public hearing. Community members were interested in finding out more about the many cases of human rights abuse that had occurred in their community. The TRC's attempt to relate to a wide range of victims through presenting selected cases that showed a variety of abuses held little appeal to the people of Duduza. For them the local history is what held most meaning. They have various suspicions about who was involved, who did what, who was informing for the police, etc. Only hearing from three victims did not satisfy this thirst for new information. At best it was seen as a good start.

"It was a problem of combining the different areas in one hearing. There was not enough time to hear all the victims who wanted to speak. Some victims were very disappointed. One of the commissioners promised to look at the possibility of holding a second hearing, but said there is a problem with the limited TRC time frame."<sup>11</sup>

"Victims who gave statements were disappointed that they did not get to testify. They don't feel that they have been heard. Other victims also want an opportunity to tell their stories. They want the TRC to come back."<sup>12</sup>

The community particularly wanted the TRC to shed new light on certain cases that were widely known. They were suspicious about why these cases were not heard, and many wondered whether the selection of cases had somehow been politically manipulated.<sup>13</sup>

"The TRC should have focused more on specific key cases in Duduza. It focused too much on rather insignificant cases. Certain cases are a crux in terms of understanding the conflict in Duduza. Others are more peripheral. The important cases are: the first killing of a boy during the protest march against the bucket system, the case of Mrs Thobela's family, and the killing of Maki."<sup>14</sup>

Those who had made statements but who were not called on to testify also felt offended because, as they saw it, their case had not been considered important enough. They felt this meant that their case would be less likely to be investigated or to receive reparations. These perceptions endured despite an explanation by one of the Commissioners regarding the method of case selection, and reassurances to those who had not been called upon that their cases were considered equally important. In addition, some victims who had made statements went to the hearing in great excitement, hoping that their name might be called out. Only once they saw that the programme had already been finalised did they realise that they would not have the opportunity to testify. Clearly, this sort of misunderstanding about the TRC process highlights the weaknesses in the public education about the TRC in Duduza.

Those who did testify, on the other hand, had their expectations raised by their selection: they felt that they had been singled out as special cases. Later however, they felt despondent when very little follow-up by the TRC occurred in subsequent months, particularly in terms of investigations or reparations).

**Investigations:** Each victim wanted the TRC to investigate their case, mainly in order to track down the perpetrator(s) and to find out exactly what happened. After months of waiting, however, victims became frustrated that nothing seemed to be happening. When a few cases were investigated, there was again suspicion about who was prioritised and why. Suspicion again centred on the relationship between the TRC and certain local stakeholders.

Victims initially had high expectations about investigations that might shed new light on their cases. Some felt that the truth would readily be revealed by a legitimate investigations body. They felt that the main reason why the facts had not previously been revealed was that the police simply had no interest in investigating themselves. When people found out that the investigation process was mainly centred on verifying the stories of the victims, rather than collecting evidence against the perpetrators, they felt that they had been misled. They felt that the authenticity of their claims for reparations were being questioned while nothing was being done to bring the perpetrator to justice.

**Catharsis/Healing:** Victims often spoke of a sense of relief after talking to the TRC.<sup>15</sup> This should, however, only be seen as the beginning of a process that needs to be further facilitated. Victims spoke of the hearing as the beginning of a healing process, rather than the end. A longer term healing process does not automatically result from one episode of story telling and emotional outpouring. This is true both at the psychological and social level. In the case of Maki Skhosana, for example, the victim's sister welcomed a suggestion by a Commissioner that the TRC follow up the

process by possibly bringing together Maki's family and Maki's killers. This suggestion was however not acted upon by the TRC. While the victim's sister feels vindicated by the hearing, she still feels an unresolved tension between her family and those involved in her sister's death.<sup>16</sup>

***Vicarious healing:*** Many victims who came to the hearing did not feel that their stories were represented by those who testified. The hope expressed by the TRC Commissioners, that people in the audience would identify with those on stage and thus share in their catharsis, does not seem to have been fulfilled in this community. Many victims were, for example insistent that the TRC should come back and also give them the opportunity to tell their individual stories to the community. Each victim felt that their story was unique and required special attention: each had a different mix of interests. They may all agree that apartheid was the central element in their victimisation, but their stories involved different local role players whom they think should be held accountable individually. It was helpful to have a context within which to make more sense of their individual victimisation, but this did not negate the need to deal with their individual animosities and the interpersonal relations affected by the victimisation.

