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Transforming Societies after Political Violence

Truth, Reconciliation,
and Mental Health

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Brandon Hamber

Transforming Societies after Political Violence

Truth, Reconciliation, and Mental Health

 Springer

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ISBN 978-0-387-89426-3 e-ISBN 978-0-387-89427-0
DOI: 10.1007/978-0-387-89427-0
Springer Dordrecht Heidelberg London New York

Library of Congress Control Number: 2009922206

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Preface

Paraphrasing Descartes, we may say that one method is to take the reader into your confidence by explaining to him how you arrived at your discovery; the other is to bully him into accepting a conclusion by parading a series of propositions which he must accept and which lead to it. The first method allows the reader to re-think your own thoughts in their natural order. It is an autobiographical style. Writing in this style, you include, not what you had for breakfast on the day of your discovery, but any significant consideration which helped you arrive at your idea. In particular, you say what your aim was – what problems you were trying to solve and what you hoped from a solution of them. The other style suppresses all this. It is didactic and intimidating.

*J.W.N. Watkins, Confession is Good for Ideas
(Watkins, 1963, pp. 667–668)*

I began writing this book over 12 years ago. It was started in the midst of the South African Truth and Reconciliation Commission (TRC). It is an exploration of what I have learned from the process. During the TRC, I was working at the Centre for the Study of Violence and Reconciliation (CSVR) in South Africa, primarily with people who testified before the Commission, but also on a range of research and policy initiatives in the area that is now called ‘transitional justice’.

I have written about the TRC process extensively. I have, however, resisted compiling my publications into yet another book on the South African TRC because I and others have said so much; the process is fairly well documented. However, over the last few years, I have come to the realisation that the role of mental health in the process – and, more broadly, the role of mental health workers in transitional justice – remains under-emphasised. There is much mention of survivors of violence and processes of healing in transitional justice but most of this is still based on assumptions or political rhetoric. This book tackles these issues not only for mental health workers but also, hopefully, for transitional justice practitioners and theoreticians, as well, so that they have a wider base from which to work.

I struggled with how to present this book. First, I knew I could only write it from my perspective and locate it in my experience of the South African process and other societies in transition where I have worked, most notably Northern Ireland, where I currently live. I have opted to use my own experience in the book, as well as my research and that of others, to demonstrate how I came to certain theoretical conclusions about mental health and its place in transitional justice. I hope through

doing this it will allow the reader, in the spirit of the quote I opened this preface with, to re-think with me the struggles transitional societies present in terms of mental health, and through this reveal new theoretical and practical insights. I explain exactly how I approached this methodologically in Chap. 1.

My second challenge concerned the interdisciplinary nature of my work. Over the years, I have leaned on theoretical approaches from numerous schools of thought and integrated these. Inter-disciplinarity has become second nature to me. However, this approach risks being ‘fated to be perceived through the categories which it seeks to transcend, and to appear contradictory or eclectic except when forcibly reduced to one or the other alternative’ (Richard Nice, Translator’s Foreword in Bourdieu, 2007, p. viii). Those risks aside, I remain convinced that one has to use all at one’s disposal when dealing with complex social phenomena. I hope the risk will be worthwhile and that the book will bring to life the notion in liberation psychology that social problems require methodological pragmatism (Burton & Kagan, 2005).

The first half of the book focuses on how my work in the area of transitional justice developed. It lays the foundation for the conclusions I come to about mental health and transitional societies in later chapters. I focus specifically on how the TRC dealt with mental health issues and wider questions concerning the political use of victimhood. The second half of the book consists of chapters built and expanded upon from some of my earlier work. The chapters cover topics such as reparations, justice, truth and reconciliation. I also give some attention to the problems with the embryonic human rights culture in South Africa today. The book concludes by specifically looking at the role of mental health workers in transitional societies.

This book is concerned with the psychology of dealing with mass political violence. This is elucidated, in part, by the story of my intellectual paradigm shift and how I have come to understand mental health and transitional justice, and its place in society. Primarily, however, this book is about survivors of violence and their struggles and, especially, how the individual process (micro) of coming to terms with mass atrocity relates to the collective or political process (macro) of dealing with the past. It moves from the premise that how we deal with the impact of political violence cannot be divorced from the social context. I will show that for many survivors of extreme political traumatising, healing is directly related to the interdependent concepts of truth, justice and reparations, as well as their own attempts to shape society. I hope that this wider approach to mental health will give rise to some useful re-thinking for both mental health practitioners and transitional justice practitioners.

This book, as mentioned, was over 12 years in the making; for this reason, I have many people to thank. I am deeply indebted to my friends and colleagues at the CSVR, not only those with whom I worked on a day-to-day basis but also all those who shaped the development of my work over the years. I wish I could mention all the staff, but such a list would be lengthy – so thank you.

Specifically, though, I would like to thank Graeme Simpson, previous director of the CSVR, who has always been an inspiration, mentor, collaborator and friend,

I would particularly like to express gratitude to Tlhoki Mofokeng, Polly Dewhirst, Paul van Zyl, Traggy Maepa, Dineo Nageng, Hugo van der Merwe, Gill Eagle, Martin Terre Blanche, Sean O’Leary, Ashley Green-Thompson, Brinton Lykes, Melvyn Freeman, Priscilla Hayner, Lloyd Vogelmann and Gareth Newham for their contributions to my work in many different ways.

My work would not have been possible without all those who worked directly in my department at CSVR at various moments in time. I am most grateful to the efforts of Naseera Ali, Jens Meierhenrich, Gabriel O’Malley, Nike Durczak, Carnita Ernest, Mpho Leseka, Phumeza Mafani, Jeffrey Ndumo, Sibusiso Ntuli, Lazarus Kgalema, Najwa Davids, Lauren Segal, Andie Miller, Rosey Seseng, Sipihwe Masuku, Tanya Goodman, Mzi Lwandle Memeza, Mashenka Barlag, Maria Saino, Mokomane Mekgoe, Nomusa Nkambule, Serame Masitha, Chrissie Hart, Cyril Adonis, Anna Crawford-Pinnerup, Duncan McPherson, Talha Syed, Simon Kimani and the late Xoliswa Ntintili.

Acknowledgement needs to be extended to the Rockefeller Resident Fellowship Program and Monica Lucia Rique Fernandes, Paulo Mesquita and all the staff and friends at the *Núcleo De Estudos da Viôlencia* (Centre for the Study of Violence) in São Paulo, Brazil, for their assistance and warmth during my stay in Brazil. I would also like to thank Miranda Collet for her translation during interviews. Thanks as well to the University of Ulster and the American Ireland Fund that supported my Tip O’Neill Fellowship nearly ten years ago; it got this (very slow) ball rolling.

There are also a range of people at the TRC, some Truth Commissioners and staff, and a host of South African and international researchers, donors and friends, who have influenced my work. I cannot list you all, and I hope you will recognise your contributions in my work when you read this book.

I am specifically grateful to Richard A. Wilson, Thulani Grenville-Grey, Wilhelm Verwoerd, Piers Pigou, David Becker, Gráinne Kelly, Kate Turner, and David Backer and for their sharp insights and collaborations over the years. Thanks also to Alan McBride for allowing me to use part of his story and being someone who constantly reminds me of what is possible. I also appreciate the insightful comments by David Backer on Chap. 7. Several of the chapters are also extensions of chapters that were first edited by others, notably Tristan Borer, Bill Rolston, Jon Miller, Rahul Kumar, and Pablo de Grieff – thank you. I mention Pablo specifically, because collaborating with him over the last few years on the reparations project with the International Centre for Transitional Justice has profoundly shaped my thinking in the area of reparations.

Also, my gratitude to Dominic Bryan, Gillian Robinson, Mari Fitzduff, Ken Logue and Robin Wilson, who all assisted in the seamless continuation of my work in Northern Ireland. I am grateful for the superb editing skills (and content suggestions) of Barbara English. I cannot thank you enough. I would also like to thank Julitta Clancy for assistance in indexing. I am sincerely appreciative of the support of Ed Cairns. I thank him for his continuing support and for pushing me to publish this book. I profoundly value your contribution, Ed.

I also owe a very sincere thank you to all the staff at the Khulumani Support Group. You are responsible for changing my life in many ways. I am particularly indebted to Marjorie Jobson, Ntombi Mosikare, Maggie Friedman, Mavis Khumalo, Shirley Gunn, Thandi Shezi, Alegria Nyoka, Catherine Mlangeni, Rudy Mphela and the late Sylvia Dlomo-Jele and Duma Khumalo. I acknowledge the contribution you all made, and that of all your fellow group members. I hope I gave enough in return for what you were able to give me, and I hope this book helps your plight in some small way.

My colleagues at INCORE at the University of Ulster also deserve a mention for their patience and a special thank you to Gillian Robinson for giving me time to complete this work. I thank the Transitional Justice Institute at the University of Ulster for assisting with editing costs, and the staff for their work on transitional justice issues. I also recognise the support of Atlantic Philanthropies whose assistance helped my transition to Northern Ireland and research work on victim issues, as well as the Economic and Social Research Council (ESRC) for supporting the Gender and Security project that informed my comments in the book on gender and masculinity.

I thank Dan Christie for his excellent editorial comments, encouragement, suggestions, assistance and patience. I am also grateful for the support of George, Aileen and Roisin McLaughlin. I am indebted to my wife, Helen McLaughlin, for her unwavering love and support, as well as tireless proof reading and encouragement. I also want to mention our son James. My sincere hope is that this book, somehow, makes a difference to the world he grows up in. Finally, thanks go to my parents and family who, in numerous ways, made this all possible.

Brandon Hamber
March 2009

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Chapter 1

Looking Back, Moving Forward

At the end of this century it has for the first time become possible to see what a world may be like in which the past, including the past in the present, has lost its role, in which the old maps and charts which guided human beings, singly and collectively, through life no longer represent the landscape through which we move, the sea on which we sail. In which we do not know where our journey is taking us, or even ought to take us.

Eric Hobsbawm, *The Age of Extremes*
(Hobsbawm, 1994, p. 16)

Introduction

The Buffalo Thorn or *Ziziphus mucronata* is a small- medium-sized tree found in southern Africa that has profound significance in various African cultures. The branches on the tree are peppered with thorns but, interestingly, the thorns come in a unique combination. They come in pairs, one pointing forward and the other hooking backwards and easily catch passers-by. The backward-pointing thorns can inflict a deep wound and are difficult to remove, with the result that the Afrikaans name for the tree is a *Wag-'n-Bietjie* (“wait a while”) because if the tree ensnares you it will take you some time to free yourself. The tree symbolises, in various cultures, that life is difficult and complicated. The backward-leaning thorn represents the place from which we come and the forward-leaning thorn represents the one to which we are going. The Zulu name for the tree is *UmPhafa* but it is also called *umLahlankosi*. The latter translates as “that which buries the chief”. The tree is used in burial rituals and is said to be able to carry the spirits of the dead from one place to another. If a person dies away from home, a ritual can be performed where a branch of the tree can be carried from the place where the person died to their homestead, bringing their spirit with them. A branch performing such a function would, or so the stories go, be given its own seat in a taxi (generally meaning an overcrowded mini-bus in South Africa), often with extra payment being demanded for the additional passenger. In the bushveld the presence of the tree indicates water; many believe it will protect you from lightning and evil spirits; and its leaves and berries have numerous healing properties.

The tree is of the same genus as *Ziziphus spina-christi* Willd, the tree from central Africa that is said to have provided the thorns for Christ's crown (Palmer & Pitman, 1972).

Like the *UmPhafa*, this book is concerned with the past and the future. It concerns the link between creating a new future and reckoning with a barbed past in countries dealing with a legacy of repression and political violence. It explores the need to pause and take stock of the past, as thorny as it might be, in order to move forward, while risking being trapped in the entanglement of the past. It is specifically about the psychology of the past, and it considers what it means to lay the past to rest in a psychological sense, with all its pitfalls and possibilities. At its core, like the *UmPhafa* branch when used in burial rituals, this book interrogates how we interact with and make sense of profound loss and destruction.

However, unlike the rituals associated with the *UmPhafa* that have been set in stone for centuries, this book will tell the story of the more haphazard way that contemporary South Africa attempted to address the destruction that marks its political history. It specifically asks the questions: Have South Africa and the victims and the survivors who were most affected by the political violence of the past found a way forward in dealing with this? Have the processes put in place to reckon with the apartheid past – namely the South African Truth and Reconciliation Commission (TRC) – been beneficial to victims of political violence and the society at large? It will apply the learning from the South African process and focus particularly on the role of mental health workers in transitional processes, and how to develop context-driven approaches to complex political traumas.

Transforming Societies after Political Violence is built on my direct experience of working in and about the processes of the South African TRC from 1995 until 2003, after which the TRC finally closed down all of its operations. It is based on nearly 15 years of research, practical experience, participation and theory building.

The book focuses on questions concerning transitional justice; that is, the conception of justice associated with periods of political change largely characterised by legal responses, of which truth commissions are one, to confront the wrongdoings of repressive predecessor regimes and generally mass violations of human rights (Freeman, 2006; Kritz, 1997; O'Donnell & Schmitter, 1986; Teitel, 2003a, 2003b). The work presented here is largely, although not exclusively, bound to a specific historical moment; that is, South Africa's transition to democracy in 1994 and the political events that followed and were linked to the TRC. This process was characterised by what in South Africa became known as the "transition". This can be understood as a change from one set of rules to something else, in conditions of extreme (political) uncertainty (Brocklehurst, Hamber, Robinson, & Stott, 2000; Brocklehurst, Stott, Hamber, & Robinson, 2001). This is what I mean by the term "transitional society" in this book – a society moving from one political system to another where the exact parameters of the new dispensation are not firmly established or entrenched. Typically in transitional justice the focus is on states in transition from war to peace or from authoritarian rule to democracy as in the South African case, but transition could also entail a move from context where human rights are weakly observed to one where they are more effectively observed (Freeman).

For the purposes of this book, it is also assumed that the place one is moving from is marked by political violence and that the society is trying to emerge from this shadow.

In South Africa – like most societies moving from one political system to another (Northern Ireland) or one regime to another (South Africa) – the transition was also defined by a complicated political settlement that gave birth to a range of new institutions, which reshaped social and political life. Finally, the entire process was interlinked with questions of (new) unfolding racial and ethnic identities, which are a part of and an inevitable consequence of the dramatic changes in the country.

Specifically, this book considers the role of psychology and psychological theory and practice in the transitional justice process – a somewhat unique angle on transitional justice theory. However, it is also intended to give insights to non-mental health professionals on how to deal with mental health-related questions in transitional justice. Writing this book has entailed applying a range of psychological theories (and theorising) into a field dominated by political theory, law and human rights – fields that do not traditionally draw on psychologically based knowledge. This book is by nature interdisciplinary.

In addition, I am acutely aware that all that is written in this book was born out of a context (which I discuss below) and, like all academic endeavours, it was deeply influenced and dependent upon subjects and participants in the work and by my colleagues. I make this point not simply to acknowledge their contributions (which is important) but also to underscore my theoretical assumptions of the importance of uncovering the *process* of knowledge generation in order to understand what is revealed through it. The individuals who were part of the research endeavour (and the collective context more broadly) that resulted in this book are integrally linked to both my intellectual development and my understanding of how knowledge is generated. As Maritza Montero notes, the construction of knowledge resides not in the individuals, but in the relations between individuals (Montero, 2007, p. 526). *Transforming Societies after Political Violence*, therefore, seeks not only to generate new knowledge but also to do it by talking about how the ideas and theory I write about came into being. This book cannot be read without first noting that none of its content can be divorced from the fact that the subject matter was born out of the political conflict that took place in South Africa to end apartheid prior to the first democratic election in 1994 and the attempts to address the legacy of apartheid thereafter.

To this end, Chap. 1 begins by discussing briefly some personal context in terms of my relationship to the area this book is concerned with, and then provides some background to the South African transition and its psychological impact (Chap. 2). I will begin by focusing on my position in the process.

