

Review Essay

Truth and Reconciliation Commission of South Africa Report, Volumes 1-5. Pretoria: Government Printer, October 1998¹

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South Africa's Truth and Reconciliation Commission, generally known to South Africans simply as the Truth Commission, published its final report at the end of October 1998. This document, or more precisely the three-year process which led to its production, represents probably the most far reaching attempt by an official body to come to terms with the human rights abuses committed by a previous government anywhere in the world since the Nuremberg trials of the late 1940s. On many counts, the South African Truth Commission may be compared favourably to the dozen or more roughly comparable inquiries or official processes which have been held in parts of Africa, Europe and Latin America in recent years in an attempt to deal with the legacies of tyrannical or totalitarian rule (Bronkhorst 1995).

If South Africa's Truth Commission has been more penetrating than comparable exercises, as we contend, this may largely be attributed to a number of particular features. It is perhaps an obvious point, but is worth making anyway, that the South African commission made a notable attempt to be open-minded in considering the history of South Africa, and was less politically prejudiced than many onlookers ever thought feasible. Its final report is a clear attempt at a balanced account of at least certain categories of human rights abuses during 34 years of political-military struggle for or against apartheid. Such fairness is not easy to achieve in a society riven by conflict and by violence, in which various groups of people have such radically different views of their own history.

But saying that the Truth Commission was fair is not the same as saying that it had no political colour. On the contrary, it is plain from its final report that the Truth Commission regarded the National Party, the political

formation which ruled South Africa during the apartheid period, as responsible for the vast majority of human rights abuses committed in that country over the past three decades. This is surely a correct point of view by any reasonable criterion. Furthermore, the Commission and its staff appear to have included a majority of people whose political sympathies lay more with the African National Congress (ANC) than with any other party (which could be regarded as normal when the ANC clearly commands the support of some two-thirds of the South African electorate).

Nor did the Truth Commission shrink from taking a stance on the question of violence: its final report includes a reflection on the circumstances in which the political use of violence is justified and those in which it is not. Thus, the element of objectivity does not consist in the Commission's having no political identity whatsoever – which would be impossible in South Africa – so much as in its determination to look at its task with as much sense of detachment as possible and to defend its mission against all comers, a task in which the Commission's president, Archbishop Desmond Tutu, the former Anglican archbishop of Cape Town, proved himself to be a model of courage and integrity.

In the end, nothing served the Commission's pretensions to objectivity better than the attack made on it in its final hours by the ANC itself, the political party which had done more than any other to bring the Truth Commission into existence. Throughout its three-year life, the Truth Commission struggled with the suspicion, sometimes sincerely held, sometimes cynically manipulated, that it was no more than a political instrument of the ANC, designed to humiliate its political enemies under cover of a concern for human rights. At the last moment, in October 1998, days before the Commission was due to publish its final report, the ANC made a clumsy attempt to have the Commission censor a small number of negative comments about some less glorious aspects of the ANC's role in South Africa's recent history. This attempt came closer to success than is generally realised: sources inside the Commission report that at a crucial meeting held to consider the ANC's attempt to excise criticism of itself, the seventeen-person Commission split down the middle, with mostly white members on one side (in favour of publication) and mostly blacks on the other (voting for suppression). Desmond Tutu cast his deciding vote in favour of publication. The Archbishop angrily told the press: 'I have struggled against tyranny. I didn't do that in order to substitute one tyranny with another' (*Guardian Weekly* November 8, 1998).

With that, the ANC's bid to intimidate the Commission failed, and the Truth Commission's final report was duly criticised by Deputy President Thabo Mbeki as 'wrong and misguided' (*Guardian Weekly* November 8, 1998). Former State President F W de Klerk was more successful, thanks to a last-minute legal action, in having half a page of text concerning himself excluded from the final report. It appears blanked-out (see TRC 1998, vol 5:225-6). Since the Truth Commission had also been attacked on various occasions by the National Party, and its work had been dismissed with contempt from start to finish by Chief Buthelezi, leader of South Africa's third-largest party, as well as by various minor politicians from both left and right, the Commission could at least claim that it had attracted criticism in roughly equal measure from all points of the political spectrum. This is not in itself any guarantee of competence or honesty but is at least some measure of the Commission's independence of political parties.

