

Excerpt from  
**Truth and Reconciliation Commission  
Report<sup>1</sup>**

Volume One – Chapter Five  
(pg. 110-117)

## **TRUTH**

But what about truth – and whose truth? The complexity of this concept also emerged in the debates that took place before and during the life of the Commission, resulting in four notions of truth: factual or forensic truth; personal or narrative truth; social or ‘dialogue’ truth (see below) and healing and restorative truth.

### **Factual or forensic truth**

The familiar legal or scientific notion of bringing to light factual, corroborated evidence, of obtaining accurate information through reliable (impartial, objective) procedures, featured prominently in the Commission’s findings process (see chapter on *Methodology and Process*).

The Act required that the Commission “prepare a comprehensive report which sets out its activities and findings, *based on factual and objective information and evidence* collected or received by it or placed at its disposal” (emphasis added). In pursuing this factual truth, the Act required the examination of two essential areas.

The first of these related to findings on an individual level. The Commission was required to make findings on particular incidents and in respect of specific people. In other words, what happened to whom, where, when and how, and who was involved? In order to fulfil this aspect of its mandate, it adopted an extensive verification and corroboration policy to make sure that findings were based on accurate and factual information (see chapter on *Methodology and Process*).

The second area related to findings on the contexts, causes and patterns of violations. In this respect, the Commission was required to report on the broader patterns underlying gross violations of human rights and to explore the causes of such violations. To do this, it had to analyse, interpret and draw inferences from the information it received. In this regard, it became necessary for the Commission to adopt a social scientist’s approach - making use of the information contained in its database and from a range of secondary sources. However, all truth commissions have their limitations. In the words of Michael Ignatieff:

*All that a truth commission can achieve is to reduce the number of lies that can be circulated unchallenged in public discourse. In Argentina, its work has made it impossible to claim, for example, that the military did not throw half- dead victims in the*

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<sup>1</sup> Full report available at <http://www.justice.gov.za/trc/report/>

*sea from helicopters. In Chile, it is no longer permissible to assert in public that the Pinochet regime did not dispatch thousands of entirely innocent people...<sup>2</sup>*

Applying Ignatieff's notion of reducing the number of lies, one can say that the information in the hands of the Commission made it impossible to claim, for example, that: the practice of torture by state security forces was not systematic and widespread; that only a few 'rotten eggs' or 'bad apples' committed gross violations of human rights; that the state was not directly and indirectly involved in 'black-on-black violence'; that the chemical and biological warfare programme was only of a defensive nature; that slogans by sections of the liberation movement did not contribute to killings of 'settlers' or farmers; and that the accounts of gross human rights violations in the African National Congress (ANC) camps were the consequence of state disinformation. Thus, disinformation about the past that had been accepted as truth by some members of society lost much of its credibility.

## **Personal and narrative truth**

At a hearing of the Commission in Port Elizabeth on 21 May 1996, Archbishop Tutu said:

This Commission is said to listen to everyone. It is therefore important that everyone should be given a chance to say his or her truth as he or she sees it...

By telling their stories, both victims and perpetrators gave meaning to the multi-layered experiences of the South African story. These personal truths were communicated to the broader public by the media. In the (South) African context, where value continues to be attached to oral tradition, the process of story telling was particularly important. Indeed, this aspect is a distinctive and unique feature of the legislation governing the Commission, setting it apart from the mandates of truth commissions elsewhere. The Act explicitly recognised the healing potential of telling stories.<sup>3</sup> The stories told to the Commission were not presented as arguments or claims in a court of law. Rather, they provided unique insights into the pain of South Africa's past, often touching the hearts of all that heard them.

By providing the environment in which victims could tell their own stories in their own languages, the Commission not only helped to uncover existing facts about past abuses, but also assisted in the creation of a 'narrative truth'. In so doing, it also sought to contribute to the process of reconciliation by ensuring that the truth about the past included the validation of the individual subjective experiences of people who had previously been silenced or voiceless. The Commission sought, too, to capture the widest possible record of people's perceptions, stories, myths and experiences. It chose, in the words of Antjie Krog, a South African writer and poet, "the road of... restoring memory and humanity."<sup>4</sup> It is what Oxford University historian, Timothy Garton Ash, sees as "the most promising" way – a way that offers "history lessons" as an

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<sup>2</sup> From 'Articles of Faith', Index on Censorship (5) 1996, p 113.