The Context

During the South African TRC, I worked for the Centre for the Study of Violence and Reconciliation (CSVR) in Johannesburg (1995–2001). Thereafter, I continued my research and intervention work focusing on strategies for addressing the legacy of political conflict in Northern Ireland and internationally (2001 to the present).

While in South Africa I headed the CSVR's work on the TRC over the life of the Commission. I participated in many of the early debates concerning the establishment

of the TRC, attended numerous hearings once it started, and undertook the training of statement takers for the Commission (discussed in Chap. 2). I was also a regular public commentator on the process. In terms of research, the CSVR unit that I headed from early 1996 was integrally involved in the process of undertaking largely evaluative research and policy work in and around the TRC. The organisation was part of a network of organisations that lobbied and attempted to shape the TRC process, particularly ensuring that it maintained its stated victim-centred approach.

In addition, utilising my knowledge and experience as a trained clinical psychologist, I worked actively in assisting the formation of the Khulumani (Speak Out) victim support and self-help group, which supported the survivors of past political violence in South Africa. Khulumani was formed in anticipation of the South African TRC to assist the survivors to gain access to the TRC. It was founded on the premise that encouraging people to speak out about the atrocities of the past was psychologically beneficial and would advance their goal of being recognised as victims of apartheid violence (Hamber, Mosikare, Friedman, & Maepa, 2000; McLaughlin, 2002; South African Truth and Reconciliation Commission, 2003, Volume 6, pp. 158–159).

A core group of individual survivors, many of whom I acknowledged in the preface to this book were instrumental in getting the group up and running and recruiting members. It was and is a network primarily developed and run by its members. I was a bit player involved in the development of the group insofar as I offered general assistance, fundraising services, strategic advice, the drafting of documents when requested, the running of workshops and – in the early days of the process – direct support to the survivors and their storytelling work. With colleagues Tlhoki Mofokeng, Traggy Maepa, Dineo Nageng and Sipihwe Masuku, as well as Polly Dewhirst and Paul van Zyl, we assisted in developing and running an extensive TRC educational outreach programme for the group (Hamber & Maepa, 2000). From June 1995 to June 1998, CSVR ran over 200 education workshops in various communities. The CSVR and Khulumani also collaborated on projects. For example, a joint submission was made outlining the survivors' suggestions for the TRC final report (Hamber, Maepa, Mofokeng, & van der Merwe, 1998). The result was an expansion of the group, and it became the most active and vocal advocacy group for victims over the life of the TRC.

When the Khulumani process began in 1995, there were only a handful of interested individuals. The group had a strong focus on advocacy activity with the intention of keeping the TRC and the reconciliation process victim centred. As the group developed, its work became broader than simply focusing on speaking out and influencing the TRC process. In some areas, local people were trained in basic counselling, engaged in alternative forms of storytelling such as theatre work and small-income-generation skills (e.g., sewing and gardening to grow food); some projects now even help victims of ordinary crime and not only so-called “political” victims. This pattern, which sees the work of the group broaden as the environment changes, is also typical of similar groups in other parts of the world.

Khulumani now claims a membership in excess of 30,000 and a number of branches operate across the country. Some of these developed spontaneously, for

example, the Cape Town branch is particularly strong and developed largely independently from the process which I was part of in Johannesburg. The group continues to operate, lobbying for reparations for its members (see Chap. 6 for discussion on the ongoing struggle for reparations) and being involved in a range of social and political issues. For example, the group recently spoke out against xenophobic attacks in South Africa and ongoing poverty (Khulumani Support Group, 2008).

When I was involved with the group, I understood my involvement with the group, along with several colleagues, as being a cooperative venture. We could offer the group a range of supports such as helping develop the network through linking into funder networks and support organisations, assisting in drafting key documents, providing counselling services and support if needed, and spreading the word. Although we attempted to offer assistance through sourcing development services (e.g. training members in counselling and facilitation and basic skills in running an office), I never saw this simply as top-down “empowerment”. Rather, we were, in my view, active partners who could, by virtue of a different skill set and contacts, work jointly to ensure that the TRC process was as victim-centred as possible. We never had the lion’s share of skills to offer the partnership, and the survivors themselves brought a range of experiences, knowledge, mobilisation skills and political *nous* to the table.

To this end, I see the relationship as a dialogue between largely people who were economically and politically disadvantaged and those like me who inhabited a different world where the CSVN and I had, for better or worse, technical and scientific knowledge (Montero, 2007). Much of this was the dynamic driving engine behind the group’s expansion. Not only did our different skills complement each other but there were also times when they clashed (for example, over debates over ownership of different processes). These challenges propelled the process, at least in its first 5 to 6 years of existence.

Thus, I cannot escape the fact that the research that forms backbone of this book is built on active participation in the area under study. I was an observer, a participant, a researcher, an activist, and an action researcher. My position in relation to the area under study and the research that flowed from it cannot be divorced from my role in the process. Furthermore, the research produced and presented here was undertaken in a dynamic context of political and social upheaval in the country at the time. We were all learning as the process unfolded.

Approach

To understand the phenomenon of the TRC and its psychological dimensions, needless to say, presents a challenge. Tackling this challenge requires a range of methods and conceptual frameworks. The work that forms the basis of this book has made full use of this range and includes primary research (largely interview based) and the use of secondary sources. Documents, texts, reports, film, testimonies, textual analysis, empirical research studies and reflections from a range of role-players in

the TRC process have also been an ongoing data source. Alternative means of gathering information were also used; for example, documenting perspectives on the TRC through video and making documentaries (Han, 1995, 1997; Silver, 1996). In this sense, the method embodies the liberation psychology notion that “social problems require a methodological pragmatism where the eclectic use of different methods is less problematic than in more theory driven contexts” (Burton & Kagan, 2005, p. 70).

Immersion in the setting (that is, the unfolding TRC process in the country) and action research, along with participation and observation, have also been helpful tools. The research presented here, therefore, has many lives and many physical forms (Burman, 2003). It is still unfolding. All these sources of information and data, as well as more empirical (largely qualitative) research that I carried out alone or with colleagues at the CSVR, not to mention the extensive catalogue of work by others on this subject, were integrated into this book. This required a profound interpretative process (Burman). The ontological position underlying this broad approach is that all these sources are meaningful constituents, expressions and representations of a complex social world (Mason, 2002). This can result in data being revealed in multi-dimensional ways as is hopefully evident in this book.

Epistemologically, and in the same vein, I take the view that knowledge can be generated from this wide range of material. Valuable evidence of how the social world operates can also be generated by observation and participation in interactive situations and social settings (Mason, 2002). Broadly I adopt a perspective that might be described as “emic” (Lykes & Mersky, 2006; Pike, 1967); that is, understanding phenomena on their own terms, with insights flowing from inductive processes, and building general accounts from pieces of experience (Kelly, 1999) and research. Actors immersed in the context “know what the experience of that social setting feels like, although of course not necessarily from the perspective of all participants and actors involved, and in that sense they are epistemologically privileged” (Mason, p. 85). Such an approach is similar to the standpoint methodologies developed within feminism, which are often founded on the notion of epistemological privilege (Tanesini, 1999). From this perspective, my research is deeply influenced by my own position and commitment as an international human rights activist who was deeply imbedded within the political process in South Africa that sought a more just, equitable and democratic future.

However, although immersion in the setting under study creates an epistemologically “privileged” space (Mason, 2002, p. 85), as I have argued, this does not mean that this is an uncomplicated position. Research born out of action and participation (with the researcher being aware of his or her own subjectivity) does not make it beyond inquiry, justification or evaluation (Burman, 2003). This demands thinking critically about what was done and why, as well as confronting and challenging one’s assumptions (Mason). This is not to advocate “unbounded self-fascination” (Mason, p. 5) (an inherent danger of a reflexive approach and my apologies in advance for the personal references at times), but to acknowledge that confronting assumptions, including self-assumptions, can be integrally linked to the integrity of research, and also to the development of knowledge. One of my

wishes for this book is that through amplifying my own subjectivity, it deepens and widens debate in relation to the role of mental health in transitional societies and how transitional justice practitioners think about the psychological impact of their interventions.

Structure of the Book

As outlined above, this book tells the story of how my knowledge was generated concerning the role of mental health workers in processes of political transition. The book relies on an interplay between the presentation of a story of the process of the South African TRC, my role in and about it and the learning that flowed from this, on the one hand, and a series of reflective chapters that are more academically focused, on the other.

In summary, Chap. 2 provides some basic information about the South African transition and TRC process. It also includes a substantial section on the psychological impact of political violence in South Africa and elsewhere, with a specific focus on the concept of trauma. Chapters 3–5 largely chart my experience of the TRC process and the learning I extracted from it; it is to a degree an historical account of the process in which I was involved. These chapters mainly focus on the degree to which the TRC promoted healing and they assess the psychological impact of its work. Chapters 6–9 offer a more detailed reflection on my experiences along a range of themes, such as reparations, justice, truth, reconciliation and violence prevention. Chapter 10 extracts some key theoretical learning and conclusions with regard to the role of mental health professionals in transforming transitional societies.

Specifically, Chap. 2 is a contextualizing chapter. It provides, as mentioned, detail on the South Africa transition and the TRC. Space is also given to how we can understand the impact of the legacy of apartheid from a psychological perspective. The latter is critical to the remainder of the book as it lays the foundation for the type of problem that is being addressed – what I refer to as “extreme political traumatising” in Chap. 2.

Chapter 3 outlines some of my foundational experiences with the TRC and the survivors of political violence, and how these influenced the development of my work and the research presented in this book. It provides a fitting starting point for exploring my approach as it shows how my initial involvement in the subject matter was largely from a mainstream psychological (clinical) perspective. As the process of the TRC unfolds, this limited approach was challenged both by the survivors with whom I worked and the rigours of the TRC process itself, consequently informing my ongoing theorising and practice. I also introduce some of my comparative work undertaken in Brazil in this chapter, which lays some foundation for a later discussion on future violence prevention (Chap. 9).

Thereafter, in Chap. 4, an evaluation of the psychological support services set up by the TRC is presented. This chapter essentially looks at the years 1995–1998 and how the issue of mental health was dealt with in the TRC. In essence, it answers

the complicated question: Was the TRC psychologically beneficial, especially for the survivors of violence who interacted with it? Did it promote healing?

Chapter 5 interrogates the limits of the TRC process and how the public discourse around it often confused various concepts, such as individual and collective healing. This chapter also introduces the notion of ambivalence into my work and brings into question concepts such as closure as the stated goal of truth commissions. It also highlights the gaps between national and individual processes of dealing with extensive political violence, arguing that at times the individual processes that victims were going through at the time of the TRC were expected to fall in line with national needs such as reconciliation.

Once this foundation is established, I seek to reflect some of the complexity of the processes through the remaining chapters. Each chapter focuses on a different component of the process of dealing with the past, in which the issue of the psychological impact of dealing with mass atrocity is addressed.

Chapter 6 discusses the issue of reparations. I introduce the double binds implicit in trying to make reparations, that is, repairing the irreparable. A discussion on the role of symbolic reparations is also undertaken to drive home the complex psychological process implicit in dealing with the past. The chapter also considers the role of process, discourse and nature (type) of reparations in the psychological restoration of the survivors.

Chapter 7 focuses on the question of justice and its role in dealing with the past and, specifically, what it means to the victims and the survivors. It asks whether justice is therapeutic. The chapter outlines the differing experiences of the survivors and the perpetrators in the TRC process. It also considers the difficult question of the tension between guaranteeing peace and doing justice, which often plays out in societies trying to emerge from conflict. The role of victims' rights in transitional justice processes is tackled specifically.

Chapter 8 considers the issues of truth and reconciliation, providing an assessment of the TRC process with regard to these two variables. This evaluation, which is wider than the focus of the other chapters, is located within the discourses of human rights and politics. It deals with the degree to which the TRC uncovered the truth and promoted reconciliation – notwithstanding the multiple meanings of the concept of reconciliation, which are also discussed. The chapter draws heavily on various analyses of the TRC and textual sources. It shows how at a macro level the process was not linear and was inherently contested, successful in some areas and woefully unsuccessful in others.

Chapter 9 looks toward the future. It raises questions concerning the role of processes such as truth commissions in violence prevention. It specifically asks whether truth commissions can lead to societal transformation and the imbedding of a human rights culture; it also questions the strength of the promises of “never again”, which are so often attached to truth commissions. It outlines a number of variables that can improve the likelihood of using truth commissions as a vehicle for violence prevention.

The final chapter of the book, Chap. 10, synthesises some of the lessons and issues drawn from my work. It proposes a working model that mental health workers

can use to consider the impact of political violence on individuals, and where and how to orientate interventions. It specifically argues for a more context-driven approach to trauma and healing of the survivors of political violence. The role of mental health workers in societies in transition is explicitly addressed.

Chapter 2

Miracles, Trauma and the Truth Commission

But was it a miracle? Or was it an expression of one of those good moments that sometimes happen in history? That have happened in all histories. Fancifully, we believe such events happened more frequently in South Africa than elsewhere; these strange moments that are strange because of their goodness. Strange because mostly our context is not good. Mostly it is wretched.

Mike Nicol, *The Waiting Country*
(Nicol, 1995, p. 9)

Introduction

Like most South Africans, I remember well the day of the first democratic election in South Africa – 27 April 1994. I spent the day with a group of fellow mental health workers on call in case violence erupted as was widely predicted. I am not sure exactly what we could have done if it had; perhaps consoled the injured or relatives of those bereaved, or maybe been nothing more than a buffer if violence had flared up. But there we sat at a local teacher training college, listening to the news and waiting for what most of us felt was inevitable large-scale violence. As is well documented, however, the day passed peacefully as people waited for hours in long queues to vote for the first time in their lives. One of the simplest acts in the world felt like the most profound. Being there and watching it and, of course, voting myself, in a context where political generosity trumped racial division, felt like a miracle.

But, despite all that is written on the South African peace process in early 1990s, it was not a miracle in the way many referred to it. Essentially it was a hard fought negotiation. Many would argue that this is a direct product of the approach to nation building that emerged from the 1990 to 1994 negotiations. This approach to governance was predicated on compromise, consensus and reconciliation. To a great extent, the negotiated settlement resulted in political stability and brought an end to large-scale political violence. It also provided a powerful lesson on the mutual dependency of former enemies who, within a context of continual crisis management and high levels of violence, were forced to accept

compromise. The journalist Allister Sparks captures this important aspect of the South African peace process when he writes:

For this was always a crisis-driven process. From the moment De Klerk made his fateful announcement on 2 February 1990, there could be no turning back. There was no way he could ban the ANC or any other black movement again, return Mandela to prison, or revert to apartheid again. With his political opponents in the same boat, he had embarked on a one-way voyage, and they could either arrive at a new shore together or sink together. There were no other options. So as each new crisis reminded these squabbling voyagers afresh of their mutual dependency, they leaned on their oars with renewed effort and pulled for the shore (Sparks, 1997, p. 178).

This is not to say that relative political stability came easily, or that it is guaranteed in the future. Peace in South Africa, at least in the first 14 years of democracy, was forged on the back of hard won concessions made during the negotiations, as well as a bedrock of racial violence that began shortly after the Dutch colonists landed in the Cape in 1652. Violence is deeply entrenched in South African society in a myriad of ways as this book will show. The compromises made to bring peace, at least from the perspective of the African National Congress (ANC) which was the most dominant of the anti-apartheid political parties that was to become the new ruling party in 1994, included, amongst other things, temporary power sharing and job reservation for selected civil servants until 1999. Guarantees on what could be described loosely as aspects of federalism were also made. These gave regional power to some of the ANC's adversaries, such as the Inkatha Freedom Party (IFP), diluting, at least to some degree, the ANC's ability to carry out its national transformation agenda.