The Truth Commission has also been notable for its sheer size, which may be reflected in a few statistics. This inquiry into 34 years of history (1960-94) received over 22,000 submissions, either dictated to secretaries, delivered in writing, or made personally at public hearings, including by 21,300 people who claimed themselves to have been victims of gross violations of human rights, 90 per cent of them black people. Such allegations concerned 38,000 gross violations of human rights including 10,000 killings, all recorded on a computer database. The Truth Commission received just over 7000 applications for amnesty and sifted vast numbers of press clippings, published works and documents from state archives. All this was the responsibility of 17 commissioners drawn from a broad cross-section of South African society, whose chairman was Archbishop Tutu. The commissioners were supported by over 500 staff members, including various experts whose services were offered by foreign governments or recruited on contract, based at four regional offices in addition to the Cape Town head office. Funding for this enterprise came from the South African state budget, with generous donations from a number of foreign governments.

The final report consists of five volumes and contains 2739 pages. It is a triumph of editing and publishing, although the haste with which the final report was compiled does show through in places (the page numbers in the lists of contents often do not correspond to those in the text, for example). Few people, however, will actually read the report. Since the five volumes cost 750 rands or something over one hundred US dollars, it will be bought by very few South Africans. (The Gross National Product per head in South

Africa in 1996 was just \$3520 dollars, according to the World Bank, but this is notoriously unevenly distributed between whites and others. According to one recent estimate, the standard of living of white South Africans could be compared to that of Spain, and that of blacks could be compared to Congo.)

But even if few South Africans read the report, its message has already been conveyed by means other than the printed word. Another particularity of the South African Truth and Reconciliation Commission was the way it deliberately set out to use its public hearings as scenes in a vast national drama, stage-managing dramatic testimonies and confrontations between perpetrators of torture and murder and their victims, encouraging the maximum degree of television and press exposure, travelling constantly from place to place. It exhumed the corpses of the victims of death-squads, buried in unmarked graves. The Commission at times captured the imagination of millions of people, such as when South Africans gathered around their televisions to watch Winnie Madikizela-Mandela testify in public. Even many foreigners were absorbed by the details of Winnie Mandela's colourful private life, since the world's media, most particularly in the USA, had turned her into an international superstar in the 1980s, when apartheid South Africa occupied a unique place in the political consciousness of the world.

Many other hearings which received less international attention were viewed with fascinated attention inside South Africa itself. Even more sensational than the revelations of Winnie Mandela's private life was the hearing in which a notorious police torturer, Captain Jeffrey Benzien, demonstrated on a volunteer, in front of the Commission and the TV cameras and in the presence of several of his former victims, how he used to torture political suspects by tying a wet bag around their head, causing a finely-calculated suffocation. In between torture sessions he sometimes took victims on outings to fast-food restaurants.² Theatre like this itself becomes a political phenomenon.

In recognition of this aspect of the Commission's proceedings, the remainder of this essay will consider the Truth and Reconciliation Commission from two different angles. The first is its written report, which has all the weight and permanence of a major historical document. The second is its aspect as a political performance in itself, harder to record and assess, but possibly more important, certainly in the short term but perhaps also in the legacy which the Commission leaves in the consciousness of South Africans and others in decades to come.

The Report of the Truth and Reconciliation Commission

Unusually for an official document, the final report of the Truth Commission is written in a simple and accessible style, attractively bound and presented, and contains a number of dramatic black-and-white photographs.

Volume one is largely concerned with explanations of how the Commission was formed, of its mandate and how this was interpreted, of the methods it adopted and the considerable legal challenges which it faced, particularly from former officers of the state security forces and from the government they served, the National Party. Some parts of this methodological treatise are more interesting than they may sound, particularly the chapters considering the nature of the truth which the Commission sought to identify. Bravely, the commissioners aspired to more than the mere recording of factual or forensic truth, but also attempted to consider what they called 'personal and narrative truth', 'social truth', and 'healing and restorative truth' (TRC 1998, vol 1:110-4). Volume two is a historical review of the main organisations responsible for human rights abuses in South Africa during the period 1960-94: the state and its security forces, of course, but also the homeland governments and the liberation movements. This volume also includes a number of special reports on subjects which the Commissioners deemed suitable for in-depth study, for example on the plane crash which killed Mozambique's President Samora Machel on October 19, 1986, on the Chemical and Biological Warfare programme of the apartheid state, and on the notorious Mandela United Football Club, the name given to the gang of thugs with whom Winnie Madikizela-Mandela surrounded herself in the late 1980s, when she was still married to Nelson Mandela and was widely represented by the international media as the personification of radical glamour. The Mandela United Football Club kicked few footballs, but instead perpetrated several murders and numerous rapes and other crimes at Mandela's home in Soweto.