<sup>3</sup> This was highlighted in section 3 (c) of the Act, which stated that one of the objectives of the Commission was to "restore the human and civil dignity of victims by granting them an opportunity to relate *their own accounts* of the violations of which they are the victims" (emphasis added).

<sup>4</sup> Antjie Krog in Healing of a Nation, Eds. Alex Boraine and Janet Levy, Cape Town: Justice in Transition, 1995, 118

alternative to political trials, uncovering what happened and identifying lessons for the Future.<sup>5</sup> As such, the Commission sought to recover parts of the national memory that had hitherto been officially ignored.

It is impossible to capture the detail and complexity of all of this in a report. The transcripts of the hearings, individual statements, a mountain of press clippings and video material are all part of an invaluable record which the Commission handed over to the National Archives for public access. This record will form a part of the national memory for generations yet to come. In this report, the Commission has tried, through a range of detailed ‘window cases’ and selections from the testimonies of many victims, to capture some part of the richness of the individual accounts heard before it.

## **Social truth**

While narrative truth was central to the work of the Commission, especially to the hearings of the Human Rights Violations Committee, it was in its search for social truth that the closest connection between the Commission’s process and its goal was to be found.

Judge Albie Sachs, a prominent participant in the debates preceding the establishment of the Commission and now a Constitutional Court judge, made a useful distinction between what he called ‘microscope truth’ and ‘dialogue truth’. “The first”, he said, “is factual, verifiable and can be documented and proved. ‘Dialogue truth’, on the other hand, is *social truth, the truth of experience that is established through interaction, discussion and debate*”<sup>6</sup> (emphasis added).

In recognising the importance of social or ‘dialogue’ truth, the Commission acknowledged the importance of participation and transparency. Its goal was to try to transcend the divisions of the past by listening carefully to the complex motives and perspectives of all those involved. It made a conscious effort to provide an environment in which all possible views could be considered and weighed, one against the other. People from all walks of life were invited to participate in the process, including faith communities, the South African National Defence Force (SANDF), non-governmental organisations (NGOs) and political parties. The public was engaged through open hearings and the media. The Commission itself was also subjected to constant public scrutiny and critique.

It is particularly important to emphasise that establishing the truth could not be divorced from the affirmation of the dignity of human beings. Thus, not only the actual outcome or findings of an investigation counted. The process whereby the truth was reached was itself important because it was through this process that the essential norms of social relations between people were reflected. It was, furthermore, through dialogue and respect that a means of promoting transparency, democracy and participation in society was suggested as a basis for affirming human dignity and integrity.

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<sup>5</sup> Timothy Garton Ash, ‘The Truth about Dictatorships’, *New York Review of Books*, 19 February 1998.

<sup>6</sup> Albie Sachs in *Healing of a Nation*, Eds. Alex Boraine and Janet Levy, Cape Town: Justice in Transition, 1995, 105.

## **Healing and restorative truth**

The preceding discussion rejects the popular assumption that there are only two options to be considered when talking about truth - namely factual, objective information or subjective opinions. There is also 'healing' truth, the kind of truth that places facts and what they mean within the context of human relationships - both amongst citizens and between the state and its citizens. This kind of truth was central to the Commission.

The Act required that the Commission look back to the past and forward to the future. In this sense, it was required to help establish a truth that would contribute to the reparation of the damage inflicted in the past and to the prevention of the recurrence of serious abuses in the future. It was not enough simply to determine what had happened. Truth as factual, objective information cannot be divorced from the way in which this information is acquired; nor can such information be separated from the purposes it is required to serve.

It is in this context that the role of 'acknowledgement' must be emphasised. Acknowledgement refers to placing information that is (or becomes) known on public, national record. It is not merely the actual knowledge about past human rights violations that counts; often the basic facts about what happened are already known, at least by those who were affected. What is critical is that these facts be fully and publicly acknowledged. Acknowledgement is an affirmation that a person's pain is real and worthy of attention. It is thus central to the restoration of the dignity of victims.