"I want the opportunity to stand up and tell my story. I want the TRC to hear my story, to know my suffering. It would help to relieve the pain."<sup>17</sup>

***Victim De-mobilisation:*** After the TRC left town, the enthusiasm of most victims for ongoing collective action started to wane. Initially there was an attempt to sustain a victim-support group (through Khulumani) in the community and to try and persuade the TRC to return to Duduza to hear the outstanding cases. However, it became clear that the TRC could not hold a second hearing. Most victims interviewed increasingly felt that, once the hearing was over, there was no longer space for them to influence the course of the TRC, or to make an input regarding the handling of their own case. Their voice was unlikely to be heard. Accordingly, they felt increasingly disillusioned about the likelihood of investigations happening, and started to have strong doubts as to whether reparations would be forthcoming.<sup>18</sup>

## Reconciliation in Duduza

### Engaging with the ideas of reconciliation and forgiveness

The publicity around the establishment and functioning of the TRC, as well as its operation within Duduza has, at the very least forced people to examine their own understanding of what reconciliation and forgiveness means to them and their community. For some it is more of a mental exercise of looking at existing divisions and formulating some ideas about what should be changed – what a reconciled community would look like. For others it is a much more personal reflection regarding their feelings of hatred, guilt and fear. Thinking about reconciliation means thinking about a process of overcoming these psychological barriers that they have been living with, often for many years.

The messages projected by the TRC and the support given to the TRC by religious leaders and local politicians has brought about some change in the way people view the idea of reconciliation. Many state a clear commitment to a process of

reconciliation, and contrast this to feelings of hatred and a desire for vengeance that was previously their dominant attitude in response to their victimisation. For some the main factor in this change was the election of a new government, while for others it was simply the passage of time. Some victims however attribute their change of heart to the work of the TRC.

While some victims still find the suggestion and insinuations that they should reconcile, and more particularly forgive the perpetrators, insulting, it appears that the TRC has built greater commitment to the process of reconciliation. It has also created the space to pursue reconciliation. It is seen as a forum that provides a platform for storytelling, revealing of the truth, holding the perpetrator accountable, as well as for giving reparations, airing remorse and potentially allowing forgiveness. These are steps in a multi-faceted process that people now understand in much greater depth, and that they accept as legitimate. They are steps that involve a negotiated exchange between victim and perpetrator and between individual and state. Victims have developed a fairly clear idea of what would constitute a fair exchange for them as individuals, one that would involve both give and take.

However, in the main, it seems, that most victims initially accepted the implied deal that the TRC was offering: i.e. in exchange for providing the TRC with information and letting go their demands that perpetrators be punished, they would receive compensation and the truth about their victimisation would be revealed. Many of those interviewed now see the TRC as reneging on this implied contract because not as much truth was revealed as they expected and reparations are still pending.

#### Different Conceptions of Reconciliation

What became apparent during the course of the research is that residents of Duduza and Nigel have very different ideas of what reconciliation means. While each person has their own individual understanding, there are some common underlying themes.<sup>19</sup>

All agree that reconciliation is about (re)building a relationship between groups or individuals. The nature or basis of the relationship is however different depending on their respective cultures, particular experience of human rights abuse, position in the political structure and their personal circumstances. A number of different types of reconciliation ideologies are thus evident in the community, each reflecting a different understanding or value system about the basis for social order and co-operation. These include:

**a) Reconciliation as moral conversion.** "We have to get everybody to appreciate that we are all God's children." From this perspective, the reason for the breakdown of humane interaction between people is the failure to respect all people as equal human beings under God. The process of reconciliation is therefore one of reflection, humility, repentance and forgiveness.

**b) Reconciliation as promoting inter-cultural understanding.** "We have to understand the different cultural backgrounds and histories of other communities so that we can have greater empathy for their viewpoints." Under this viewpoint, divisions are seen as being caused by difference (cultural and geographic). Encouraging communication to promote mutual understanding is essentially what is required for reconciliation.

*c) Reconciliation as building an ideology of non-racialism.* "Apartheid divided us into different categories of human beings that has to be eradicated from our minds so that we can see each other as simply human beings." The racial mindsets formed under apartheid are seen, by proponents of this view, to continue dominating the actions of some. The promotion of a common commitment to an ideology of non-racialism is seen as the major unifying factor.