Volume three consists of a series of chronological accounts of human rights abuses in each of five regions of South Africa. This catalogue of brutality shows some signs of rather hasty editing, consisting as it does of a rather impenetrable mass of names, dates and places on page after page. The sheer mass of detail in this volume appears to have been inspired in part by the Commission's wish to record those abuses of which it had substantial evidence as fully as possible not only for the sake of posterity but also in order to give some sort of psychological satisfaction to the victims or their

families, who will at least know that their ordeal has been acknowledged. Volume four considers the role in human rights abuses of key sectors of South African society, including business, the legal profession and the media. Finally, volume five contains a number of sub-committee reports, and various findings and conclusions. It includes a minority report by Wynand Malan, a former National Party member of parliament, the one member of the Commission who dissented from its majority view.

In many ways, the general lines of all this conform to what had emerged over the years of the practices of defenders and opponents of the South African government. For most readers of the report, the fact that horrible abuses were committed by agents of the state will come as no surprise, although it has the distinct merit of forcing some sort of realisation of the facts on the considerable number of white South Africans who, at least until the Truth Commission began its work, used to claim, like so many German survivors of the 1940s, that they never knew what was being done in their name. Less known to the general public were the tortures and executions performed by the ANC in exile on some of its own members, often for no reason other than the victims' general tendency to indiscipline. The number of recorded incidents could be numbered in the dozens rather than the hundreds. Of interest for specialists in South African history are the very different dynamics revealed by the regional profiles in volume three.

Among the most interesting new insights are those gained into the death of Samora Machel who, it is implied, was lured to his death in a fake accident by a decoy radio beacon erected by the South African secret services with some help from the Italian mafia (TRC 1998, vol 2:494-502). Also of note are revelations about the chemical and biological warfare programme of the South African government, which appears to have been one of the most aggressive of such programmes to have been implemented anywhere in the world since the Second World War (1998:510-23). It is a pity that the TRC was prevented from investigating this matter further largely by delaying tactics on the part of the present South African government, which appears to attach high importance to keeping its weapons of mass destruction. Other ground-breaking investigations concern the massive destruction of state records from 1990 onwards, as the apartheid-era civil servants began to prepare for transition (TRC 1998, vol 1:201-43), and an interesting section on secret state funding (TRC 1998, vol 2:524-42), which avoids some of the more colourful aspects of the subject (such as the engagement by certain state-controlled front companies

in criminal trades including drug-trafficking, prostitution, and exporting endangered animal species) but which has the great virtue of proceeding carefully and prudently, in keeping with the Commission's general approach.

Taken together, the five volumes amount to as full a description as we are ever likely to have of individual human rights abuses in regard to South Africa in the period 1960-94, with the important proviso that this depends on how human rights abuses are defined. This is a crucial point, as certain critics, of whom the most articulate is probably Mahmood Mamdani, former Professor of African Studies at the University of Cape Town, have alleged. There is no doubt that Mamdani's view reflects that of a section of South African public opinion, as the Commission concedes (TRC 1998, vol 1:34). Briefly, Mamdani has charged, in a series of newspaper articles and public statements, that the Truth and Reconciliation Commission, by excluding from its definition of human rights abuses such massive infringements as the forced relocation of over three and a half million people in direct pursuit of apartheid policies, actually lost sight of those practices which caused the most widespread suffering in South Africa. Millions of people were subjected by the apartheid state, in the Commission's own words, to 'collective expulsions, forced migration, bulldozing, gutting or seizure of homes, the mandatory carrying of passes, forced removals into rural ghettos and increased poverty and desperation' (1998, vol 1:34). Mamdani maintains that the South African Truth Commission made a strategic mistake in following too closely the model of the earlier commission of inquiry in Chile, which had investigated mainly offences by the state security services against the physical integrity of individuals. The architects of South Africa's Truth Commission thus developed an instrument arguably better adapted to the analysis of a personal dictatorship Latin American-style rather than of South Africa's particular brand of racial domination in which the white minority of the population actually enjoyed many of the trappings of democracy, including regular elections, multiple political parties and a relatively free press. In short, Mamdani alleges that the TRC's concentration on violent assaults on the individual, such as murder and torture, has had the effect of focussing attention on the misdeeds of a relatively small number of perpetrators of human rights violations, most of them professional police or army officers, while the mainstream of white society has been able to distance itself from the atrocities carried out on its behalf on the orders of a government which it voted into office, with ever-greater majorities of votes cast. The Truth Commission would have been better advised, in Mamdani's view, to investigate who exactly benefited from

apartheid policies rather than concentrate on the particular individuals who perpetrated physical brutalities such as murder and torture and on their individual victims.