Furthermore, although not formerly agreed on at the negotiations, some guarantees on the nature of the economic model to be adopted by the new government were part of the broad spirit of agreement. This is typified by constitutional clauses that protect property rights and the "independence" of the Reserve Bank. In essence, big business, despite being tied to necessary fairer employment practice and principles, such as those of equity and affirmative action, has been allowed to continue without large-scale governmental intervention or redistribution. This made the earlier policies (and rhetoric) of the liberation movement with regard to redistribution and nationalisation slip from the agenda, whilst facilitating greater white buy-in to the process.

A further agreement made at the negotiations was that amnesty would be granted to members of the old regime (and from the liberation forces) for crimes committed during the apartheid era. Amnesty was agreed at the 1990–1994 negotiations and legislated for in the Postamble to the 1993 Interim Constitution. This decision is generally justified on pragmatic grounds (Boraine, 2000; Tutu, 1999) and was considered critical to ensuring a peaceful transition to democracy in April 1994. It is argued that it was unworkable to prosecute senior state officials and ensure a transition of power at the same time (Bell & Ntsebeza, 2001). Amnesty, or so the argument goes, was the price of saving innumerable lives that would have been lost had the security services not been placated with some guarantees that extensive prosecution of those supporting the previous government would not take place after the election. The TRC was ultimately given the responsibility for adjudicating over amnesties.

The TRC was set up, at least in part, to grant amnesty to people who fully disclosed all of the relevant facts relating to acts associated with a political objective. According to the Promotion of National Unity and Reconciliation Act No. 34 of 1995 (shortened to the TRC Act), which established the TRC, all perpetrators of political offences (regardless of the group to which they were affiliated) who wanted amnesty – and who did not act out of malice or personal gain but rather in pursuit of a political objective – had to disclose the full details of their past political crimes to qualify for amnesty. I expand on this later in this chapter.

As with amnesty, it was the balance of power at the time of transition that determined much of what followed. As much as the concept of compromise brought with it a new spirit of inclusion, the making of the compromises themselves was rooted in fear. Indirectly agreeing that compromise is necessary is an acknowledgement that your rivals have a significant amount of power. In the South African case, the settlement proved that white-dominated power, despite significant challenges from the majority, was firmly entrenched. The shadow of this tacit acknowledgement, as well as the concrete concessions made by the ANC, has left a spectre across South Africa where power struggles – be they in the political arena, the street or boardroom – still lurk below the surface and shape race relations and attitudes to this day.

However, power not only rested with the apartheid regime; but also existed and exists at multiple levels. Often the word “compromise” is used to describe the South African transition, implying that the spread of power during the negotiations was equally weighted. This is not true and is demonstrated by the fact that although the ANC did not have sufficient power to demand prosecutions of former human rights abusers (and, in reality, the criminal justice system in South Africa probably did not have the resources or efficiency to prosecute large numbers of individuals), it had sufficient power to prevent the National Party (NP) from granting itself blanket amnesty and to ensure that amnesty was conditional on full disclosure to the TRC, as I have mentioned.

Thus, as much as the white-dominated parties at the negotiations had power at the negotiations through their monopolisation of the security forces and their economic control, so too did the ANC. As obvious as it sounds, they had the majority force of the masses and certainly the international moral high ground. Adrian Guelke goes as far as arguing that the settlement in South Africa was not fundamentally different from the transfer of power to black majority rule in several African countries (Guelke, 1996). He argues that there is a myth that South Africa came up with a political model that was new to Africa. He writes that South Africa’s temporary power-sharing arrangements were similar to those in other countries and that, in their day, the transitions in Kenya, Zimbabwe and Namibia were all hailed as a miracle of accommodation and reconciliation (Guelke).

However, it is arguable that what differentiates South Africa from other African countries is the degree of acceptance of mutual dependence of former adversaries in an international context where formal democracy and economic sustainability have become intertwined and, specifically, the extent to which, for better or worse, South Africa has become internationally synonymous with the concept of reconciliation. However, at the same time, a level of suspicion and a mutual acknowledgement

of differing levels of power are present and linger in the post-apartheid context. It could be argued that this fear – coupled with the balance of forces tipped in favour of the ANC, which afforded it the space to make some compromises without threatening its inevitable rise to political dominance – resulted in a new inclusivist hegemony. Co-operation thus became central to the negotiations, ensuring that the peace process and government did not completely collapse and that division did not become insurmountable and cause more conflict and deaths. This process was embodied by Nelson Mandela as an icon of peacemaking and conciliation.

This conciliation, despite grumbling from what is now termed the “ultra left” and “ultra right” in South Africa, both sceptical of change for different reasons, managed to bring with it, at least for the first 14 years of the transition, a level of political stability built on a platform of gruelling negotiations that went on in fits and starts for nearly 4 years. Some of the concessions and agreements made at the last minute were made from a point of exhaustion with the process and the fear of returning to the brutal days of old. But it would be mistaken not to acknowledge that despite all the mutual fear, a profound change was effected in the psyche of a significant proportion of South Africans through the process. As a result, the acceptance of the need for change by a critical mass of South Africans and an over-arching spirit of inclusion and compromise dominated the last days of negotiations and the early days of the new democracy. This is captured by Hein Marais when he writes:

The settlement and the launch of the transition depended on an activated awareness of ‘common interest’ between the old order and the popular movement – on an acknowledgement that friend and foe have to pass through the gateway of concessions and compromises in order to avert disaster for their respective agendas. This principle of inclusion became the central ideological tenet of the new South Africa...The transition proceeded on the basis of mechanisms and structures that attempt to ‘reconcile’ – even *transform* – conflicting interests into inclusive policies, projects and programmes (Marais, 2000, p. 94).

The new national project that resulted, at least in terms of its potential for the country as a whole, cannot be easily dismissed. From an ultra-right perspective, and given Mandela’s inexhaustible magnanimity, it would have been difficult to sustain an argument that there would be no place for a minority in the new South Africa. Similarly, despite his own Marxist perspective, Marais feels that even the leftist impulse to immediately identify inclusion, conciliation and assimilation as the seeds of betrayal of the working classes was incorrect (at least during the initial period of the regime shift). For Marais, the principles embodied in the new South Africa did not in and of themselves scupper attempts to marshal a popular transformation project. Rather:

What mattered were the terms on which inclusion and assimilation occurred – specifically, which social classes’ interests would become privileged in the resultant hegemonic project...in the South Africa of 1994, the class content of that project was still undefined (Marais, 2000, p. 95).

What is more, as was outlined above, the ANC had a sizeable majority (about 65% electoral support) which was sufficient to seize political control and begin to push through substantial social reform; thus maintaining its legitimacy with its supporters despite the concessions made at the negotiating table. The compromises

that led to the transition had a price, especially for those who had suffered in the past. To state this bluntly, they had to forgo the option of justice through the courts for past violations. Although for many of South Africa's poor, the reality of a conviction was probably remote, the formal and political closing of this door had a powerful psychological impact. Whether a real opportunity was lost, or the fantasy of having one's day in court was crushed, the political process impinged on most victims' desires for justice (see Chap. 7, where justice and victims' needs are discussed more fully). Those defending the process would say that it is the progress of the state as a whole that needs to be taken into account and that it was inevitable that there would be a cost to emerge from a protracted political conflict where power was concentrated in the hands of a few.

Economic and Political Progress

South Africa has undergone a rapid process of change in the past 14 years. In class terms, a sizeable proportion of post-apartheid South Africa is the same as pre-1994 South Africa, but much has also shifted. Political parties and support for them has not deracialised dramatically (e.g., mainly black South Africans voting for the ANC, and whites voting for the Democratic Alliance) and most of the poor remain black. Whites, although a minority, continue to wield the majority of economic power. Economic control and the influence of black South Africans in the country have changed dramatically. Political power has irreversibly changed hands and the ANC government has made significant strides in attempting to deal with some of the socio-economic legacies of apartheid.

Racism and discrimination have been outlawed, and large-scale socio-economic development is under way. The last census in 2001 put the population at 44.8 million. In 2001, 4.1 million of the 11.2 million households lived in poverty in South Africa (that is, living on R9,600 or about US \$1,270 a year at exchange rate figures at the beginning of May 2008). In 2004, this had decreased to 3.6 million; of whom most were black (Southall, 2007). In 1996, 61% of the population had access to clean water and by 2001 this figure had risen to 85% (Mhone & Edigheji cited in Landsberg & Mackay, 2006). In 2007, the estimate was 88.6%, although only 47.3% of people had access to piped water in their home (Statistics South Africa, 2007a). In terms of electricity, 80% of the population now use electricity as the main energy source for lighting which is a significant increase from 57.6% in 1996 (Statistics South Africa, 2007b). By 2007, though, demand had started to outstrip supply, with rolling blackouts ensuing fairly regularly.

The government granted nearly 2 million housing subsidies to the value of R24 billion between 1993 and 2004, 49% of these going to women (Mhone & Edigheji cited in Landsberg & Mackay, 2006). According to the South African government between 2005 and June 2007, 2.4 million houses were built, benefiting more than 9 million people. The housing backlog was decreased from 2.4 million to 2.2 million. Over 70% of households now live in formal dwellings, i.e. homes made of bricks

and mortar as opposed to corrugated iron shacks or temporary dwellings often erected at the back of formal houses (Statistics South Africa, 2007b).

The old class structures, which were previously based on race, are changing. It is estimated that about 72% of the civil service is now made up of black Africans (Landsberg & Mackay, 2006), representing a massive change in representation. According to *Statistics South Africa* and several other research sources, the number of senior black managers grew from 8,766 in 1997 to 28,658 in 2006 and the number of senior white managers declined from 30,876 to 22,758 (The Media Online, 2007). The Johannesburg Stock Exchange lists a 24% increase in black directors of public companies (The Media Online).

Although overall economic distribution between black and white South Africans is still unequal, a new black middle class is emerging. According to the *Black Diamond 2007: On the Move* survey carried out by the UCT/Unilever Institute of Strategic Marketing, 2.6 million black South Africans now fall into the middle class income bracket. Between 2001 and 2004, there were only 300,000 new black entrants to the middle class, but between 2005 and 2006, 420,000 individuals joined this income bracket (Bisseker, 2005), suggesting a growth rate of 30% a year.

Black ownership of homes in Johannesburg's affluent suburbs has increased by 700% in the last 5 years (Macdonald, 2005). About 12,000 black families (about 50,000 people) are moving from the townships into the formerly white suburbs of South Africa's metro areas each month, according to the *Black Diamond 2007: On the Move* survey. It is now estimated that one-third of the middle class and 20% of the top income bracket are now black, up from close to zero a decade ago (Sutcliffe, 2006). But the growth of the black middle class has also led to large disparities within the black population. It was estimated in 2002 that inter-black inequality was greater than that between blacks and whites (Government Communication and Information Services, 2002). Given the exponential growth of the middle class, this estimate is likely to have now become a hard fact, but there are no official figures.

However, despite the dramatic shift in demographics and wealth, racial income differentials are high and, proportionally speaking, the black share of the economy remains under-represented and poverty within the black community dramatically over-represented. Poverty on the whole is rife, with 34% of the population living on less than \$2 a day, and about 10% living on \$1 according to the 2007/2008 UN Human Development Report. It is estimated, depending on the calculations used, that about 34–45% of the population are living below the poverty line. The vast majority of these people are black.

South Africa remains deeply unequal and inequality has been rising. According to the 2007/2008 UN Human Development Report, the GINI coefficient (a measure of inequality of income distribution with 0 representing perfect equality and 1 representing inequality) is now 0.578, making it marginally more unequal than Brazil (0.57), which is often singled out as one of the most unequal societies in the world. An analysis of household income and consumption expenditure shows that the society remains racially unequal. The statistics below indicate that the average white household income is 7.5 times greater than that of black/African South Africans. The average Indian/Asian household income is 3.5 times greater than that

Table 2.1 Average annual income and consumption expenditure of South African households

	Total	White	Indian Asian	Coloured	Black African
Income Rands	R74,589	R280,870	R134,543	R79,423	R37,711
Income US\$	\$9,854	\$37,105	\$17,776	\$10,492	\$4,982
Expenditure Rands	R56,152	R198,632	R104,533	R58,805	R30,509
Expenditure US\$	\$7,418	\$26,241	\$13,810	\$7,769	\$4,031

Source: Statistics South Africa, 2008, exchange rate May 2008

of black/African South Africans, and the so-called coloured (mixed race) household income is double that of black/African South Africans (Table 2.1).

In 1998, Thabo Mbeki referred to South Africa as being made up of two nations, i.e. one prosperous and white, and one black and poor (Mbeki speaking in the National Assembly, 29 May 1998). At that time, Mbeki was accused of playing the race card (TIME Europe, 2000). However, if one studies the inequality figures now, 10 years since his comments, his contentions are not wholly untrue. South Africa on the whole remains economically unequal and remains largely two nations. It is irrefutable that the racial nature of the top income bracket is changing, and that there are also big disparities between different racial groups (e.g. Indian/Asian population and black South Africans); hence, there are at least four other “nations” now emerging with pockets of disproportionate wealth in each.

As most people know, South Africa still has many social problems. Crime remains a serious problem. Although crime rates have been gradually decreasing since 2001, by global standards the rates are high. There are some 18,000 murders a year; 54,000 reported rapes (also see Chap. 9 for a detailed discussion on violence against women) and about 120,000 incidents of robbery with aggravating circumstances.

In 2005, on the UN Human Development Index (which looks beyond GDP to a broader definition of wellbeing), South Africa was given a rating of 0.674, ranking it at 121 out of 177 countries. This places it above Tajikistan (0.673), below Gabon (0.677) and Guatemala (0.689) and level pegging with the island of Vanuatu (0.674) but above India (0.619). In September 2007, *Statistics South Africa* estimated the unemployment rate to be 23% (some unofficial figures put it at 40%) and, on top of this, a conservative estimate is that 4.7 million people are HIV positive.

Inequality and social problems are part of the apartheid legacy. Critics (Bond, 2000; COSATU Parliamentary Office, 2000; Koelble & LiPuma, 2005; Marais, 2000; Terreblanche, 2002) have highlighted the fact that the ANC-dominated government’s economic policies are unlikely to redress such imbalances in the short-term given their focus on “trickle-down” economics, privatisation and deference to the market as the driving force of the economy. Many would argue, if we accept Marais contention that the class content of the new South Africa was still up for grabs in 1994, that the class content of the new South Africa is now firmly entrenched.

The ANC, according to Allister Sparks, has undergone an astonishing U-turn in the formulation of its economic policy – it has embraced free-market orthodoxy that involves large-scale privatisation (Sparks, 2003). Debates rage as to whether this has been the best route to follow and this has fed into a growing

disgruntlement with the ANC leadership from within its own ranks, which was related in part to the voting out of Thabo Mbeki as ANC leader in late 2007. Clearly, at the level of socio-economics and on the political front, much remains to be done in South Africa and the situation has destabilised to a degree in the last few years. There is a growing resentment about the multifaceted layers of inequality now emerging in South Africa. However, in the words of Allister Sparks: “it is not that nothing has changed, but that things have not changed for enough people” (Sparks, p. 44).

Structural, Cultural and Physical Violence

The impact of apartheid was marked and was arguably defined first and foremost by enormous levels of structural violence. This was characterised by the brutal impact of decades of systematic segregation, racism and social and economic degradation. These resulted in the destruction of family life and livelihoods, as well as dramatic imbalances between population groups in education levels, housing (including 3.5 million forced removals according to the Surplus People Project, <http://www.spp.org.za>), access to water and basic amenities and massive differentials in health care and mortality rates. Much of this is documented in the reports of the South African TRC (South African Truth and Reconciliation Commission, 1998, 2002, 2003).

The apartheid system itself was also characterised by what could be termed cultural violence; that is, aspects of “culture” used to legitimise direct or structural forms of violence (Galtung, 1990). Galtung characterises this type of violence as that found within a culture that “preaches, teaches, admonishes, eggs on, and dulls us into seeing exploitation and/or repression as normal and natural, or into not seeing them at all” (Galtung, p. 295). In apartheid South Africa, this was embodied, for example, in Christian National Education, which was the basis for all public and much private education at primary and secondary levels for many years and taught the hierarchy of race through a mixture of Calvinism and Darwinism (Balfour, 2000); in religious ideologies that justified racism and prejudice; in anti-terror campaigns and media that identified black South Africans as brutal, ignorant and destructive and often worthy of or immune from suffering; and in support within academia of the cultural production of knowledge that projected non-whites as inferior or sub-normal. In terms of the latter, for example, some academics colluded with racist ideologies by using culturally inappropriate intelligence tests to demonstrate racial inferiority (this is discussed by Freeman, 1985; Tyghe, 1985).