*d) Reconciliation as building community.* "The interpersonal relationships between neighbours, family and other social networks have disintegrated because of suspicion and fear." The fabric of the community was destroyed by a long period of conflict that made people wary of others in the community. Suspicions, fear and resentment regarding past actions and associations have to be cleared up before the network of interdependent relationships can be reconstructed.

Sometimes these different ideas co-exist quite comfortably, while at times they compete and demand different strategies when trying to promote reconciliation. Many have developed a distrust in the sincerity of those who have a different understanding of reconciliation.

#### Police-Community Relations

Much of the violent physical conflict of the past was between community residents (and particularly activist youth) and the security forces (locally based police, security police based in the regional headquarters, and the SADF). The mistrust between the community and the police has been changing, thanks in large part to the community-police forum that has been operating for a number of years. Many of the police who are seen as responsible for past abuses no longer work or live in Duduza, and a new police station has been built in the township. Nobody is aware of any amnesty applications that may have been submitted by members of the security forces currently in the area. There are also no pending court cases.

**The police who were chased out have not returned. Many stay in police barracks – they are scared to return. Police who committed human rights violations or were not sympathetic to the struggle were targeted. They have good reason to be scared to come back to the community. People are still angry at those known to have committed human rights violations.<sup>20</sup>**

**At one stage all police were chased out, but their families stayed behind. The houses of particular police were burned down. Some have returned, but others not, especially those known to be responsible for deaths.<sup>21</sup>**

However, the TRC appears to have contributed little to the re-integration of police who were expelled from the community.

## **Former policemen in Duduza need to come back to Duduza, but until there is a forum for them to face us, their victims and ghosts for life, they will not die peacefully.<sup>22</sup>**

Generally though there seems to be a new start in terms of building more constructive relations:

## **People have a good relationship with newly recruited police, but old police members are treated with suspicion. They are suspected of involvement in previous political suppression.<sup>23</sup>**

### Intra-Community Divisions

The dynamics of the apartheid era conflicts had many spin-offs. The conflict environment led to a range of other associated divisions and intra-community dynamics. There were divisions arising from suspicions regarding police informers, collaborators, and internal power struggles among ANC supporters – Duduza was particularly fraught with such problems. Interpersonal conflicts were drawn into the political vortex, making the dividing line between politics, criminal activity and interpersonal disputes very indistinct.

These divisions are not resolved. People still mistrust each other. Victims still wonder if their neighbour or their councillor was the one who informed on them, or who spread the rumour about them being informers. People wonder what secrets are still buried and how these secrets shape the operation of local politics. One example is a policeman, who is seen by many as implicated in past abuses, who is now a senior council employee. Many suspect that blackmail, or some other underhand deals are behind arrangements to make these sorts of histories "disappear" or not be important anymore.

The political culture is also not liberated from the violent past. There is an increased sense of political tolerance, with people feeling more comfortable expressing support for opposition parties (rather than challenging the ANC internally). The present political leadership in the ANC is, however, alleged to have used intimidation in their fight for internal party control. New divisions are eclipsing those of the past, but they are still interwoven with the past. The emergence of new political parties (such as the United Democratic Movement) in the township draws on (and fans) suspicions regarding past deeds in order to build a support base. Allegations of complicity with past abuses (both in terms of spying for the police, or the use of violence directed at internal opposition) are common weapons in undermining support for one's political opponents.

### Black-White Divisions

Blacks and whites in and around Nigel still live very separate lives. Some blacks have moved into the white suburbs of Nigel, but many don't feel particularly welcome. Racial incidents such as being barred from the health club or (as is commonly alleged) white Afrikaans schools still seems commonplace. However, interaction

between black and white councillors seems to have built a certain level of mutual trust and a sense of partnership, and this has been broadened through the operation of various council sub-committees, but these initiatives have only reached a very limited component of the respective communities. They are also seen as somewhat tentative gains that may easily be undermined by political campaigning before the next elections. They appear to be relationships built on (and limited to) common interests in the social economic development of the area rather than lasting examples of inter-racial reconciliation. The parties have not talked openly about the past.