In its response to such criticisms, the Truth and Reconciliation Commission points out that it was bound by the Act of Parliament by which it was established. This legislation defined the mandate of the Truth and Reconciliation Commission and, in charging the Commission with a duty to establish 'as complete a picture as possible of the causes, nature and extent of the gross violations of human rights which were committed' from 1960 to 1994, defined 'gross violation of human rights' as '...the violation of human rights through (a) the killing, abduction, torture or severe ill treatment of any person; or (b) any attempt, conspiracy, incitement, instigation, command or procurement to commit [such an act]' (Act quoted in TRC 1998, vol 1:60).

Having interpreted its mandate in this sense, the Commission's final report goes on to list, particularly in volume three, a vast catalogue of individual incidents. It does however, also make a more general point about the inherent nature of apartheid as a system of rule, pointing out that apartheid was considered by several international bodies and authorities as a crime against humanity. In its analysis of the institutional and special hearings reported in volume four, the Commission also tackles such difficult questions as whether private-sector business and the legal profession can be said to have contributed to the human rights violations of the apartheid state by supporting it, if only tacitly. It finds that, to a significant degree, they did. In sum, it is clear that radical criticisms of the TRC's approach to human rights, such as those made by Mamdani, touch a raw nerve; while it is correct for the Commission to argue in response that it was merely carrying out a mandate imposed on it by Act of Parliament, this technical defence smacks of a certain lack of confidence, since it is devoid of political justification.

Before going on to consider the political context in which the Truth Commission did its work, and the degree to which it became itself a political actor, a few more remarks are in order concerning what the final report of the Commission does and does not say. A clear shortcoming of the report concerns its centredness on South Africa, whereas the Commission was empowered to investigate human rights abuses committed both inside and outside the country. The struggle for control of the South African state was actually fought to a large extent outside the country's borders, as the TRC itself goes to considerable lengths to acknowledge (TRC 1998, vol

2:42-164). The South African Defence Force was deployed in Angola almost continually between 1975 and 1989. Both through its armed forces and through other means, the South African state employed from the early 1970s onwards a strategy of destabilisation which reached its high-point in the mid-1980s, taking the form of encouragement to civil wars in Angola and Mozambique and disruption, sabotage or other forms of illegal interference in the affairs of various sovereign states including Seychelles, the Comoros, Lesotho, Zambia and Zimbabwe. Namibia, although illegally occupied by the South African state until 1990, is in many respects a special case. The defence of state power in Pretoria actually involved a great deal of fighting or other forms of violence in other countries, where the vast majority of combatants and victims were not South African. Since intervention in Angola and Mozambique especially took the form of supporting one side in a domestic civil war, it is impossible to say exactly how many deaths in those countries were the result of South African interference, as opposed to those which were the result of domestic forces. What can be said is that hundreds of thousands of people died throughout southern Africa in conflicts manipulated by South Africa for reasons of its own, and to some extent those people could be considered victims of the struggle for South Africa itself. By discussing these matters only in a relatively brief section of its report, the TRC could be said to have diverted attention from some of the greatest abuses of human rights inflicted by the South African state. This risks perpetuating a version of history which fails to attach due weight to the regional dimensions of the vast struggle for control of South Africa which were such a marked feature of the history of the region from the early 1960s until the 1990s.

The Truth Commission has to be judged not merely by its elucidation of various points of historical fact but in its role in the formation of national myths. The Truth and Reconciliation Commission has no doubt made a major contribution to fixing the version of South African history in the period 1960-94 which will be taken up in future history books since the Commissioners have so clearly presented a report which makes great efforts to be fair to all points of view in a deeply divided nation and which is a mine of factual material. It is precisely this which has so annoyed the ANC, or at least those parts of it which inspired the effort to silence criticism by the TRC. On receiving the report, the ANC issued a statement accusing the Commission of 'gross inaccuracies' which it said would 'unfortunately become part of South Africa's history' (*Guardian Weekly* November 8, 1998).