In terms of direct violence, it is estimated that 200,000 people were arrested between 1960 and 1992 in South Africa, many of whom were tortured or assaulted (Chapman & van der Merwe, 2007). The Human Rights Committee, and NGO, estimated that 80,000 people were detained without trial with about 10,000 of these individuals being women, and a further 15,000 under the age of 18 (South African Truth and Reconciliation Commission, 1998, Volume 2, p. 187). In the mid-1970s,

political violence killed on average 44 people a month. By the mid-1980s, this figure had risen to 86, and by the early 1990s it was 250 (SAIIR, 1993).

The nature of violence in the early 1990s also changed, from vertical (the state against its citizens and the citizens against the state) to horizontal (fellow citizens against one another). In the 1970s and 1980s the police were responsible for most deaths. In the 1990s intra-community and intra-organisational conflict, largely between the ANC and the IFP, in the townships and rural areas accounted for the greatest number of fatalities. Some IFP paramilitary activity including the training of hit squads was covertly sponsored by the state and its agents (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 220). Over the period of the negotiations from February 1990 to April 1994, as South Africa was supposedly normalising, 14,807 people were killed, according to the South African Institute of Race Relations. This is in stark comparison to the previous 5 years, when the Institute reported 5,387 deaths from political violence.

Psychological Impact of Political Violence

Much of the focus of this book concerns the impact of political violence. Below I will begin by making some general points concerning how we can understand the impact of political violence from a psychological perspective before concluding with the relevance of this to South Africa.

Conceptual Approaches to Trauma

Although specific psychological effects upon, and exact responses of, particular individuals are unique and difficult to assess, psychologists and mental health workers increasingly claim to have begun to identify a range of common psychological symptoms that are present following exposure to violence. Most survivors of violence show some symptomatic responses. Epidemiological research shows that 25–40% of survivors of violence in post-conflict populations have post-traumatic stress symptoms (Beristain, 2006; Silove, 2005). Some specific responses to direct political violence include self-blame, vivid re-experiencing of the event, fear, nightmares, feelings of helplessness, hypervigilance, depression, relationship difficulties, feelings of social disconnectedness, anxiety and even substance-abuse-related difficulties. In Western practice, the term post-traumatic stress disorder (PTSD) is often used to describe this collection of symptoms.

There is a diversity of opinion within the psychological and psychiatric fields with regard to the validity of the concept of PTSD in the post-conflict field and more generally. Many now question whether it is the correct way to describe the impact of political violence, despite its popularity as a concept (Brewin, 2007). The diagnostic category of PTSD, for example, has been found less appropriate

than is often suggested in accounting for the concerns of many South African former political detainees (Kagee, 2004). In other African contexts, the validity of PTSD measures is also questionable (Igreja, Kleijn, Schreuder, van Dijk, & Verschuur, 2004). Some have questioned the way Western psychologists have approached the “African self”, noting that Western-orientated approaches often miss the fact that there is “a strong belief in Africa that people can transform themselves by transforming the structures by which they are formed” (Nwoye, 2006, p. 130). Those critical of the PTSD concept question or critique: the limited way the concept takes context and social transformation into account; the relevance of using largely Western medical language in societies wracked by social violence where suffering is understood on different terms; and the scientific validity of the entire PTSD concept (among others see Antze & Lambek, 1996; Becker, 1995, 2006; Beneduce, Jourdan, Raeymaekers, & Vlassenroot, 2006; Birstain, 2006; Bracken, 1998; Bracken, Giller, & Summerfield, 1995; Bracken & Petty 1998; Breslau & Davis, 1987; Burstow, 2005; Jones & Wessely, 2007; Kagee; Kirk & Kutichins, 1992, 1997; Kleinman, 1998; Lee, 2001; Lykes & Mersky, 2006; Rechtman, 2006; Scott, 1990; Summerfield, 1999, 2000, 2001, 2002; Wessells & Monterio, 2000; Young, 1995; Young & Breslau, 2007).

Do these limitations matter, though, if, after all, some people receive treatment? Some argue that it is a mistake to see concepts such as PTSD as benign, arguing that the category of PTSD is confused, reductionist, contradictory and arbitrary and that it pathologises purposeful and valuable coping strategies commonly used by people who are traumatised (Burstow, 2005). Some of the techniques used in addressing PTSD such as “critical incident stress debriefing” (Mitchell, 1983; Mitchell & Everly, 2001), which are predicated on the immediate symptoms being the most important issue, have been found to be ineffective and can even exacerbate mental health problems (Aulagnier, Verger, & Rouillon, 2004; National Collaborating Centre for Mental Health, 2005; Rose, Bisson, & Wessely, 2004; Sijbrandij, Olf, Reitsma, Carlier, & Gersons, 2006; van Emmerik, Kamphuis, Hulsbosch, & Emmelkamp, 2002). Although high rates of PTSD might be detectable in post-conflict populations, they give little guide for a need for treatment (Silove, 2005). Symptoms are poor predictors of functioning or the need for treatment (Summerfield, 1996). The rates of help-seeking behaviour, including those with unremitting traumatic stress, are only 2–3% a year (Silove). Other epidemiological evidence suggests that PTSD symptoms might not be a normative response to traumatic events as is often suggested (Breslau, 1998; Breslau & Kessler, 2001). Different violent and political incidents can have distinctive cultural meanings and, thus, specific impacts. This brings into question what reactions are defined as symptoms and, subsequently, where energies and resources for mental health work are put.

To one individual a nightmare might be irrelevant until a mental health worker brings it up; to another it might be reason to seek medical help; and yet to another it might be the ancestors passing on a message (Summerfield, 1996). It is not only the traumatic event that requires attention: most particularly, the way in which the individual (or community) interprets the event is vitally important when considering a strategy for healing. Reflecting on their experience of working in Angola, Wessells

and Monterio argue that in Sub-Saharan Africa it is the spirituality and community that are at the centre of life (Wessells & Monterio, 2000). For example, an Angolan boy whose parents were killed after the family was forced to flee may not need in the first instance to talk through his experience in a safe and supportive environment: rather the major stressor for the boy may be the spiritual discord and resultant communal problems following from his inability to conduct the proper burial ritual for his parents (Wessells & Monterio).

Similarly, in Zimbabwe, survivors of the Matabeleland massacre consider the corruption of community values and a range of misfortunes (drought, illness, crop failure), which are seen as the result of angry and restless spirits that have not been properly laid to rest because their corporeal forms are missing, as one of the most disturbing aspects of the conflict (Eppel, 2006). This loss is still being mourned years after the massacres of the 1980s, which saw more than 3,000 extrajudicial executions and hundreds of “disappearances” taking place in Matabeleland at the hands of Robert Mugabe’s forces (CCJP & LRF, 1997, 2006). What is required in these cases is the completion of burial rituals to assist with improving mental health, not a focus on symptoms. In Guatemala, survivors of massacres experienced sadness, grief, despair and a sense of injustice, but tended to also emphasise material losses such as houses, crops and animals, and wanted this to be addressed as the primary intervention to restore their sense of wellbeing (Beristain, 2006). In Sri Lanka, it has been argued that it is important to recognise the manifestations of collective trauma and that a focus on individual personalities is inappropriate because the individual and collective distinction is often blurred (Somasundaram, 2007).

Thus, it is important to recognise context and community when considering the impact of extreme trauma (Giacaman, Saab, Nguyen-Gillham, Abdullah, & Naser, 2004). Ignacio Martín-Baró argues that mental health is a dimension of relations between persons and groups more than an individual state (Martín-Baró, 1996b). This, however, should not equate with romanticising the community or idealising the family, neighbourhood, village, collective and community, which are all vague terms and difficult to define (Somasundaram, 2007). In the mental health field, it has been argued, there is a temptation to reduce complexity and context to fine-tuning measures of stressors and PTSD symptoms (Young & Breslau, 2007). Focusing on Western counselling interventions aimed at alleviating symptoms can undermine resilience and local mechanisms and strategies for recovery. Despite this, the concept of trauma and especially PTSD has become shorthand that tells us little about the context of violence, its cultural specificities and how dealing with violence is inevitably linked with socio-economic, political and cultural context. In some countries, the concept of trauma has even begun to change the personal and local language of suffering; that is, victims start to express themselves in medical language (“I am suffering from PTSD”) rather than express how they really feel because they think this is the only way professionals will listen to them. In even Western contexts this can cause difficulties. Carlos Beristain (2006) cites an example of a doctor referred to as Paula returning to the US from El Salvador and being let down by fellow doctors who failed to grasp her experience because of their medicalised approach:

When I returned to my country, many doctor friends told me I had to stop worrying so much about what I had experienced in the war in El Salvador, that the problem was that I had low levels of serotonin and I was suffering from traumatic stress. I tried to explain to them what I had gone through, what it meant to me to see my patients die...but my colleagues didn't understand me (From Carlos Beristain's field notes, 1992, cited in Beristain, 2006).

The impact of large-scale violent atrocity fits best with the post-modern disposition that seeks to communicate rupture, discontinuity and disconnection (Humphrey, 2002). The reality is that clinical and behavioural science research still falls short in describing suffering (Kleinman, 1998). There is no language of pain (Scarry, 1985). An analysis of women's experiences before the South African TRC demonstrates the "paucity of currently existing grammars to understand and give voice to both suffering and the capacity to act" (Ross, 2003, p. 165). Terms such as "unspeakable" are common ways of describing massive trauma, particularly in holocaust studies, showing the impossibility of representing the real experiences of survivors in words (Gigliotti, 2003). The impact of social violence is in the zone of the unthinkable, the unspeakable and "the uncanny" (Gampel, 2000, "the uncanny" is discussed below). Massive trauma has an amorphous, ahistorical presence, not delimited by place, time or agency; it precludes its knowing, and not knowing is part of the cycle of destruction (Laub, 2000). This is in part linked to why uncovering the truth and recreating historical accounts of the past become important to individuals. PTSD is wholly inadequate as a concept to capture this or the full extent of the impact of political violence.

Extreme Political Traumatization

In Chile, some mental health workers have tried to describe the experiences there, of survivors following the dictatorship, in the language of extreme traumatization (Becker, 1995). Extreme traumatization is characterised by an individual and collective process occurring in a specific social context (Becker; Becker, Castillo, Gomez, Kovalskys, & Lira, 1989), particularly when authorities have the power to violate human rights regularly, causing successive and cumulative injuries (Kornfeld, 1995). Political violence is laden with social meaning, and concerns the relationship between the human body and the state. The larger strategy of political violence is often to dismantle public institutions and not merely harm individuals (Beristain, 2006). It is about destroying the fabric of social relations and ways of life (Summerfield, 1996). As Ignacio Martín-Baró has argued, political repression not only causes personal damage, but social structures and institutions are harmed and norms, values and principles are undermined in the process (Lykes, 2000).

It has also been argued that "the way in which events are perceived and the meanings, both personal and cultural, attributed to the traumatic events are closely related to coping and after effects" (Sveaass & Castillo, 2000, p. 114). Meanings in life are altered or destroyed by extreme violence (see also Chap. 5, where I discuss the issue of meaning). The destruction of meaning is captured in following quote about the war in Bosnia:

The truth is that many dreams have died in Bosnia in the last two and a half years: the dream that the world had a conscience; the dream that Europe is a civilized place; the dream that there is justice for the strong and for the weak. It would be no surprise if the millennial dream that the truth will set us free also died there (Rieff, 1996 cited in Beristain, 2006, p. 12).

Violence against individuals for political reasons tells victims how others value (or devalue) them as human beings; it communicates to them their place in society. Each context, however, is unique and the messages within it are context specific. To this end, the survivor's sense of belonging to society is undermined by political violence (Becker, 2001) and the impact moves beyond individual symptomology to a crisis in existence. An individual's identity is undermined by extreme trauma, as is their social sense of identity. Systemic abuse of power renders people powerless (Wineman, 2003) and impotent (Beneduce et al., 2006).

Trust and a sense of connection, it is argued, are essential to social interaction and wellbeing (Williamson & Robinson, 2006). Political trauma creates insecurity, mistrust and disconnection from people (Staub, 2006). War implies social polarization and the collective erosion of social relations (Martín-Baró, 1996b). The erosion of social ties and the collapse of connection and confidence between individuals and communities becomes commonplace as those from different groups become the negative "other" (Beneduce et al., 2006). Survivors are robbed of their humanity and not only are they impacted upon personally, but also social relations become characterised by mistrust, fear and aggression as the boundaries between fantasy and reality are blurred as a result of violence, death and terror becoming part of everyday life (Lira, 2001). In this sense, political trauma victimizes individuals in a manner that is different from natural or accidental disasters (Volkan, 2006).

Sometimes the nature of the violence and its symbolic meaning brutally intersect. In Sierra Leone, it has been argued that amputations were warnings to cease the rice harvest and to deter others from voting (Richards, 1996). Paul Richards concludes "Burning of houses and cutting off of villagers' hands and fingers inscribe, on the landscape and in the bodies of village people, a set of political messages rather more firmly than if they had been spoken over the radio" (Richards, p. 6). Some violence in contemporary Africa has taken on the appearance of the bizarre (Beneduce et al., 2006). For example, in the Democratic Republic of the Congo and Liberia, combatants at times dressed in female clothing or flamboyant carnival-type outfits (Beneduce et al.). In so doing, not only did they distance themselves from their acts through disguise but also constructed contrasting images of violence – for example, women as perpetrators or confusing the enemy with weird behaviour (Beneduce et al.) – and instilled in themselves and others the belief that they (the combatants) had some strange magical or other-worldly power. In this sense, they embody "the uncanny" in the way Freud began to articulate it in his 1919 essay *Das Unheimliche* (The Uncanny), i.e. something which is not merely weird or mysterious but strangely familiar with the flickering sense of the supernatural about it (Royle, 2003).

The sites of violence become all encompassing in extreme political trauma. The line between civilian and combatant or soldier is indistinguishable. Any residual trust in social ties or escape from the horror is erased when acts such as amputations

against children take place, or killing people in their sleep as happened in a refugee camp in Burundi in 1994 (Beneduce et al. 2006), or in seemingly secure places such as hospitals or at funerals – these two being sites of killing in both Northern Ireland and South Africa. Domestic objects are used in torture (the chair, the bathtub) and the torturer engages in an unmaking of the world of the victims so that their reality cannot be imagined outside of pain (Scarry, 1985). Political trauma affects everyday life, where individuals struggle to distinguish their experience from what others say it is (a military government’s rhetoric, say) (Lykes, 2000). This creates a world where nowhere is safe and where the line between death and extreme suffering, on the one hand, and ordinary living, on the other, is obliterated.

Violence of the kind described here threatens not only the body and the mind but also the very continuity of social life and meaning and is paralleled by a process of cultural deconstruction (Humphrey, 2002). This is perhaps best captured through the process of “disappearance” during political conflict especially where records of an individual are destroyed too. The physical body is destroyed but so too are any traces of identity. Disappearance, writes Elizabeth Jelin and Susana Kaufman, is a very special type of wound – not only is a body missing but so too are information and knowledge (Jelin & Kaufman, 2002).