The attitudes of whites on the council towards reconciliation are built around the idea of a partnership between two communities. We are all in the same boat – we simply need to understand each other better and be more respectful of each other's culture (see for the earlier reference to reconciliation as promoting inter-cultural understanding – p.11) is a common assertion of the white councillors interviewed. They see themselves as advocates of reconciliation among their own community which has to be coaxed into accepting the new status quo.

Local whites did not attend the TRC hearing. It can be assumed that many whites in the town (a traditionally conservative stronghold) saw some Duduza victims testifying at public hearings broadcast on television. Their attitudes, like most whites in South Africa, are mixed. Some dominant attitudes are "we did not know – how can you blame us", or most commonly, "let us rather forget about the past", and in some cases they see the TRC as an ANC witch hunt that is trying to destroy the credibility of the previous government.

## **Community Reconciliation: The Way Forward**

Reconciliation is a long process

Reconciliation is not an event. People can not simply one day decide that they want to forgive and move on. They are not necessarily demanding vengeance. They are, at the same time, not simply willing to move ahead as if nothing happened. They demand to hear the truth and to be given time to consider it. They are often not willing to forgive unless the perpetrators show remorse and some form of reparation is offered.

Many victims were understandably bitter about their suffering, but remain willing and are committed to engage in a process of reconciliation. The TRC has played a part by engaging victims in examining and articulating their needs within a reconciliation process. It has however not done enough, in the eyes of those interviewed, in meeting their high expectations of the full truth or in facilitating a process through which these needs could be met.

Being promised some form of reparation and being given the opportunity to publicly voice their stories were very powerful experiences for many victims. They felt that they now had a legitimate and accepted voice. But this momentum has to be sustained. The organisational base for them to continue to be heard has only materialised in very few areas (such as where more permanent victim-support structures have been formed). For a reconciliation process to be carried through to some conclusion requires a victim engagement process that gives them space to

articulate and voice their ongoing concerns. The TRC provided a moment of opportunity, rather than sustained mobilisation. Other processes that allow for victims' (and perpetrators') concerns and interests to be articulated and addressed need to be developed and sustained at a community level. Khulumani, which was initially active in the community, was not able to sustain its activities due to financial constraints.

**The Way Forward:** Civil society and government need to work together to carry this process forward. Opportunities need to be created for further story-telling, and for an increased public exchange of view. More victims' stories must come out, more of these stories must be heard in public, and more communication regarding the apartheid past needs to be shared among different communities.

While there is much interest at community level to pursue further reconciliation, there are also obstacles placed in the way by those who feel threatened by the process. Some components of the process can be carried forward by civil society and religious bodies, but there is also a need for the process to be pushed by government where powerful local groupings resist the process.

Reconciliation is a process that should extend into the next generation. The divided memories that characterise, those directly involved in the conflict will be passed on to the next generation. Civil society and the government must engage this process of inter-generational memory. Our schools should, for example, provide space and direction for students to talk about the past and discuss the problems and tensions that we have inherited. In this regard though it is insufficient to simply articulate that the TRC has laid a foundation for future community reconciliation work, this process needs to be followed by resources and an ongoing commitment to furthering reconciliation if the foundation is to be adequately built on beyond mere rhetoric.

#### Reconciliation is multi-dimensional

The violence experienced in this community had a wide range of dimensions, and inflicted deep damage on numerous social relations. While the main dimension of the conflict may have been between the black oppressed population and the state, this conflict was fought in various covert ways that undermined and co-opted sections of the population and created internal divisions that require dedicated attention. It has to be pragmatically accepted that the young and the old, neighbours, different ethnic groups have been turned against each other. Different forms of suffering are given different levels of recognition and priority by the TRC. People were victimised in different ways and thus have different needs in terms of reparations, and social and physical reconstruction. These different interests often compete with one another and can lead to new conflicts within the community.