The Truth and Reconciliation Commission as a Process

For many foreigners, the Truth Commission's attempt to unearth information about human rights abuses in the past seems so obviously justified that it is hard to understand how any South African can be sceptical of the Commission other than on the grounds of the most narrow self-interest. This, however, is to suppose an atmosphere in which there is common agreement on recent history, which is precisely what is so conspicuously absent in countries like South Africa in which a wide variety of historical myths and narratives exist alongside one another. It would be simplistic to believe that the only opponents of the Truth Commission are people motivated by vested interests or personal bitterness – although indeed, there are plenty of those. In fact, South Africans who have been opposed to the Truth Commission either as a whole or on points of detail include not only individuals seeking to protect their careers, but also many people, of both right and left, who are sincerely and deeply wedded to specific versions of history.

This puts a more favourable light on the position taken by those members of the ANC who have criticised the Truth Commission's final report, for example. On the political left, as we have seen, there is a substantial number of people who consider that, since apartheid itself is a crime against humanity, the identification of individual abuses by individual perpetrators turns attention from the essence of the problem to its more superficial aspects. On the right, the Commission stands accused of underestimating the degree to which the apartheid-era security forces were genuinely afraid that the violent overthrow of their government would lead to Soviet-style communism or an anarchy which would cost even more deaths than those recorded in the Truth Commission's report, or what a National Party prime minister, BJ Vorster, once referred to as a scenario 'too ghastly to contemplate'. The adverse reaction of so many politicians to the Truth Commission is an indicator of the difficulty which South Africans are having in accepting certain common features of their collective past. Since a particular vision of history also contains a vision of justice, propagating a vision of the past, as the Truth and Reconciliation Commission has done, is an inescapably political process. It is small wonder that it provokes such strong reactions and that the Truth Commission has been so often attacked inside South Africa whereas to the outside world it often appears almost beyond reproach.

In fact, the entire context in which the Truth and Reconciliation Commission was conceived is often a matter of differing perception inside and outside South Africa. During the last two decades under which South Africa was subject to a racially-based constitution, the country gained an exclusive international notoriety because a wide variety of foreign publics perceived events there as being of universal moral significance. Citizens of former colonial powers in Europe, race-conscious Americans, newly-independent Africans and many others believed they could identify echoes of their own political and moral preoccupations in what they saw, heard and read about South Africa. This was the main reason why journalists found South Africa to be so newsworthy. If anything, foreign interest heightened through the transition period of 1990-94. The story built up to an edifying climax as peace prevailed. All over the world, the election of Nelson Mandela as president of a democratic South Africa in 1994 was represented as a triumph of good over evil, an event so inspiring that it was often described as a miracle (Waldmeir 1997). Mandela and his predecessor, FW de Klerk, were awarded Nobel peace prizes for their efforts.

Such a view is not untrue, but it lacks certain important nuances. Above all, it is often closely related to a sentimental view of the South African transition which, in the hands of most foreign observers and many white South Africans,³ is related to various assumptions which are more often implicit than explicit. Europeans in particular tend to see the liberation of South Africa as the final act in the colonial drama. The question which this provokes – often unspoken, because politically incorrect – is whether South Africa, like so many African countries before it, will lapse into economic decline and various forms of malignant political rule now that its state apparatus is controlled at the most senior level by black people. American commentators tend to have less of a colonial fixation but rather to see South Africa primarily in relation to their own history of racial oppression and the assertion of civil rights, which carries a set of other assumptions of great relevance to US society but of dubious application to South Africa itself. Underlying the writings or broadcasts of nearly all Western commentators, and many white South Africans, is the implicit supposition that transition to democratic rule in South Africa represents the last chance for Africa south of the Sahara to be part of the 'real' world.

Many South Africans, however, particularly but not only blacks, put a different interpretation on these events. All would no doubt agree that the events of the early 1990s represented a political transition in their country.

Virtually all would agree that Nelson Mandela is a great man; he is deeply popular in South Africa, even on the right wing, and is widely regarded as a figure of world stature even by some of his political enemies. It is also true that many South Africans believe that the transition, especially the election of 1994, was a miracle in the sense of showing God's direct intervention in the working of history. Nevertheless, soon after Mandela's election the business of getting on in life and politics had returned to the daily grind. Black South Africans in particular, while being overwhelmingly delighted to see the end of apartheid, are conspicuously unsentimental about what has occurred in their country. Perceiving divine intervention in human events does not leave people in a permanent state of awe but can accompany a notably worldly struggle to survive and prosper.