I have also heard the notion of destroying a sense of identity expressed in other ways. For example, at a conference in Belfast in 2008 (*Should We Put History Behind Glass?* Hosted by Healing Through Remembering and the Institute of Irish Studies at Queen’s University, 3–4 April), a campaigner working with relatives in a local museum focusing on the Bloody Sunday killings in Northern Ireland commented that “first they killed the individuals, then they killed their names”. What he meant by this was that the first inquiry held in 1972, known as the Widgery Tribunal, had essentially destroyed the reputations of the 14 people killed on 30 January 1972 by British soldiers in Derry. The individuals had been on a civil rights march and the Widgery Tribunal implied that those killed were committing terrorist activity and were not taking part in a peaceful demonstration. In other words, it was not only the suffering caused by the deaths that was important, but also how the state had painted individuals following the killings. This was tantamount, according to the campaigner, to destroying the individuals’ characters and standing in society, symbolically killing them a second time.

In other words, the traumatisation is not only physical but also linked with the discourse and rhetoric surrounding political violence. A characteristic of war is lies, writes Ignacio Martín-Baró, with these ranging from “corruption of institutions to intentional deception in public discourse, and includes an environment of distrustful falsehood” (Martín-Baró, 1996b, p. 113). In extreme cases, this results in genocide (Staub, 1989) or mass violence, where entire races or ethnic groups are targeted with discourse that moves beyond deception to wilful destruction. Violence of this kind places the victim outside of what is ordinarily considered humane especially when they become victims of extermination and genocide, torture, mutilation or disappearance. Not only are victims given messages about their place in a society, but they are also dehumanised through actions against them and in words. A case in point is the labelling of Tutsis as “cockroaches” during the Rwandan genocide (Article 19, 1996).

Rechtman highlights how Primo Levi (1958), using his holocaust experience, brought to the world's attention the fact that there is a psychological radical limit in extreme political violence "beyond which it was not possible to experience the feeling of belonging to humankind" (Rechtman, 2006, p. 3). This creates a world where the victim is not only physically harmed but also delineated as worthy of extinction or suffering, sub-human and not fit to be part of society. The consequence of this is not only death and injury, both physical and psychological, but also what Rechtman calls the "rhetoric of extermination" which he feels is neglected in the psychological literature (Rechtman, p. 3). Applying this type of thinking to the survivors of the Pol Pot regime (1975–1979) in Cambodia he writes:

...it is not always the empirical event that is responsible for the traumatic effect, especially in political violence and mass extermination. People can sometimes cope with dramatic events without any need of particular resilience, but they can't overcome the meaning of the rhetoric that was associated with the political violence that they experienced (Rechtman, 2006, p. 3).

The result of all this – which is generally coupled with war and social, cultural and community destruction – is that the survivors are left trying to reconstruct a world from fragments of a destroyed polity in which their lives are integrally linked. Not only do they literarily move from an "uncanny" world where death is the norm and not life (discussed more in Chap. 5) but also they have to rebuild their place in it and their connections to others. Thus, coming to terms with the past for the survivors is not only about coping with physical and psychological scars but also about repairing or trying to rebuild the political context and their place in it. Put another way, if the state is not willing to put processes in place to deal with outstanding issues concerning justice, accountability and truth, survivors can end up scavenging:

...the detritus of decaying politics, probing areas of deceit and deception. By doing so they invoke displaced histories and reveal deformed moralities. They strive to introduce the unvoiced and unspeakable into public debate (Holmes, 1993, p. 255).

In Holmes' terms, and applying this to victims' struggles, they seek to bring "illicit discourses" to the fore. This is not only painful but also entails the danger that, when victims do so, political forces might also see them as pariahs.

Thus, what one could call "extreme political traumatisation" is essentially made up of five elements:

1. Structural violence cut through by race, gender, age and class.
2. Direct violence inflicted through physical harm that is laden with social meaning.
3. Psychological destruction and alteration of individual and community meaning systems through extreme violence and dislocating ("uncanny") acts such as targeting civilians, torture, killings or disappearance among other things.
4. Discursive distortion marked by rhetoric of dehumanisation, deceptive public discourse and lies, exclusionary language aimed at creating a lack of social belonging and in some cases inflaming direct violence.
5. Destruction of social ties and relationships not only between survivors and their place in society (their country or citizenship), but also between individuals, groups and communities in that society.

Traumatisation: The Case of South Africa

The South African context contained all of the elements of extreme political traumatisation outlined above. Most notably, the process of massive trauma was coupled with a system that systematically undermined the citizenship of black South Africans. The psychological and physical impact of past conflicts at the individual, community and, to some degree, broader societal levels is highlighted throughout the TRC's report. In essence, this argues that:

South Africans have had to deal with a psychological stress which has arisen as a result of deprivation and dire socioeconomic conditions, coupled with the cumulative trauma arising from violent state repression and intra-community conflicts (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 127).

The TRC's report gives paramount importance to the socio-economic and political context of victims, when the psychological impact on them of human rights violations is considered. It points out, for example, the fact that poor living conditions caused additional emotional difficulties that intensified other traumas, "resulting in a complicated traumatic cocktail that demanded more than a mere therapeutic or healing intervention" (South African Truth and Reconciliation Commission, 1998, Volume 1, p. 365). The report explicitly states that "the mental health of a person could not be seen or understood in isolation from socioeconomic realities" (South African Truth and Reconciliation Commission, p. 365). It thus supports the importance of understanding how political violence is linked with the social context, and the first dimension of extreme political traumatisation outlined above. In South Africa, extreme political traumatisation was marked by:

1. The consequences of deprivation and poverty on ordinary living (especially for the majority of black survivors) as were noted above.
2. Violence always being laden with meaning, most notably that black lives were cheap and that the state could exercise power and control over the majority with impunity, or, alternatively, that black South Africans were brutal, which was expressed through the apartheid state's use of terms such as "black-on-black violence" as if they were self-explanatory.
3. The experience of direct physical political violence largely but not exclusively from the state, with this violence taking on an everyday character and an "uncanny" nature at times (torture, discrediting individuals, falsifying the cause of death and disappearances), thus breaking down the line between the death and life experiences and the ordinary and extraordinary experiences of violence and fundamentally altering meaning systems (see Chap. 5).
4. The long-term impact of dehumanising rhetoric of racism and inferiority, and the sense of a lack of belonging in the society by the black majority in real exclusionary terms and within the messages associated with violence, as were noted above.
5. Massive social and political segregation creating chasms of disconnection between different race groups.

That said, the processes outlined above are of course not static and as this book is being written, the changing political context post-1994 is unfolding into a political context that has new types of victimisation and victimisation-related discourses (see Chap. 9).

The South African Truth and Reconciliation Commission

Truth commissions have been identified as one of the ways of addressing a legacy of violence and the dilemmas often thrown up by political transition, such as the fact that justice in the full retributive sense may not be possible because there are too many individuals to prosecute or that significant political power resides with forces of the old order (Méndez, 1997). Some claim (Asmal, Asmal, & Roberts, 1994; Boraine, 2000; Boraine & Levy, 1995; Boraine, Levy, & Scheffer, 1994; Tutu, 1999) that truth commissions can facilitate reconciliation and healing and build a new human rights culture at the same time as addressing a history of violations of human rights. The veracity of this claim is tackled in this book. There have been over 50 truth commissions in the last two decades (Backer, 2009). This means that roughly half the countries undergoing transitions over the last 35 years have employed this approach (Backer, 2009). It is interesting to note that despite there having been so many, it is the South African TRC (which I have heard referred to as the 21st commission of its kind, although this is not clear) that has commanded the most attention internationally. It has been one of the most extensive to date.

Background

Enormous resources were put into publicising the work of the South African TRC and popularising its mission, both domestically and internationally. It has been heralded as a unique and significant advance in the field of human rights, politics, reconciliation and transitional justice on account of both its exposure of the truth through a combination of victims' testimonies and the granting of amnesty on condition of full disclosure of the crimes committed. The core purpose of the South African Truth and Reconciliation Commission (TRC) was "to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past" (The TRC Act No. 34, 1995, 3(1)) through investigating and establishing as complete a picture as possible of the nature, causes and extent of gross violations of human rights committed in the past conflict in South Africa, that is:

- (a) the killing, abduction, torture or severe ill-treatment of any person; or (b) any attempt, conspiracy, incitement, instigation, command or procurement to commit an act referred to in paragraph (a), which emanated from conflicts of the past and which was committed during the period 1 March 1960 to the cut-off date [*originally 6 December 1993 later extended to*

10 May 1994] within or outside the Republic, and the commission of which was advised, planned, directed, commanded or ordered, by any person acting with a political motive (The TRC Act, No. 34, 1995). (*italics author's addition*)

The TRC was charged with uncovering the fate or whereabouts of the victims of gross violations of human rights between 1960 and 1994. These dates were chosen as they roughly coincided with the Sharpeville Massacre that took place on 21 March 1960 and the ANC's declaration of the armed struggle on 16 December 1961 and the formal signing of the peace settlement in South Africa in December 1993. The cut-off date was later extended to 10 May 1994 which was the inauguration of President Mandela. The date was extended largely at the request of the Freedom Front and Pan-Africanist Congress (PAC) so that some acts that took place immediately prior to the election in April could be considered for amnesty (Daley, 1996). The extension angered the human rights community and victims significantly, which is something I discuss in Chap. 7. The TRC was also to provide an explanation of the antecedents, circumstances, factors and context of past violations, as well as reflect the perspectives of the victims and the motives and perspectives of the persons responsible for the violations. To carry out these tasks 17 Commissioners were elected through a public process (see Sarkin, 2004, pp. 55–57 for a discussion on how this was done) and tasked with the job of conducting inquiries under the charge of the Investigation Unit of the Commission and to hold hearings. The TRC also had a Research Unit to provide back up to the hearing process and assist in drafting the Final Report. In 1996, additional Committee Members were brought onto the Commission to assist with the hearing process. These individuals (11 in total) were brought on board “not only to assist in discharging the functions and responsibilities of these committees, but also to ensure that their membership was representative in terms of race, gender and geographical origin” (South African Truth and Reconciliation Commission, 1998, Volume 1, p. 138).

As was noted earlier in this chapter, the ANC argued that the amnesty provisions were vital, in the words of Archbishop Desmond Tutu, in “preventing the country going up in flames” (Ignatieff, 1997). Amnesty was, or so the argument goes, an inescapable cornerstone of stability that ensured (limited) right-wing co-operation with the peace process and prevented derailment of the process by conservative forces within the military, police and some IFP circles. As was noted above, the TRC had the power to grant amnesty. However, when considering amnesty in more detail, it is important to note that it was criteria driven and this differentiates South Africa from countries such as Chile, Zimbabwe or Argentina, where there was blanket amnesty. Although a provision for amnesty was made in the postamble to the Interim Constitution, it was vague enough to allow a rather liberal interpretation of it in the legislation that gave birth to the TRC. Essentially the approach adopted traded truth for justice; that is, amnesty was conditional on perpetrators' full disclosure of the details of the act for which they sought amnesty.

The TRC Amnesty Committee had to assess each application and, based on criteria in the TRC Act, decide whether the act for which amnesty was sought was political, whether full disclosure had taken place, and whether the act was committed in line with a political objective. Amnesty had to be sought for each violation separately

and each disclosure (even if a perpetrator had committed more than one violation) was to be assessed relative to the criteria.

Simply put, it was agreed that justice through the courts would be set aside, provided the perpetrators told the truth. This was considered an acceptable level of accountability given the South African context and the negotiations. Truth was arguably vital to understanding what had happened, assisting survivors to come to terms with the past and preventing the repetition of human rights violations in the future. In addition, the TRC was to provide victims of atrocities with an opportunity to relate their experience of the violations they had suffered. The TRC was to document the testimony of victims of such violations and victims were given the opportunity to divulge how they had suffered in the past and have their cases investigated. The Human Rights Violation Committee of the TRC, made up of a number of Commissioners, was responsible for organising and overseeing these hearings.

Hearings were also extended beyond individual cases. Special institutional hearings were held, focusing on the role of various sectors (e.g. business, the health sector, the media, the military, women, judiciary, youth, trade unions, prisons and faith communities) in colluding with, or opposing, racism and the violent impact of apartheid. The medical hearings, for example, received 80 submissions, mainly from organisations; the business and labour sector received 88 submissions; and the legal community some 100 (Chapman, 2007c).

The TRC was also tasked with making recommendations on reparations for the survivors of violations. This process technically fell within the remit of the least well-publicised of the three Truth and Reconciliation Commission Committees, namely the Reparations and Rehabilitations Committee (R&R Committee). Unlike the Amnesty Committee and the Human Rights Violations Committee it did not hold public hearings for either perpetrators or victims. Based on the findings of the other two Committees, the R&R Committee was mandated to design a policy of how best to assist those found to be victims – the direct survivors, family members and/or dependants of someone who had suffered a politically motivated gross violation of human rights associated with a killing, abduction, torture or severe ill-treatment. The R&R Committee was obligated to make recommendations to “reparate” these victims for the damages they had undergone in the conflicts of the past. According to the TRC Act, the TRC had to make recommendations to the President with regard to:

The policy which should be followed or measures which should be taken with regard to the granting of reparation to victims or the taking of other measures aimed at rehabilitating and restoring the human and civil dignity of victims (The TRC Act 1995, Section 40-f).

According to the TRC Act, the policy could recommend any reparations measures in the form of compensation, ex gratia payment, restitution, rehabilitation or recognition. The President and Parliament was then to decide how, or whether, the policy would be implemented. In addition to the work of the three Committees, the Commission was to make recommendations aimed at the prevention of gross violations of human rights in the future and compile a report providing as comprehensive an account as possible of the activities and findings of the Commission, including a list of the names of all those who received amnesty and their crimes.

Outcomes

The TRC process began in December 1995 and ended the victim and institutional hearings process in the third quarter of 1998. The Commission handed the first five volumes (totalling 2,739 pages) of its final report to then President Mandela in October 1998 (South African Truth and Reconciliation Commission, 1998). The Amnesty Committee continued its work and finished its public amnesty hearings in May 2001. The Commission formally closed on 30 November 2001 when the last amnesty decisions were finalised. Two additional volumes of the final report were published in 2003. Volume Six (dated 2003 and totalling 783 pages) includes an account of the amnesty process, provides an update on the reparations process, as well as a set of final recommendations (South African Truth and Reconciliation Commission, 2003). Volume Seven (dated 2002 but released in 2003 and totalling 976 pages) presents the summary of victim stories (South African Truth and Reconciliation Commission, 2002). The entire process spanned 7 years, some 5 years longer than was originally legislated for it to complete its work. Its report (all seven volumes of it) was just under 4,500 pages long.

Victim Statements

In total, about 22,000 victims gave statements to the TRC. The exact figures within the TRC reports tend to vary. In its 1998 report, it claims that 21,296 statements were received and 33,713 violations tabled (South African Truth and Reconciliation Commission, 1998, Volume 3, pp. 3–4). In Volume 6 published in 2003, the TRC makes reference to 21,519 statements and 30,384 violations, with 21,074 individuals found to be victims (South African Truth and Reconciliation Commission, 2003, p. 570). In this volume it also noted that 8,000 statements were collected after the Commission's official cut-off dates for collecting statements but it is not clear from the report if these were added to the final total or have simply not been processed (South African Truth and Reconciliation Commission, 2003, pp. 570 and 575). Confusingly, in Volume 7, it is noted that the TRC received 21,290 statements and from these statements 19,050 individuals were found to be victims, with a further 2,975 victims emerging through the amnesty process (South African Truth and Reconciliation Commission, 2002, Volume 7, p. 1). If this is the final word on the matter, this means a total of 22,025 individuals were found to be victims by the TRC.

The statement-taking process was complemented by a public hearing process where some victims were given the opportunity to recount their stories in public. Over 80 public hearings took place across the country over the life of the TRC. Hearings generally lasted a few days, with a range of people (anywhere between 5 and 12) giving testimony each day and being cross-questioned by a panel of Commissioners. Overall 1,818 victims participated in the public hearings (van der Merwe, 2007) where some cases were selected as “window cases” from the original statements. The criteria used to select these public cases were, according to the

TRC (South African Truth and Reconciliation Commission, 1998, Volume 5, pp. 5–6), that the hearing should reflect:

1. Accounts from all sides of the political conflicts of the past.
2. The entire 34-year mandate period.
3. A spread of women as well as men, and the experiences of young people.
4. An overall picture of the experience of the region so that all people could identify in some way with what was demonstrated.