A significant division has emerged between the population and the political structures. Victims particularly seem to feel alienated from the political system. They do not feel that their needs are taken seriously by any of the political leaders. In extreme cases, victims see the political structures as perpetrator structures and representing the interests of ex-combatants and potential amnesty applicants within their ranks. Thus, when the TRC consults with the community via the political structures (as it did in Duduza) it meant from a victim's perspective that they were consulting with the perpetrators (or at very least those who have benefited from the past) and not the real victims. Victims feel that their voice should be heard independently:

**Khulumani could get all victims (from all parties) to stand together. The ANC does not look after the victims in their ranks. Victims must have a voice of their own.<sup>24</sup>**

**Khulumani is for all the parties. Now that we are not fighting we can stand together. The political leaders are not serving the victims' interests – we must stand together.<sup>25</sup>**

**The Way Forward: A longer-term reconciliation initiative would need to take the consultation process two steps further. It needs to engage with less developed community structures or networks that do not have a formal voice. Particularly in a community with a history of intense conflict, certain interest groups may not have organised and mobilised because of fear and/or because of lack of resources. Unless these interests are assisted in being articulated, the process will not reach all sectors of the community. Victims need to be empowered to continue to speak out. Their voice is often threatening to established power structures, and they will thus not be heard effectively unless a process is designed that specifically ensures their participation. In addition, the agenda for reconciliation should be open-ended, not circumscribed by a specific interpretation of the conflict such as the racial divisions under apartheid. The legacy of violence within communities, without labelling this in a negative or stereotypical way as has happened in the past, needs to be addressed urgently. Throughout the TRC process, this type of violence has been under-emphasised in lieu of the focus on state violence. With the end of the TRC, it needs to be recognised that intra and inter-community violence goes on affecting individuals to a far greater degree today than state violence, because power at the formal level has changed but at the local level it often remains unchanged. The impact of violence at the community level remains pressing to individuals on the ground and an obstacle to reconciliation.**

Reconciliation cannot simply deal with the conflict as a static thing of the past

Past conflicts have not disappeared. They have simply taken a new form. In some cases, the conflict entails almost exactly the same issues as in the past; it is purely the way that people pursue their incompatible goals that have changed. Access to services in Duduza is, for example, still a highly contentious problem that threatens to spiral out of control. This leads to new alliances and new forms of mobilisation of support. Problems in leadership-follower relations have emerged as political leaders attempt to build a support base that is not simply geared at protest politics and which is not sustained by mass mobilisation. The ability of leaders to facilitate public participation processes is limited in this new era, and the public consequently feels that their elected leaders are out of touch or leaving them in the dark.

New frustrations have thus emerged regarding old forms of representation, providing space for new political entrepreneurs to challenge the newly dominant political elite. Political entrepreneurs fan the resentments of the past to encourage suspicion and resentment of the existing local leadership. They draw in victims of past abuses (who generally feel neglected) as one element of their constituency.

**The Way Forward:** The TRC process assisted in clarifying past conflicts characterising a limited period of the country's history. Future reconciliation initiatives must highlight the links between these divisions of the past and current community dynamics. For political processes to regain credibility the secrets of the past have to be aired. The hidden hand of the past must be removed from present politics.

The need for accountability is just as important for present activities as it is for past actions. Political leaders also have to be subjected to more thorough procedures and structures of accountability, otherwise hidden motives will always be attributed to actions that are not readily understood.

Reconciliation needs to be built from the bottom up

Victims are individuals with unique experiences and needs. Each victim has to go through a personal journey of dealing with the past. Similarly each community has a unique history of conflict. There were common dimensions that existed all over the country, but the particular shape and intra-community dynamics took on many different forms. A reconciliation process needs to address these individual and community-specific histories.

One uniform national process is only capable of sketching a skeletal picture of community histories in broad terms. If left at that, it is in danger of minimising the importance of dealing with particular issues when trying to squeeze the history of the community into TRC categories of meaning. A national process can draw attention to some of the dynamics and pressures that impact on a local community, but does not "explain" the local history.

**Community members are mainly interested in local cases – what happened in the community, and who is responsible, especially police atrocities.<sup>26</sup>**

**The TRC did not listen to all victims at the public hearing. It is biased towards higher profile cases. People want**

**Mandela to come give recognition for those who died for the struggle. We needed to have local people taking statements, and locals to decide which people should give public testimony. It is mainly a question of lack of local grounding. ... Until such time when someone comes to Duduza and impartially, without discrimination, interviews victims and survivors of apartheid ills independently of biased learned input from local politicians, people themselves will come out with the solution. People themselves will prescribe the formula for their own reconciliation.<sup>27</sup>**