All South Africans know that the transition was a compromise. This occurred when leaders of the two camps which took part in the struggle to control South Africa, namely the apartheid state and its allies on the one hand, and on the other hand a vast and rambling coalition of forces on whose behalf the ANC could legitimately claim to speak on account of its overwhelming popular support, had come to realise that further strife would not bring victory to either of them. Rather, continued political violence would only further erode the South African economy and do nothing to improve the quality of life of the country's inhabitants. The political negotiations which began in secret in the mid-1980s led in 1993 to a formal accord on the future political system of the country, an agreement sealed by the election of 1994. This put government in the hands of the ANC, which chose to operate a government of national unity with a view to reconciling all political camps. Under the terms of the various deals struck in these years, the old white officer corps (the intellectual architects of some of the bloodiest human rights abuses under the old regime) was allowed to retain a substantial measure of control of South Africa's armed forces, at least for the time being. Former office-holders were absolved from any threat of Nuremberg-style trials. The ANC renounced any ambition to nationalise business on a large scale or to dispossess white farmers en masse, both of which were a central part of ANC thinking until 1990 at least.

The long and violent contest for control of the South African state, conventionally dated from the Sharpeville massacre of 1960 to the elections of 1994 – precisely the period of the TRC's mandate – resulted in a draw. The interests which had dominated the apartheid state and which most

clearly benefited from its existence, most obviously defined in terms of race or colour, agreed to renounce control of the state. One of the main reasons for their decision was that the ending of the Cold War had changed the international context and shifted the foreign alliances on offer to various parties inside South Africa. At no stage in the gradual cessation of armed struggle up to the climatic election of 1994 did the guns actually fall silent, as both sides continued to use violence in support of their political claims.⁴ Because South Africa's long war ended with an extended period of negotiation, the incoming, post-apartheid, government took power with a strictly limited freedom of manoeuvre.

These were the circumstances in which the Truth and Reconciliation Commission was established. In a post-Cold War world dominated by free trade and capital flows, the popular ANC-led coalition voted to power in 1994 had to contemplate satisfying the enormous expectations which it had aroused with less power and fewer resources than it had fondly imagined would be at its disposal. Of all the noble ideals invoked over the decades of struggle against apartheid, perhaps the most difficult to deliver was justice, both in its legal form and in the sense of an equitable distribution of economic resources. The architects of state repression, and even all except a handful of the operatives who murdered and tortured in their service, had secured a large measure of immunity by the terms of the transition. The Truth and Reconciliation Commission was, thus, a second-best arrangement. It was to reveal the truth about human rights abuses, and perhaps thereby to effect at least some degree of reconciliation, in the absence of any substantial legal proceedings against the perpetrators. Instead, the latter were informed that they could apply for amnesty against prosecution in return for giving full information on the crimes they had committed, an important feature of the legislation governing the Truth and Reconciliation Commission. This was the reason why certain opponents of the process, including the families of Steve Biko and Griffiths Mxenge, petitioned the courts to prevent the Truth and Reconciliation Commission from granting amnesty to the people known to have killed their loved ones. Former President PW Botha, in many people's eyes the biggest culprit of all, was able to treat the whole Truth Commission process with massive disdain, playing to the popular gallery on the right just as others did to other sections of the South African national audience. The Truth Commission was not a court of law which could try people for their offences, and nor, as it was at pains to point out in its final report, did its mandate permit it to address all of the many injustices perpetrated by apartheid.

Hence, the criticism made by Mamdani and others concerning the TRC's narrow mandate, while being accurate enough, is largely being directed at the wrong people. In effect, such criticism would be more appropriately directed not so much at the TRC as at those people who were responsible for the political deal which was made during the transition process in the early 1990s, and in regard to the full range of instruments used by South Africa's first post-apartheid government to deliver on its promises. When it was instituted, in 1995, the TRC was only one of several bodies established by the ANC-led government to rectify at least some of the omissions or commissions of the past. Large-scale political trials had been excluded by the terms of the transition, but public prosecutors were free to pursue individual perpetrators who did not receive amnesty from the Truth and Reconciliation Commission. There was a Land Commission to address the legacy of forced removals and an economic policy known as the Reconstruction and Development Programme intended to favour a massive redistribution of wealth. These policies or institutions were seen to be going nowhere within months of their inception. By late 1998, the Land Commission was said to have resolved less than ten of the hundreds of cases submitted to it, while the government's economic policy rapidly departed from the ideals of the Reconstruction and Development Programme and tended increasingly in the direction of neoliberalism which has benefited rather few black people. (In fairness to the government, it can nevertheless claim to have delivered distinct improvements to many people in, for example, the provision of piped water.)