Interestingly, however, it has been found that white statement givers were four times more likely than African statement givers to be selected for public hearings (Chapman & Ball, 2007). The vast majority of those testifying in public and giving a statement were black Africans [only 4.6% of deponents in public hearings were white (Chapman & Ball)]. However, the disproportionate number of whites selected for public hearings suggests, either unconscious or wilful attempts to present a balanced picture of victimisation, perhaps in line with criteria one above.

Reparations

The TRC made a range of recommendations with regards to reparations in its 1998 reports. These included symbolic reparations (for example, erecting headstones, building memorials, renaming public facilities, a day of remembrance, etc.), legal and administrative interventions (for example, expunging criminal records, issuing declarations of death, etc.) and the need for exhumations, reburials and ceremonies. A number of community rehabilitation programmes were also recommended, and it was noted that these should form part of the general initiative to transform service provision in South Africa. These programmes included, among others, establishing local treatment centres for the survivors of gross violations of human rights, rehabilitation systems for perpetrators and their families and establishing self-sustaining community-based survivor support groups. There were also more broadly based programmes, such as setting up community colleges, establishing of housing projects and the rebuilding of demolished schools. A range of institutional reform measures designed to prevent the recurrence of human rights abuses were also recommended. These form part of the wider recommendations of the TRC.

Few, if any, of these recommendations have been acted upon. At the symbolic level, the new Freedom Park memorial site just outside Tshwane (formerly Pretoria) in South Africa is reported to be linked with the TRC's recommendations for symbolic reparations. It is a massive development that will not be completed until 2009. The 52-ha site includes a memorial with the names of all those killed in the various wars in South Africa, and will ultimately include a museum, an array of sculptures and various water features within botanic and reflective gardens. On the 10th Anniversary of the handing over of the TRC Final Report President Mbeki mentioned the development as linked to the TRC (Mbeki, 2005). Some of the material on the site such as government department reports (DACST, 2002), the Freedom

Park Web site and its newsletter (Govender, 2007) mention the TRC and symbolic reparations. The site has been used for ceremonies after the return of the remains of missing liberation fighters (Forbes, 2005) and healing rituals linked to cases associated with the TRC. The aim of these has been to “*contextualise* the emergence of Freedom Park in line with the recommendations of the Truth and Reconciliation Commission” (italics author’s addition) (Maluleke, 2003, p. 5).

The Freedom Park development, however, did not flow directly from the TRC. Essentially the TRC’s name has been linked into the developments, and the site, once established, was used for TRC-related ceremonies and symbolic forms of reparations. Its remit is also much larger than the TRC focus (for example, it includes information on genocide, slavery, the wars of resistance, the Anglo-Boer wars, the struggle for liberation, and the first and second world wars). The development of Freedom Park is closely tied to the establishment of the National Heritage Act in 1999 (Govender, 2007), which sought to reorientate remembrance away from apartheid symbolism. When Freedom Park was officially handed over (parts are still in development) to the nation on 12 December 2006, President Mbeki did not mention the TRC in his address (Mbeki, 2006).

The TRC made recommendations with regard to compensation. This came in two parts. First, the TRC, according to the legislation that underpinned it, had to consider what were called “Urgent Interim Reparations” (UIR). It was agreed that those found to be victims would be given an urgent one-off payment ranging from a baseline of approximately R2,000 (about US\$260, approximate exchange rate in late May 2008 for all figures below) up to R6,000 (US\$790) in exceptional circumstances. When the R&R Committee closed down in November 2001, the government had paid out more than R50 million in so-called “urgent payments” (about US\$6.5 million) to 16,855 of the 17,016 applications for UIR grants that the TRC had submitted (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 97). In July 1998 then President Mandela set up the President’s Fund and an initial R300 million was allocated to pay UIR. It is interesting to note that what was paid out only accounted for about 17% of the funds originally set aside.

Unfortunately, there was nothing urgent about the urgent payments. Regulations allowing for “urgent” relief were only promulgated in April of 1998, despite the TRCs having begun in December 1995. So-called urgent payment began in July 1998, about two-and-half years after the TRC began and only months before the TRC officially ended its victim work and submitted its first five volumes of the final report.

Second, the TRC made recommendations in its final report concerning long-term final reparations as it became known. The final report proposed that some 22,000 survivors should each roughly receive R17,000-R24,000 (roughly US\$2,250-US\$3,150) per year over a 6-year period; that is, a total of R477,400,000 million (US\$62 million) per year. This was at the time the equivalent of about 0.2% of government expenditure in total (based on 2000/2001 figures). This would have meant paying out approximately R2,864,400,000 (roughly US\$377 million) over a 6-year period. These payouts were in turn, according to the TRC, to be complemented by the other symbolic, reparative and rehabilitative measures mentioned above.

The TRC opted, in its final policy, for an approach that did not utilise a means test for each victim. Seemingly, this was dismissed owing to costs the test would incur and the resources necessary for grading the psychological and physical injuries of the approximately 22,000 victims. The policy states that relatively equitable urgent and individual financial grants for each person “found to be a victim” should be made available through the government.

Despite some announcements about a pending reparations programme after the TRC report was released in 1998, little happened for about 2 years. In February 2001, the government set aside an additional R500 million (US\$65 million) for final reparations. This was added to the roughly R250 million already allocated and not used for urgent interim reparations. In June 2002 victims’ groups applied more pressure, using the Promotion of Access to Information Act. They applied to the Cape High Court for an order that would compel the government to make available to them the draft policy, or if one was not available, to provide a date when it would be. A court date was set for August 2003.

Finally, on April 15, 2003 (over 7 years since the TRC had begun and over 4 years after the government had received the TRC’s first set of recommendations on reparations) South African President, Thabo Mbeki, announced that the survivors of apartheid who testified before the TRC would receive a once-off final reparations grant of R30,000 (about US\$4,000). This figure, to give some comparative value to it, was just under the average annual household income at the time. A total of roughly R575 million (US\$75 million at exchange rates on April 2008) would be paid to 19,050 victims, substantially less than the US\$377 million recommended by the TRC, and fundamentally different in structure to a quasi-pension scheme approach spread over 6 years. In fact, this means, based on rough calculations, that there should still be somewhere in the region of R175 million to R195 million in the President’s Fund that was not ever allocated to reparations.

Amnesty

By the end of the TRC process over 7,000 people – from the state security forces, “liberation movements”, right-wing factions and other ex-combatants – had applied for amnesty. In total, approximately 14,000 violations were recorded in the 7,115 amnesty applications (the figure of 7,115 is quoted in the South African Truth and Reconciliation Commission, 2003, Volume 6, p. 36), but in its initial reports it put the figure at 7,127 (South African Truth and Reconciliation Commission, 1998, Volume 1, p. 276). The vast majority of applications were from men, although it is difficult to assess directly as gender is not specified. It would seem that only 26 applications were from women, all coming from the liberation forces (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 265). A few IFP applicants implicated individual women in human rights violations but none came forward (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 340).

Based on independent research by the American Association for the Advancement of Science and the CSVR, the racial breakdown of the applications revealed that 58% of the total number of applicants were black South Africans and 39% white (Ernest, 2003 cited in Phakathi & van der Merwe, 2007). In terms of amnesty applicants, 73% of applications involved black victims (Ernest, 2003 cited in Phakathi & van der Merwe). It would appear that the majority of black applicants had targeted black victims (60.5%), but white amnesty applicants had almost exclusively targeted black victims (Ernest, 2003 cited in Phakathi & van der Merwe).

In various parts of Volume Six of its report (South African Truth and Reconciliation Commission, 2003), the TRC gives some figures of amnesty applications from different political groupings and states that:

- 998 persons who were members or supporters of the ANC or related organisations applied for amnesty for 1,025 incidents.
- 293 persons of the former government's security forces applied for amnesty with 256 (87.4%) being from the police, and only 31 from the South African Defence Force.
- 138 supporters and members of the PAC and/or the African People's Liberation Army (APLA) applied for amnesty, with six of the applicants claiming to be members of the Pan Africanist Student Organisation (PASO).
- 109 applications were received from IFP members.
- 107 applications for amnesty were received from members of rightwing organisations.
- One person applied from the Azanian People's Organisation (AZAPO), who was refused amnesty as his case was not deemed political.

At different points the TRC gives figures of the percentages or numbers of different groups receiving amnesty. For example, it states that in the PAC, APLA and PASO category, 138 individual applicants applied in respect of 204 violations. From this 155 (76%) were granted amnesty in respect of 80 separate incidents (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 375). In other cases it is almost impossible to figure out what percentage of applications received amnesty and despite my best efforts on numerous occasions to decipher the figures I have found it impossible to give definitive numbers. Others too have come to the same conclusion, noting that there is no consistency in the way in which the Commission describes the outcome of applications, making it impossible to compare the success rates of applications from the various perpetrator groups (Pedain, 2006).

The TRC Act compelled the Commission to hear applications in public if the act for which amnesty was sought was a gross violation. Incidents that did not constitute gross violations of human rights as defined in the Act could be decided "in chambers". Of the 7,115 cases 1,973 applications went through the public process, resulting in 1,167 amnesties being granted and 806 denied (Coetzee, 2003; Sarkin, 2004, 2007; South African Truth and Reconciliation Commission, 1998). Of the 806, 139 were cases where amnesty was granted for some incidents but refused on others (Sarkin, 2007). Of all applications, 65% were from people convicted and in jail (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 34).

A total of 5,489 applications were dealt with in chambers. (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 36), but again it is difficult to ascertain in how many cases amnesty was granted or refused. What is clear, however, is that the vast majority reviewed in chambers were rejected. Some were rejected because of incomplete information or because applications were badly filled in (Sarkin, 2007), but mostly because they were applications from “chancers” in jail or people “trying their luck” (Pigou, 2002a, p. 43); that is, individuals trying to frame common crimes they had committed as political, when this clearly was not the case.

So what can be broadly ascertained from these figures? First, the granting of amnesty in South Africa was not as extensive as it might first seem with just over 1,000 people receiving amnesty. It probably also comes as a surprise, certainly to many international readers, that the majority of applications were not from officials linked with the apartheid state. White members of state security forces, and particularly the SADF and IFP, were under-represented in amnesty applications (Chapman & Ball, 2007; Foster, Haupt, & De Beer, 2005). The result is that although substantial information was revealed by those who co-operated, much information still remains hidden (Amnesty International and Human Rights Watch, 2003; Bell & Ntsebeza, 2001; Pigou, 2001).

However, although the proportion of total applicants receiving amnesty was small relative to the total number of applications, it was often some of the most heinous political crimes that received amnesty, and the proportion of those receiving amnesty from the public hearings was fairly high. Don Foster, Paul Haupt and Marésa De Beer’s point out, based on figures that differ slightly from those given by Jeremy Sarkin, that if all the duplicate, withdrawn and technically or administratively refused applicants are taken out of the picture, amnesty was granted for 1,312 of 1,614 cases (Foster, Haupt, & De Beer, 2005). This means that 78.4% of amnesties were granted and only 21.6% refused (Foster, Haupt, & De Beer).

Crimes for which amnesty was granted included torture and murder, and in reading through the TRC Final Report I came across hundreds of cases set out in harrowing detail. These cases were heard in public as the legislation demanded, meaning South Africans were subject to the detail of many horrendous political crimes. Martin Coetzee summarises the extent of this process when he notes that the 1,973 public amnesty hearings took place in 267 venues across the country over the course of 1,888 days, during which the details of 2,548 incidents were discussed (Coetzee, 2003). This amounted to 11,680 h of translation carried out by 1,538 interpreters (Coetzee).

Conclusion

The South African TRC process opened up new possibilities within the field of transitional justice. It has also provoked debate about whether truth commissions can contribute to healing and reconciliation in societies struggling to come to terms

with a history of human rights abuse, as well as what they mean to victims who have to watch perpetrators of gross violations walk free. Directly linked to the issue of healing is the role of psychology and mental health initiatives in the process.

Very little theorising on the place for psychology and mental health work in essentially political processes such as truth commissions, or the field of transitional justice more broadly, has taken place. Throughout the life of the South African TRC, concepts such as healing and the role of psychology were contested, and they remain unclear within the broader transitional justice field. A core question is whether transitional justice processes can actually alter the effects of extreme political traumatising or if, indeed, it is their role.

The role of truth commissions has changed over the last two decades. Initially, truth commissions were largely understood as investigative mechanisms that had the primary aim of publishing an authoritative and factual report, with the societal impact of their information-gathering processes being given little attention (Hayner, 2001). Today there is a much greater focus on their social impact. The concept of transitional justice has become associated with a diverse set of nation-building projects and local understandings of the rule of law (Teitel, 2003b). The process of uncovering the so-called truth about the past has also started to become important.

Healing as a notion has become a core part of the critical discussion about the process and impact of truth commissions and transitional justice. In the South African case, the TRC Act does not mention the word “healing”. However, as TRC Commissioner Wendy Orr has noted, the concept became an integral part of the TRC’s discourse from early on (Orr, 2000b). This shift, its value and necessity, and the question of the social and individual impact of truth commissions, remain under-theorised and under-researched. The remainder of this book considers this very question.

Chapter 3

A Tidal Wave of Emotion

She sings in glaring colours. In violent colours. Colours of gore. Colours of today and yesterday. Dreamy colours. Colours that paint nightmares on barren landscapes. She haunts yesterday's reefs and ridges with redness.

Zakes Mda, *The Heart of Redness*
(Mda, 2000, p. 312)

Introduction

In late 1994, shortly after completing my training as a clinical psychologist and psychodynamic psychotherapist, I met with a friend and colleague for an informal discussion. My colleague was Paul van Zyl, who was to become the Executive Secretary of the South African Truth and Reconciliation Commission and later one of the founders of the International Centre for Transitional Justice in New York. At the time of the meeting he was a researcher working on political violence and based at the Centre for the Study of Violence and Reconciliation (CSVR) in South Africa. I recall asking him at the time if there were any new or interesting political or social developments on the horizon that he had heard about. He responded that various individuals within the Justice Department of the new South African government elected in 1994, along with some NGOs, were discussing the possibility of setting up a truth commission in South Africa.

I remember that moment well. I immediately questioned him on this 'idea' and he outlined some of the sketchy thinking at the time. More importantly, I recall thinking that the concept of a commission that would investigate the truth was one of the strangest – not to mention intellectually most imprecise – ideas I had ever heard of. The idea of investigating the whole truth about the apartheid past as if such a thing actually existed, at least theoretically anyway, was an anathema to me.

Just the same, I was fascinated by the idea, and my curiosity was further fuelled by his mention of the fact that the CSVR might be seeking additional staff to work on TRC-related projects as the process unfolded. He had a legal background and commented that the project was looking for a new staff member with a psychological

background and training, as the work would invariably involve dealing and working with people who had been victims of violence.

It was following this discussion, and despite some of my initial reservations about the concept of a truth commission, that I first started to read about strategies such as truth commissions and their possible usefulness in societies coming out of violence. Given my background in psychology, I was immediately drawn to reading about how survivors of political violence in other countries dealt with their suffering especially in the context of truth commissions (See, for example, Becker, Castillo, Gomez, Kovalskys, & Lira, 1989; Becker, Lira, Castillo, Gomez, & Kovalskys, 1990; Jelin, 1994; Kordon, Edelman, Lagos, Nicoletti, & Bozzolo, 1988; Lykes & Liem, 1990).

The most notable societies in this regard (at least those largely known about in South Africa at the time) were Chile and Argentina. The best known of the victims groups in these countries was undoubtedly the mothers (and grandmothers) of the Plaza de Mayo who began to meet every Thursday at 3:30 in the Plaza de Mayo in 1976, and subsequently for decades afterwards, to protest the disappearance of their relatives between 1975 and 1983 in Argentina. Their plight is well known the world over.