## **THE RELATIONSHIP BETWEEN TRUTH AND RECONCILIATION**

It was frequently suggested that the Commission's quest for more truth and less falsehood would result in deepened divisions rather than in the promotion of national unity and reconciliation. This concern must be taken seriously, although some of the mistaken assumptions underlying (much of) this criticism must be noted.

There can be little doubt that gross violations of human rights and other similar abuses during the past few decades left indelible scars on the collective South African consciousness. These scars often concealed festering wounds that needed to be opened up to allow for the cleansing and eventual healing of the body politic. This does not mean, however, that it was sufficient simply to open old wounds and then sit back and wait for the light of exposure to do the cleansing. Nor could the Commission be expected to accomplish all the healing that was required. These basic underlying principles were expressed in the submission of Dr. Leslie London, at the health sector hearing in Cape Town, 18 June 1997:

*The [Health and Human Rights] Project operates with the premise that the health professions and society cannot afford to ignore the past, and that the costs of this selective amnesia, which we see so much of with regard to past human rights abuses, are enormous. It is very difficult to see how any trust within the health sector and also between the health professionals and the broader community can be achieved until the truth is disclosed.*

*We believe that only by fully acknowledging and understanding what took place in the professions under apartheid is it possible to achieve reconciliation in the health sector. Any apologies that are made without this understanding will fail to achieve meaningful progress in moving the health sector to a human rights culture.*

*And while the [Truth and Reconciliation Commission] has played an important role in stimulating this process, the real challenge that faces the health sector is for health professions to accept human rights as a fundamental responsibility. Real truth and reconciliation can only come from below, from within our institutions, and should be seen as part of a larger project to rehabilitate the health sector and build a culture of human rights within it.*

Many people also saw reconciliation as an activity that could take place without tears: they felt threatened by the anger of victims. It is, however, unrealistic to expect forgiveness too quickly, without providing victims with the necessary space to air their grievances and give voice to previously denied feelings. “It would not have been even remotely decent for a non-Jewish person to have suggested to Jews that they ought to become reconciled to the Germans immediately after World War II”, observed a Dutch visitor to the Commission. Relationships can only be healed over time and once feelings of hurt and anger have been acknowledged. The resistance and hostility of some victims, directed at times at the Commission itself, required understanding and respect.

At the same time, many of those who had suffered gross violations of their human rights showed a remarkable magnanimity and generosity of spirit, not only through their willingness to display their pain to the world, but also in their willingness to forgive. Such forgiveness should never be taken for granted, nor should it be confused with forgetting. The importance of respectful remembrance was clearly expressed by Mr Haroon Timol, testifying about the death in detention of Mr Ahmed Timol, at the Johannesburg hearing, 30 April 1996:

*As a family what we would like to have, and I am sure many, many South Africans would like to have, is that their loved ones should never, ever be forgotten...in Ahmed's case a school in his name would be appropriate. But at the end of the day I believe that South Africans in future generations should never, ever forget those that were killed in the name of apartheid.*

Many victims justifiably insisted that they were not prepared to forgive if this meant that they must ‘close the book on the past’, ‘let bygones be bygones’ or ‘forget about the past and focus on the future’. Forgiveness is not about forgetting. It is about seeking to forego bitterness, renouncing resentment, moving past old hurt, and becoming a survivor rather than a passive victim.

The Commission sought to uncover the truth about past abuses. This was part of “the struggle of memory against forgetting” referred to by Milan Kundera.<sup>7</sup> But it was, at the same time, part of the struggle to overcome the temptation to remember in a partisan, selective way; to recognise

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<sup>7</sup> Kundera, Milan, The Book of Laughter and Forgetting, Penguin: Harmondsworth, 1983.

that narrow memories of past conflicts can too easily provide the basis for mobilisation towards further conflicts, as has been the case in the former Yugoslavia and elsewhere. An inclusive remembering of painful truths about the past is crucial to the creation of national unity and transcending the divisions of the past.