**The Way Forward: Communities need to be engaged in creating their own agenda for reconciliation, and designing processes that allow local stakeholders to drive the process. The example of the TRC can help provide a general model to communities regarding how the issue of past human rights abuses can be pursued in much greater depth. Local processes that engage with specific local concerns are needed in taking the process forward. Once again, it is not sufficient to simply articulate that local reconciliation needs to take place and that the TRC has laid a foundation for this. For this to take place resources and an active, and governmentally sanctioned, civil society needs to be encouraged to take the work forward.**

Reconciliation requires the ongoing quest for the truth

Victims are not ready to engage in a reconciliation process unless they know more about what happened. They often say they are willing to forgive, but they need to know who to forgive and what they are forgiving them for. A willingness to reconcile is dependent on people's ability to cope with and process their knowledge of what has happened. So long as the past remains hidden, a reconciliation process proceeds on very shaky foundations. The TRC has contributed to some of this revealing, but most individual victims are still in the dark about the details of their specific cases.

**You can not have reconciliation if there are hidden skeletons. You must first unlock the cupboard and air dirty linen. Truth is an absolute pre-requisite, even though it may have negative consequences.<sup>28</sup>**

**People should be given a chance to tell their stories to the community. It is important in identifying perpetrators on both sides. We must clear up mistrust – explain to each other what happened. We must especially identify those who acted for personal motives.<sup>29</sup>**

Exposing the truth is also about rebuilding the faith in the political system:

**The TRC is trying to reveal all the details. It has however not done enough – more must come out. Democracy is fragile if not built on a basis of full disclosure. Responsibility for deaths must be established in order for people to have faith in political parties.<sup>30</sup>**

The Way Forward: There is a clear need for further investigations. Most of the truth regarding human rights abuses in local communities has not been revealed by the TRC. A concerted effort by civil society and the state can take this process much further, and perhaps a permanent office to investigate past crimes will need to be established. Any new revelations will cause new tensions, but the potential for reconciliation is seriously restricted by the absence of truth. In addition, if reparations are granted in the absence of truth further problems can also be expected. Victims will invariably experience reparations without truth as an attempt to buy their silence.

Reconciliation demands the ongoing safety of victims to be guaranteed

Victims need to feel that they are no longer in the vulnerable position that they found themselves in at the time of the victimisation. They need to feel that they are now safe from abuses and that if the threat of re-victimisation arises, their pleas for protection will be attended to. These fears are often shaped by local community circumstances rather than the national political situation.

**The meeting (to collect statements) was well advertised, but not well attended. People feared the consequences of speaking out. They need to be assured. We needed more workshops to explain the process – what to expect. People need to be encouraged to speak out. Some victims were afraid of being re-victimised. People are still scared of coming out. People are still in a lot of pain. For some it was good to tell their story to the TRC. For others it just brought back a lot of pain. Some victims are afraid because the victimisers are still in the community. They do not want to be identified.<sup>31</sup>**

**The Way Forward:** The security needs of victims must be given special attention. Their mistrust of the police and their fear that they will be targeted for speaking out must be taken seriously. The presence of perpetrators in communities is a reality that must be addressed through a commitment by senior police officials to prioritise these needs, and must be addressed in consultation with local victims using structures such as local community-police forums.

Reconciliation means finally breaking the cycle of victimisation and victimhood

Victims need to have done some personal work in acknowledging and understanding what happened to them before they are ready to engage in a reconciliation process. They need to have stopped trying to run away from their memories and accept them as part of who they are – this is a highly personalised and extremely difficult process. This sort of psychological healing cannot be expected to coincide with a national process like the TRC and can certainly not be forced, it will happen when individuals are personally ready. However, this type of personalised healing, is necessary if victims are to feel that their lives are no longer completely dominated by their past experience, so that they can truly move from a state of being victims to being survivors. The availability of local accessible mental health support services, traditional services and victim support structures are crucial in facilitating this step.

**The Way Forward:** The psychological needs of victims have not been addressed adequately. Government and civil society must make a concerted effort to provide adequate, appropriate and accessible counselling and traditional support services to victims of human rights abuses.