This initial exploration not only convinced me of the relevance and importance of work in this area but also helped prepare me for my interview for the post of Psychological Services Co-ordinator in the Political Violence Department at the CSV, for which I had decided to apply. After an interview process, I was offered the post and took it. Despite my initial reservations at the idea of a truth commission (something I knew very little about at that stage), the challenges I had learned about in my initial reading of the Chilean and Argentinean cases and the potential comparative lessons these cases represented for South Africa were sufficient to draw me into the process – a process that was to burgeon and grow both locally and internationally in ways I could not have anticipated then.

It is fair to say that at the time I had little concept of how significant the truth commission process in South Africa was to become. Over the coming years, I found myself immersed in the debates, developments and processes surrounding the Commission. The learning that flowed from this is explored in the remainder of this chapter and the book as a whole. However, the rest of this chapter specifically outlines some of my foundational experiences in and about the TRC process, and how these experiences shaped my thinking and ultimately the approach to dealing with mass trauma I will advocate in this book.

Foundational Experiences

When my work began at the CSV in 1995, I was involved in three primary strands of work. First, I was involved in developing a psychological and mental health focus on the forthcoming TRC. There was no precedent for such a focus in the country. This work required me to immerse myself in the truth commission debate more fully and to take an interest in policy and political and legal developments in that regard.

The shape, the legal parameters and the size of the TRC would inevitably have mental health implications for the process as a whole and those involved in it. This task also involved a significant amount of comparative and desktop research, and would ultimately lead me to write and publish extensively on the subject.

Second, I was drawn into a project known as the Human Rights Documentation Project (HRDP), which began in early 1995. At the request of Dr Alex Boraine, then Director of the NGO Justice in Transition (he would later become the Deputy Chairperson of the TRC and first President and co-founder of the International Centre for Transitional Justice), we began at the CSVr a process of documenting potential cases of human rights abuses, which could be used by the Truth and Reconciliation Commission (TRC) when it started. This was a particularly labour-intensive project in which a network of organisations and individuals was co-ordinated to document, from existing sources, cases of human rights abuses across the country. It required frequent visits to different regions, national discussions and meetings, as well as training and programme development work in which Paul van Zyl, Polly Dewhirst, Naseera Ali and myself were most involved, with a few others. In the end, the NGOs working on the project,¹ with the CSVr as one of the main agencies, managed to document the names and basic case details of 4,187 victims, 1,177 perpetrators, and 3,152 events concerning a human rights violation (Levin, Dewhirst, & Hamber, 1997). These files were handed over to the TRC in March 1996 (CSVr, 1996).

The third area of work I was involved in was the development of support services for victims who were to testify before the TRC when it was to start in late 1995. Influenced by what I had read regarding the Mothers of the Disappeared in Argentina and Chile I began to float the idea with colleagues that perhaps a similar self-help support-group process could be developed in South Africa for survivors of past political violence. As these ideas were germinating, a range of unfolding events helped turn them into reality.

In January 1995, a small group of survivors of apartheid violence who had personal or historical relationships with some individuals working at the CSVr accompanied a group of CSVr staff to Cape Town to lobby the Parliamentary Select Committee on Justice. The specifics of this discussion are not directly relevant to this book, but suffice it to say that this advocacy action was considered critical to getting the initial 'secrecy clauses' removed from the first draft of the

¹The organisations that coordinated in each region were: The Independent Medico-Legal Unit in KwaZulu-Natal; The Mayibuye Centre in Cape Town; The Centre for the Study of Violence and Reconciliation (CSVr) in Johannesburg; and the Human Rights Committee/Legal Resources Centre in Port Elizabeth. The Johannesburg group of the Human Rights Documentation Project (HRDP) included the following organisations: The Centre for Applied Legal Studies (CALS); the Institute for Democracy in South Africa (IDASA); the Southern African NGO Network (SANGONet); the Independent Board of Inquiry (IBI); the Mayibuye Centre; the Independent Medical Unit; the Human Rights Committee (HRC); Peace Action; Lawyers for Human Rights (LHR); South African History Archives (SAHA); the CSVr, and the Human Rights Institute of South Africa (HURISA).

TRC Act. If the initial draft of the Act had been accepted, then the TRC hearings would have been behind closed doors (Boraine, 2000, p. 64–70; Sooka, 2006) – a situation unacceptable to most victims.

Upon their return to Johannesburg, those in the group requested the CSVr to assist them in establishing a survivor support group. The CSVr agreed to help. A small group of survivors started to meet with staff at the CSVr in 1995 to discuss their concerns about the pending TRC. Most of these individuals, mainly women, had lost relatives in the conflict, generally at the hands of the apartheid-state security officials. By meeting as a group they wanted to share their problems and discuss how they could assist one another. Many were interested in bringing their cases before the TRC. In addition, the initial group of survivors wanted to ensure that the TRC process remained what they called ‘victim-centred’. At this early stage they also wanted to ensure that victims could have ongoing input into the unfolding legislative process that was to define the remit of the TRC. They also felt it was important to educate themselves about the TRC process and ultimately get the truth about what happened to their relatives. In addition, the idea also took root that that they themselves could offer self-help support to one another. The group began to meet regularly and eventually solidified into a so-called victims’ group known as ‘Khulumani’, which means ‘speak out’ in Zulu, as was mentioned in Chap. 1.

The process expanded rapidly and very soon became a central part of my practical day-to-day work. My initial idea had been to try and find a way to offer psychological support or to facilitate some of the meetings from a professional psychological perspective. However, in a short space of time as many as 50 survivors began arriving at meetings and it became impossible, given available resources and trained facilitators, to even consider developing such a process.

Terminology

Before exploring what unfolded with regards to the Khulumani process and more specifically my own psychological approach in more detail, it is worth mentioning that one of the first issues that struck me as the process began was the use of terminology, specifically the terms ‘victim’ and ‘survivor’. Those involved in the process often referred to themselves as ‘victims’. My psychological training meant I favoured the term ‘survivor’. The term ‘victim’ can be problematic as it implies passivity and lack of agency; ‘survivor’ is more empowering (de Ridder, 1997a). Although many of those in the group would go on to use the word survivor, it was not a word those in the group used at the outset of the process (if my memory serves me correctly). I recall doing a radio show with some members of the group and someone phoning in asking why the members did not refer to themselves as ‘survivors’. A group member answered rather poignantly that at that moment they still felt like victims of the past. This alerted me to the fact that the word ‘survivor’ in South Africa was not a form of self-definition following an atrocity. It is a term that

has been imported into local community parlance – it is certainly used now – by mental health workers. The line between being politically correct for the sake of being politically correct and avoiding some of the real issues facing victims can be a thin one. The term survivor can be empowering, but it can also be used to avoid talking about suffering.

The TRC Act that established the South African TRC speaks of ‘victims’. Victims were defined, within the parameters of the TRC, as all those who had suffered physical or mental injury, emotional suffering, or a substantial impairment of human rights because of gross violation of human rights (defined in Chap. 2) in the course of the political conflicts of the past. The Act includes both direct and indirect survivors in its definition of victims, i.e. those who suffered a direct violation and those who suffered indirectly such as an individual who lost a relative in the conflict. Whether the notion of victim should have been wider to include all victims of apartheid (victims of forced removals, for example) is a point for debate (see Chap. 8). Another point of controversy was that the TRC’s strict delineation of victims and perpetrators also meant it was hard to tell a story of armed involvement in the struggle for freedom in South Africa as a combatant and be seen to have been victimised at the same time, which was generally the case (de Ridder, 1997a). This is discussed in more detail in Chap. 4.

In this book, I will use the terms ‘perpetrator’ and ‘amnesty applicant’ as well as the terms ‘victim’ and ‘survivor’. I will use the term ‘perpetrator’ and ‘amnesty applicant’ reservedly, but largely to imply, in the simplest sense, those who have committed direct acts of violence against others. This does not preclude that they too were victims of certain acts, but I will use the terms with reference to the commission of their personal acts against others. I use the term ‘amnesty applicant’ when discussing an individual’s specific role in the TRC process. I use the term ‘victim’ when referring to the specific group of individuals as delineated by the TRC and when discussing the Commission in general, in reference to legislation or processes geared towards a constituency of individuals defined by acts committed against them where standard terminology exists (e.g. victims’ rights, victim compensation, victim support). I will reserve the term ‘survivor’ for talking about specific individuals and their cases, and when discussing individuals’ roles in healing and allied processes.

Theory and Practice Collide

The initial model that I used in 1995 when thinking about trauma took a fairly standard post-traumatic stress theoretical line, which reflected, at the time, the dominant thinking at CSVR and specifically the Trauma Clinic, which was part of the organisation. In sum, the model was cognitively based; that is that individual and collective emotional responses to political violence, like responses to trauma generally, could be understood to have a significant cognitive impact (Janoff-Bulman, 1985, 1992; Prout & Schwarz, 1991; Ramsay, Gorst-Unsworth, & Turner, 1993;

Scott & Stradling, 1993; Scott, 1990). The best known theoretical approach at the time, at least in South Africa, argued that trauma and violence shatter individual cognitive assumptions about one's own invulnerability and the world as a comprehensible place (Janoff-Bulman, 1985, 1992). In essence, this theory, which is well known in the trauma field, posits that it is cognitive distortions and the shattering of assumptions that result in the post-traumatic stress phenomenon.

There can be little doubt, certainly from my experience working with survivors of extreme violence that cognitions are affected by trauma and that trauma can destroy individual and social trust (Kaes, 1991 cited in Jelin, 1994). However, the dominant model of treatment at the time seemed to suggest that the symptoms (for example, self-blame, vivid re-experiencing of the event, fear, nightmares, feelings of helplessness, depression, relationship difficulties, anxiety, and even substance-abuse-related difficulties) were primarily what the psychological intervention needed to focus on. In line with the Trauma Clinic's approach – and much of the innovative work being developed in the Psychology Department at the University of the Witwatersrand where I had studied (Eagle, 1998) – I focused on enabling survivors to tell the story of the trauma, psycho-education regarding these symptoms, dealing with the survivors' guilt and self-blame, and normalising the symptoms as a 'normal reaction to an abnormal event' as is widely the practice in the trauma field. There was also an emphasis placed on regaining and encouraging mastery over the event (e.g. survivors were encouraged to mobilise existing support systems and to generalise their story telling to supportive others), as well as developing the capacity of the individual to derive some meaning from the experience in the long term (Eagle, 1998). The processes associated with mastery and creating meaning were seen as steps that came after telling the story, psycho-education about symptoms, normalisation, etc. I will return to these points in more detail in subsequent chapters, especially in Chap. 10, where I discuss the notions of mastery and social action.

However, it is important to note that at this stage in the development of my work and research, this model, which also informed my clinical practice as a psychologist, was fairly influential in my thinking at the time. I attempted to apply the model that largely had been developed for one-on-one clinical intervention to a group situation. In the early meetings of Khulumani, therefore, we first focused on the issue of telling stories. This was also something that the survivors themselves spontaneously wanted to do. Many of those present felt this to be highly beneficial (I discuss this below). However, after people had related their stories to each other, I also included a short input about the supposed impact of trauma, paying specific attention to the symptoms survivors might expect and the issue of the cognitive impact of trauma. If you like, I emphasised the importance of issues such as psycho-education regarding symptoms, dealing with guilt and self-blame, and normalising the symptoms.

The response to my inputs by survivors, however, was startling, albeit formative in the development of subsequent work. In short, my psycho-educational inputs were met with a deathly silence. In discussing this with some survivors afterwards and in the months that followed, it was apparent that the survivors in the room simply, it seemed, did not recognise themselves within the framework I proposed. Most, who had lost relatives sometimes decades before, or had been subject to

direct violence themselves, simply did not have the symptoms I was talking about – at least at that moment. They did not seem in need of any specialist psychological attention either, or did not want to acknowledge this. Their priorities – at least from what they told me – rested with the social, economic and political context.

Specifically, many were concerned with how they should respond to the forthcoming TRC in a real and practical sense, not to mention the fact that others had concerns about where their next meal would come from, let alone wrestling with the death of a loved one. They wondered how the TRC could be used to practically help them or deliver justice; or, given their levels of poverty, whether the TRC would in some way alter their social conditions. This is not to say that some of the individuals were not profoundly affected by past violence, or that many had not suffered a great deal (and some may well have been in a state of denial or repression of the impact of the past), but I was clearly not making headway with my initial psycho-educational approach. Intuitively, it seemed as if the traumatic experiences of those in the groups had to be tackled in another way, or the framework reworked, not to mention the fact that the dominant trauma model was possibly inappropriate given its focus on symptoms. This process was given a further push by the reality that the numbers of individuals arriving at meetings simply made any small, facilitated approach impossible. This problem was acute in the rural areas, where psychological support services were largely non-existent or wholly inaccessible.

Research carried out by the CSVr with survivors who testified before the TRC found that it was very common, following an incident of political violence (largely in the 1980s and early 1990s), for survivors to receive little or no official help (Hamber, Nageng, & O'Malley, 2000). Institutional and psychological support services were seldom forthcoming and, at a community level, for example, the police (certainly prior to 1994) were routinely felt to be unhelpful. In most developed countries, the ratio of clinical psychologists to population is about 1:4,000; in the early 1990s in South Africa it was approximately 1:304,000, (Lin, 1983, cited in Freeman, 1993) and it was estimated around that time that only 10.55% of psychologists in South Africa worked solely in rural areas (Pillay & Petersen, 1996). In the Northern Province of South Africa in the late 1990s, for example, there were no state clinical psychologists and only three private practitioners serving a population of 5.3 million.

As a result, the staff at the CSVr and I decided to channel our efforts away from providing trauma education and facilitating psycho-social support as initially envisaged. In its place, we developed a much more broad-based educational support-group strategy, which was to run parallel to the self-help support initiatives of the Khulumani victim support group that was actively recruiting members, sometimes door to door. It was clear that a far greater emphasis needed to be placed on self-help and traditional support structures (such as traditional healers, clergy, etc.) than on so-called 'professional support'.

The CSVr workshops explored the TRC and its potential relevance to survivors – psycho-education on trauma was shifted to education on the TRC specifically. In summary, most workshops began with people introducing themselves and saying what it was that had happened to them or their families in the past. This could be a

lengthy and emotional process depending on how many people were present (some meetings stretched across the whole day in the beginning). The narrating of stories and listening from others always seemed to be an approach survivors appreciated and found useful.

Thereafter, a video of survivors talking about their experiences and the benefits of developing their own self-help group was screened (Han, 1995). This was followed by a presentation (using large flipcharts) about the operation of the TRC. Group discussions about the video and presentations then followed. Participants also left the workshop with a comic book (van Zyl, Esterhuysen, Hamber, Dewhirst, & Meierhenrich, 1995) that summarised the key operations of the TRC in straightforward language. As was mentioned in Chap. 1, the CSVR ran over 200 workshops of this kind over a three-year period starting in June 1995. The Khulumani group grew rapidly. At the height of the TRC process, there were 35 Khulumani groups operating across the country as a powerful voice for victims in the TRC process.

Formative Experiences

On a daily basis I was in contact with survivors, discussing their concerns, hearing their stories and listening to their opinions. I was an active participant in the process, a practitioner and an action researcher. Furthermore, other staff and I began a process of recording victims' opinions of the TRC process in a variety of ways. For example, in developing the comic book, we held a range of focus groups, and we replicated this methodology with the development of the initial education video. The latter included the recording of hours of interviews with survivors.

These experiences started to add layers of complexity to my initial thoughts about the potential of and the need for the development of a range of victim support groups to be active in and about the TRC process. Not only did this have enormous practical implications as the process developed, but I also began to experience first hand the intricacy and difficulty of dealing with the long-term impact of political violence. Although clearly a focus on overt symptoms did not seem appropriate at this stage (or perhaps even correct in terms of what 'symptoms' were actually present), in terms of practical work it became glaringly obvious that deep and multifaceted psychological processes were at play for many of the survivors with whom we worked.