In this sense the TRC may be seen as the most successful and certainly the most dynamic of the various major initiatives launched after 1994 to address the issues of reconciliation and justice. If the Commission has had to pay the price of some of the unrealistic hopes placed upon it, this is partly the consequence of the panache of its leading members. A more cautious and less idealistic Commission chairman than Archbishop Tutu might have opted for a low profile in order to dampen down public expectations. In the event, the Truth Commission was dominated by Christian activists including Tutu and his deputy, Dr Alex Boraine, who saw the Commission as an opportunity to advance the cause of reconciliation through the Christian virtues of truth-telling and forgiveness. They turned it into a religious drama very deliberately, such as by holding public prayers before each session.

Four years after the inauguration of the Truth and Reconciliation Commission, we may recognise the limits to its achievement. Many people might say that relations between whites and blacks in South Africa are worse now than they were in 1994. Although the TRC was the scene of some dramatic and emotion-charged encounters, as victims publicly forgave their tormentors, and killers expressed remorse for their actions, this was far from being a general occurrence. As the reactions of leading politicians have shown, it is easy to call for reconciliation, but it is hard for people in public life to recognise that they themselves, or the organisations with which they are associated, have been implicated in human rights abuses. Four years and a commission have not been enough to reconcile South Africans to each other. This is hardly surprising with such a weight of history.

We may say that the TRC did very well in establishing certain facts or truths, and tried nobly, but failed in the short term at least, in the larger ambition of bringing about reconciliation in a climate of continuing political and social tension. (Justice was outside the Commission's terms of reference). It may be that the judgement of history will be less harsh, and that in ten or 20 years' time South Africans will look back to the Truth Commission as a milestone in a longer process of reconciliation. The recent controversy surrounding General Pinochet, for example, causes one to wonder whether Chile might not have been better served by a commission in the South African style. Catastrophic recent developments in South Africa's northern neighbour, Zimbabwe, where there was no official truth commission of any sort after the bitter war of the 1970s and 1980s, make the same point perhaps even more eloquently.

Whether or not history will be kind to the South African transition depends on what happens next. The onus to bring about justice and reconciliation in South Africa now clearly lies on the politicians. The report of the Truth and Reconciliation Commission challenges the public authorities to prosecute, in conformity with the law, the many people it indicates as having been responsible for major crimes and who have declined to apply for amnesty in conformity with the procedure available to them. There is no legal impediment to their prosecution, but will the next ANC government really have the political will to go down this road? Will it be prepared, for example, to countenance the prosecution of leaders of the Inkatha Freedom Party when Chief Buthelezi's party is so clearly being courted by Thabo Mbeki's government as a long-term partner? Decreeing

a general amnesty would be politically convenient but will perpetuate a culture of impunity which bodes ill for the struggle against crime and illicit violence. On the other hand, of course, a resolute pursuit of wrongdoers who have not sought amnesty may imperil the political order. Such dilemmas are inherent to politics. In the end, it is the politicians, not archbishops, nor human rights activists, who must now take the lead in the search for justice in South Africa.

Notes

1. This article, intended as a review of the final report of the Truth and Reconciliation Commission for a French-speaking public, was first published in *Critique Internationale* 5 (1999:125-137). Apart from minor editorial changes and a different referencing format, it is published as originally drafted in April 1999, and takes no account of developments since that date. At the time of writing, the TRC could not be said to have entirely finished its work. Its amnesty sub-committee was still sitting to hear a backlog of amnesty applications.
2. The reception of the Commission's proceedings is well described by Antjie Krog (1998). Krog is both a major Afrikaans-language poet and a journalist who covered the proceedings of the Commission from day to day for national radio.
3. See for example, perhaps the most influential book-length account of the transition by the South African Allister Sparks (1995). Much of the text was originally published as a series of articles in *The New Yorker*.
4. This point of view is developed in more detail in Stephen Ellis (1998).

References

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