Reconciliation means giving people a vision of a better future

Victims, and all of society, need to perceive that there is a possibility that things could be different. They need to be able to imagine that society could change for the better, that the divisions of the past can be overcome, that people can co-exist without constant fear and hatred. A vision of a society that is based on different values of human interaction is essential in motivating people to take the risk of engaging in a reconciliation process. The TRC, and the generous spirit of Commissioners like Desmond Tutu, has embodied this, but this needs to be built or it runs a danger of being undermined and ridiculed as idealistic and hopeless. At the same time, material change needs to be affected in the lives of the most victimised because without this the South African reconciliation initiative will be substantially undermined.

**The Way Forward:** Victims need to be drawn into constructive political and economic reconstruction programmes. Only through breaking the social isolation that many victims have experienced after their victimisation can they again build a belief in their ability to promote positive social transformation. Without this engagement, the input of victims will remain adversarial and destructive.

Reconciliation requires direct dialogue

Reconciliation involves various stages of development and change. One essential step is dialogue between adversaries. The victim-oriented and perpetrator-oriented aspects of the TRC's work are broken into separate functions. Victims tell their stories in one forum and perpetrators in another. The interaction is thus often mediated

purely by the media coverage of these events. While this may have been useful in providing safe space to engage them, or to maximise information gathering, the subsequent step of facilitating more direct dialogue still needs to be addressed. This has occurred in some cases, but the process has been extremely limited.

For victims there is often a need to have personal interaction with the perpetrator. They want to be able to call that person(s) to account personally. They want to be able to relate their suffering and demand an explanation. Victims in other communities have reported a great sense of empowerment that goes with the ability to stand up to one's victimiser. Some perpetrators have also expressed a need to apologise to their victims. There is also a need to be able to humanise the relationship, to deny the categories and stereotypes that allowed the divisions of the past. The actual dialogue in Duduza (and most other communities) has however not yet started.

**I want them to apologise. I can not forgive them until they come and apologise to me; both those who gave the order and those who killed her.<sup>32</sup>**

**I want X to explain what happened and to confess. Imprisoning X will not help anything. X should be held accountable though. Even if someone else gave him the orders, he should take responsibility for what he did. X knew my brother. What he did was a betrayal of trust.<sup>33</sup>**

**I don't want the perpetrators to go to jail. We could sit down and talk. I only want the truth out of them.<sup>34</sup>**

**The Way Forward: Victim-offender mediation services are needed at community level. While mediators have been trained to handle these types of interactions, they are not accessible to communities, or were not drawn on by the TRC despite offers to provide free services. The capacity of local religious and NGO structures to provide assistance in facilitating victim-offender mediation needs to be developed and utilised more fully.**

## Conclusion

Much of the burden for future reconciliation initiatives will rest with NGOs and church structures, most of whom have been involved in this work for many years. The TRC has introduced both new opportunities and new obstacles. Many feel the TRC has focused on the collective process and has not paid sufficient attention, often due to limited resources, to the local community context of conflict and reconciliation. Another common complaint is that the TRC has not engaged people, and civil society,

sufficiently in its work. In its attempt to be even handed, it has distanced itself from some sectors of civil society. Many fear that it will be difficult to pick up where the TRC left off without any clear co-ordination among the different sectors, and without an injection of resources and governmental commitment to ongoing reconciliation work.

While the TRC is expected to make recommendations in its final report regarding future government policies to pursue reconciliation, it will most likely be up to civil society to spearhead a co-ordinated process. This will rely on a commitment from the government to support ongoing work in communities. Government, and the society at large, cannot expect the book on the past to be closed with the end of the TRC. Clearly, reconciliation has just begun in Duduza and other communities. These initial interventions are welcomed but are less than complete. Community reconciliation will only end when communities themselves feel they have adequately worked through their past, and when they personally feel their problems have been adequately addressed – this will undoubtedly be an unyielding and ongoing process.

#### Notes:

<sup>1</sup> The term victim is used throughout this paper rather than survivor, as that is the terminology that the TRC Act uses.

<sup>2</sup> While the study attempts to draw on the insights of a wide range of actors, the study should be viewed as a qualitative case study rather than as broadly representative of South African communities.

<sup>3</sup> (This was the only report of a white civilian victim of political violence in the Greater Nigel Area.)

<sup>4</sup> The zero hand grenade incident was an incident in which two police operatives pretended to be Umkhonto we Sizwe (MK) members who had come to assist local activists with military training. They provided instructions to local youth on how to handle hand grenades, and then helped them plan simultaneous attacks in three neighbouring townships (Duduza, KwaThema and Tsakane). When the attacks were launched, the hand grenades exploded prematurely in the hands of the youths. Some were killed and others severely maimed by the explosions.

<sup>5</sup> Interview with Eveline Puleng Moloko (Duduza, 21 May 1997)

<sup>6</sup> Interview with victim (Duduza, 2 July 1997)

<sup>7</sup> This interpretation seems understandable when viewed in the light of the chair of the public hearing calling her and her family "heroes" and "noble", asking the audience to stand and observe a moment of silence, and blaming the police for her death.

<sup>8</sup> Interview with community leader (Duduza, 27 February 1997)

<sup>9</sup> Interview with community leader (Duduza, 19 August 1997)

<sup>10</sup> The TRC's transcript of the testimony at the public hearing of the case reads as follows:

MR BUTHELEZI (the victim): I want to mention the names now. Why did they decide to call me a ...

CHAIRPERSON: Could you please ...

MR BUTHELEZI: police informer because ...

CHAIRPERSON: Could you please listen. We have never stopped you from mentioning those names. If you did not for the time that you were sitting there, do not blame it on this body. We are saying thank you, let us give others a chance.

MR LEWIN: Did he give us the names?

DR ALLY: Sorry, where is.

CHAIRPERSON: You can still, you can still give us the list of those people.

MRS SEROKE: Tom, the names are in the statement anyway. We will deal with that later.

CHAIRPERSON: Thank you for the, we have the list of those people. Thanks, please, I can literally say, can you please learn to give us the quiet that we need which, I think, you personally need, because you need to understand what is going on and you will appreciate that if you have got remarks to make, please make them out of here. We would love to give everybody a chance.

<sup>11</sup> Interview with community leader (Duduza, 4 June 1997)

<sup>12</sup> Interview with victim (Duduza, 23 July 1997)

<sup>13</sup> At the hearing, one of the Commissioners explained their method of selecting cases for the hearing:

**So we try to use cases to give us some insight or a window into the nature of the conflict. We do not choose people because we think their stories are more important or because they are more important. We also try, we also try to cover the period that the Commission has to look at which is 1960 to 1994. We also try to give as balanced a view of the conflict as possible because we know that the conflict was many sided. ... because you have not been selected for a public hearing does not mean that your case is any less important because we use the statements to make our decisions and recommendations.**

<sup>14</sup> Interview with community leader (Duduza, 15 May 1997)

<sup>15</sup> Not all victims however shared this sense of relief. The frustration of not being given the space to tell his full story was, for example, a major frustration for at least one victim.

<sup>16</sup> Interview with victim (Duduza 21 May 1997)

<sup>17</sup> Interview with victim (Duduza, 19 June 1997)

<sup>18</sup> As the TRC concluded its work in late 1998, eighteen months after the hearing, the failure by the TRC to conduct investigations in many communities has become evident.

<sup>19</sup> For a more comprehensive discussion of these different reconciliation perspectives see Brandon Hamber and Hugo van der Merwe "What is this thing called Reconciliation?", in *Reconciliation in Review*, Vol.1, no. 1.,1998.

<sup>20</sup> Interview with community leader (Duduza, 4 June 1997)

<sup>21</sup> Interview with community leader (Duduza, 19 August 1997)

<sup>22</sup> Interview with community leader (Duduza, 28 July 1997)

<sup>23</sup> Interview with community leader (Duduza, 15 May 1997)

<sup>24</sup> Interview with victim (Duduza, 5 August 1997)

<sup>25</sup> Interview with victim (Duduza, 7 August 1997)

<sup>26</sup> Interview with community leader (Duduza, 19 August 1997)

<sup>27</sup> Interview with community leader (Duduza, 28 July 1997)

<sup>28</sup> Interview with community leader (Duduza, 15 May 1997)

<sup>29</sup> Interview with community leader (Duduza, 29 May 1997)

<sup>30</sup> Interview with community leader (Duduza, 27 February 1997)

<sup>31</sup> Interview with community leader (Duduza, 11 September 1997)

<sup>32</sup> Interview with victim (Duduza, 21 May 1997)

<sup>33</sup> Interview with victim (Duduza, 23 July 1997)

<sup>34</sup> Interview with victim (Duduza, 11 June 1997)

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