For example, the initial video documentary we produced focused on the story of Sylvia Dlomo-Jele, who had lost her son Sicelo in 1988. Sylvia was a founder member of Khulumani and central to its growth. Her son had been a well-known young student activist in Soweto in the 1980s. Although prominent in the country, outside of Soweto he was probably best known as 'the face of children' who were detained under apartheid (between 1984 and 1986 about 10,000 children were detained, Pigou, 2002b) after appearing on the 60-minute CBS documentary entitled *Children under Apartheid*. In this documentary he spoke – still a teenager – of being tortured in detention by the South African police. Less than two months later, he was found

dead in a field, shot in the head (see Pigou, 2002b, for more details on this case). The video we produced pivoted around the stories of Sylvia and Sicelo. Sylvia spoke eloquently of the experiences of her son and suspicions that the police had killed him.

However, as the filming process unfolded, it became apparent that more powerful psychological forces were at play. For example, during the filming she told the crew that she still had her son's briefcase from the time, but had never opened it. She said she would now like to open it, some six years on, with us present. It was agreed that this process would be filmed and the briefcase was opened. The conversation went as follows:

This is his bookcase [*touching briefcase*], which was closed for six years. We couldn't open it because it was locked, so we decided to take it to the locksmith, so that it must be opened. So as it is opened now [*opening the briefcase*]...I didn't know what was inside. This is a book I bought it for him [*opens book, title page "Mothers and Daughters" by Evan Hunter*]...[*lifting a pair of shoes from the briefcase*]...Do you remember these shoes...[*speaking to her husband*]...we bought them for him...he said any cheap shoes we must buy them, because we couldn't afford to buy shoes for him, so these were the cheapest shoes we could buy for him. I even said to him, "Son aren't you afraid that boys are going to laugh at you". He said, "Mummy, the only thing I am interested in is my education, I don't care what kind of shoes I am wearing"...[*lifts a chipped mug from the briefcase*]...this is the cup which he used to drink out of. He used to say a man mustn't get his tummy full of food, then usually he used to take black coffee. So this is what he believed in, taking a cup of black coffee...[*pauses, picks up some papers from the briefcase*]...Oh, my boy. These are his exam papers. Just look at this, 91%...that is what I expected from him...what a darling of a boy...oh, I so miss him (extract in Han, 1995).

This process surrounding the briefcase was a reminder of the depth, complexity and intricacy of processes at hand and captured the need for some survivors to open up the past and uncover memories. It also showed how different processes (other than therapy) could start to address (or at least discuss) underlying psychological issues. Her case was also to take a dramatic turn as the TRC unfolded. I discuss this at length in Chap. 8. The point at this juncture, however, is to highlight how complex the psychological process of coming to terms with loss can be.

In fact, when we made a second documentary of survivor experiences (Han, 1997), I had a similar experience. One of the main individuals in that film was Duma Kumalo, one of the so-called 'Sharpeville Six', who had spent six years on death row for a crime he claimed not to have committed (See Diar, 1990; Matshoba, 2002; Parker & Mokhesi-Parker, 1998). He also requested that a rather challenging personal experience be filmed. When we asked him where he felt he would like to relate his experiences, he said, first, that he would like to go to the place where the councillor he was accused of killing used to live. We filmed part of the initial narrative of his story in the empty space where the councillor's house used to stand (it was burnt down during an uprising in the township). Afterwards, he requested that we accompany him to the prison and visit his old cell but we could not get permission to do this in the end.

In another situation, I recall a young man getting very agitated in one of our TRC education workshops when he seemed to perceive the purpose of the workshops as a way of marketing a truth commission that might through its structure and political process ignore rather than uncover the past. He stood up and declared

(angrily) to all present that there would be no rest or reckoning until the ‘bones’ were put ‘here in this room’. I suspect he meant bodies of those disappeared or killed, or perhaps more metaphorically meaning that the consequences of past violence need to be ‘dug up’, acknowledged and placed squarely in the centre of discussions about the future. He was concerned politicians were approaching the whole endeavour with other motives. At other meetings as some individuals began to talk publicly, others would break down and start to shout at the top of their voices, overwhelmed by grief and emotional pain. Often women fainted with emotional exhaustion and my colleagues and I had to carry them from meetings, revive them, and then spend much time consoling them. Most often these reactions were simply spontaneous, somehow spurred on by the presence of others who had shared similar traumatic experiences in the past.

Pumla Gobodo-Madikizela, one of the TRC Committee members, relates experiences of meeting with victims in local communities in preparation for the TRC where:

One person after another got up to testify in an outpouring of emotion...The testimonies were hard to take in, and one couldn't help wondering: if the experience was emotionally heavy on us, the listeners, how much more so must it be for the people whom the trauma was embedded in their identity? (Gobodo-Madikizela, 2006, p. 82)

Truth Commissioner Wendy Orr, in the book she wrote about her experiences at the TRC (Orr, 2000a) also highlights similar experiences. She reflects on a meeting in Port Elizabeth organised by the NGO the Human Rights Committee, but facilitated by myself, a colleague (Tlhoki Mofokeng) and Wendy herself:

I had no inkling of the tidal wave of emotion that awaited me when I went to Port Elizabeth to participate in a workshop organised by the Human Rights Committee, at the Dora Nginza Hospital outside of Port Elizabeth. The large hall was packed with people who had been, or had relatives who had been, victims of human rights violations. The pain in the room was palpable and I wondered how on earth I was to contain it. I was close to tears myself many times that day...we somehow managed to hold it all together...by the end of the day, I was exhausted, but I knew this was merely a foretaste of what my life would be in the months to come (Orr, 2000a, p. 30).

This meeting took place in 1996, but her reflections capture much of my personal experience of 1995 as we prepared for the TRC. These brief examples highlight how the TRC process and the processes around it could, through their mere existence, re-voke memories of the past for individuals. The entire process was much more emotional than I had ever anticipated. In an attempt to understand the type of reaction and emotion we encountered daily, I began to explore some of the literature on the Holocaust, intergenerational transmission of trauma, and what Danieli calls the ‘conspiracy of silence’ that develops following severe trauma (Danieli, 1981, 1988, 1992). Some of this literature highlighted the dilemma for survivors of political violence of wanting to expose the truth and deal with past trauma vs. their internal desire for it to be left untouched or the need to ignore it (DesPres, 1976), not to mention the time it takes for survivors to deal with an experience of political atrocity. This was to become a major theme of my work over the years and is explored in subsequent chapters of this book.

Comparative Experience: Brazil

In late 1996, the extent and longevity of dealing with the legacy of political violence was to be made even more concrete for me when I was granted a fellowship opportunity to carry out research in Brazil for three months. During this time, I was based at the *Núcleo De Estudos da Viôlencia* (Centre for the Study of Violence) at the University of São Paulo.

My time in Brazil exposed me to a large number of South and Latin American academics focusing on the legacy and long-term lessons of political conflict, many of whom I would continue to meet over the years. It also afforded me the opportunity to visit and interview some of the families of those who had disappeared during the period of military rule in Brazil (1964–1985). Specifically, I met with members of *Comissão de Familiares de Mortos e Desaparecidos Políticos* (Commission for the Family Members of the Persons Killed or Disappeared for Political Reasons), an organisation of family members whose loved ones were killed during the military dictatorship in Brazil (1964–1985).

I met two of the group members in the kitchen of a small house in downtown São Paulo, Brazil. This house was the meeting place of the group. The kitchen was lined with filing cabinets that contained information collected by the families on some 400 cases of murder and ‘disappearances’. I spent 10 h talking with Criméia Alice Schimdt de Almeida and Janaína de Almeida Teles between 28 November and 4 December 1996. At the time this discussion was instrumental to my thinking and has shaped, ever since, some of my long-term views about what is needed to fully deal with the past, especially from the perspective of survivors.

Unlike in South Africa, there was no official investigation in Brazil following the military regime. Without any governmental support, it has been these families and human rights activists who have had to try to find information on the ‘missing’ and the dead. Some 20 years since the ‘disappearances’ the relatives are still trying to establish the truth about what happened to their loved ones.

During the period of military rule in Brazil thousands of citizens were persecuted, forced into exile, murdered and tortured. The official lists compiled by human rights organisations report thousands of cases of torture, 262 people murdered and 144 missing (Comissão de Familiares de Mortos e Desaparecidos Políticos, Instituto de Estudo da Violência do Estado, & Grupo Tortura Nunca Mais, 1996; Comitê Brasileiro Pela Anistia Secção do Rio Grande do Sul, 1984). Torture, particularly, was used extensively in Brazil. Much of the history describing this torture is documented in a book entitled *Brazil: Nunca Mais* (Brazil: Never Again) (Weschler, 1998). This book, as many scholars and professionals in the transitional justice field will be aware, contains a fascinating description of how *Brazil: Nunca Mais* was compiled. It is largely written from official court proceedings of the military court cases. This entailed, whilst the military was still in power, photocopying over 1 million pages of information without the knowledge of the officials and collating it secretly. The book was compiled by the Catholic Archdiocese and analyses over 700 formal cases of torture tried in the military courts. The report identifies some 1,843 prisoners who were tortured by the military regime. It is estimated that hundred

more cases have never been reported, and it is noted in the report that at least 17,420 individuals were caught up in the military justice system in one way or another during the military regime (Weschler, 1998). The book also includes descriptions of 283 types of torture used by the military during the 1964–1979 period.

Relative to other countries in South America, these figures, and particularly the number of people who disappeared, are comparatively low. However, comparisons to the unofficial ‘30,000’ disappeared in Argentina are of little comfort to the relatives who feel that the atrocities committed by the Brazilian government have received little attention since the passing of a general amnesty in 1979. The amnesty-granting process in Brazil is a detailed and complex one (cf. Roelofse-Campbell, 1996), but the key point for this discussion is that the amnesty passed was in the words of President Geisel, ‘ample, general and unrestrictive’. In effect it was a ‘blanket amnesty’ without full disclosure or compensation for victims.

This blanket amnesty, coupled with there having been no investigation into the past by the old or new governments, has meant that an official truth was never uncovered in Brazil. As a result, the families of survivors continue to seek the truth and draw attention to the numerous atrocities perpetrated by the past government despite the fact that a civilian government was instated in 1985. At the time when I interviewed the group members the *Comissão de Familiares de Mortos e Desaparecidos Políticos* in São Paulo managed to get the government to finance an expedition of the internationally known *Equipo Argentino de Antropología Forense* (Argentine Forensic Anthropology Team or EAAF). This group excavated several suspected burial sites of guerrillas killed in Araguaia, a remote forest area in Central Brazil near the Araguaia River, from which a few hundred leftist guerrillas operated trying to overthrow the government. Three bodies were recovered but the bone marrow required for verification was missing in two of the bodies. In other cases, it has been reported for example that hands were removed so as to make identification difficult (Roelofse-Campbell, 1996).

Groups like *Comissão de Familiares de Mortos e Desaparecidos Políticos* in Brazil are not uncommon around the world and such organisations have emerged in at least 16 countries, with the *Madres de la Plaza de Mayo* in Argentina being the best known, as previously mentioned. Groups exist in almost all Latin American countries and have also been established in African countries such as Chad, Ethiopia and Morocco. Similar groups also operate in Sri Lanka, the Philippines, Turkey, Croatia, Algeria and China. Most of these organisations have developed spontaneously like the Khulumani Victim Support Group. Their roots often lie with relatives who have met as a result of their common experiences. Stories of meeting one another at government offices and police stations while seeking information about their loved ones are common.

The aims of victim or survivor self-help groups can be diverse like their membership and the degree to which each sees its objectives as political, supportive or both may vary. Although many offer direct support and services to their members (e.g. counselling and befriending), most have broader goals of continuing the fight for recognition, acknowledgement, reparations, truth and justice in the post-conflict phase. Generally they serve as:

- A forum for joining together and recognising that others have had similar experiences and have common problems.
- A place for friendship, companionship and emotional support.
- A forum where first-hand experiences of support outside the group through other agencies can be shared and broader coping techniques exchanged.
- A safe place to recount events and break the cultures of silence that are common in conflict situations.
- A possible vehicle for social change and for lobbying and advocacy to get authorities to address their needs and those of other survivors.
- A means of raising awareness about exclusion and the ‘forgotten victims’ of a conflict.
- A forum for networking about how to access resources, health care, support services, housing, employment and welfare benefits.
- A focal point for information exchange and personal education about the predicament in which survivors find themselves.

In Latin America, it has been found that survivors generally place the need for truth, social and psychological rehabilitation and acknowledgment before the need for compensation. Similarly, for the *Comissão de Familiares de Mortos e Desaparecidos Políticos* in Brazil, truth and acknowledgment of the hardships they have experienced has always been placed before the need for compensation. There have been several attempts to offer compensation and limited investigatory processes, most broadly unacceptable to many survivors. The details of these are beyond the scope of this work. A host of civil society groups have themselves taken on parallel investigative processes over the years (Backer, 2003, he lists nine large initiatives of this nature).

One of the most well known of these groups is the Project to Recover the Historical Memory (REMHI) in Guatemala, which, through the Archdiocese of Guatemala City, collected over 6,500 testimonies of people affected by the conflict in Guatemala (Arzobispado de Guatemala, 1998). In Brazil, there was the ‘semi-official’ *Brazil: Nunca Mais* project (Bronkhorst, 1995) mentioned above which, when it was published, sold some 200,000 copies. It was a substitute (in part) for the fact that there has never been a large-scale publicly sanctioned truth recovery process. According to Criméia Alice Schmidt de Almeida, any processes that had been set up in Brazil would be used by the group but they would ‘continue the struggle for the truth for another 20 years’. She went on ‘The history of our struggle is long, compensation has never been our main goal. The question of justice is always at the forefront. We are like ants, we are patient and build in small amounts... we are always there’. This longitudinal view is common in Latin America, probably best embodied in the struggles of the *Madres* in Argentina for the last few decades.

Needless to say, this determination is not always well received by authorities and wider society. The government and even some previously sympathetic members of the society now refer to the group as ‘dinosaurs’. They are seen as harping on the past. Many Brazilians are tired of these mothers who will not be appeased or who cannot forget. This is reminiscent of the *Madres* in Argentina who are sometimes referred to as *Las Locas* or the ‘Crazy Little Old Ladies’ of the *Plaza de Mayo*.

Meeting the Brazilian mothers was one of my first substantial experiences of the politics of victimhood and transition outside of South Africa, and specifically how the process for individual survivors and for the society at large (and politicians) moves at a very different pace. Although in South Africa at the time, with the TRC still unfolding, the concerns of victims were fairly high on the political agenda, it did leave me wondering when society would tire of the voices of the past, which was the topic of a newspaper piece I wrote at the time. The idea of society tiring of hearing of past suffering brings to mind social psychological work on the ‘just world hypothesis’. This hypothesis, well known in the social psychology field, demonstrates the centrality of a view that ‘individuals have a need to believe that they live in a world where people generally get what they deserve and deserve what they get’ (Lerner & Miller, 1978, p. 1030). One of the manifestations of this is blaming victims even if there is no justification to do so (Dalbert, Lipkus, Sallay, & Goch, 2001). On the basis of this view, throughout the process at the time, I was mindful that it was more than likely that victims would be seen as responsible for their own suffering so that others in the society could maintain their own illusion of invulnerability and minimise their sense of responsibility to help the survivors of violence (Janoff-Bulman, 1992).

To some degree the South African TRC process militated against this by publicly discussing blame, labelling responsibility for violence and offering some support through the TRC. However, as the relatively successful negotiations concluded and South Africa ostensibly became a ‘just’ place, it was also predictable, if the ‘just world hypothesis’ is correct, that action would have been taken by the populace to correct any perceived injustices. Put another way, in a society like South Africa, where the political transition process happened fairly smoothly, the dissonance between the ongoing needs of victims and the new ‘just world’ created by the negotiated transition would demand ‘cognitive’ attention. This could very easily result in survivors being stigmatised for being manifestations of a malevolent universe rather than a benevolent one (Janoff-Bulman, 1992). Victim blaming, especially if survivors continued to publicise their plight as groups like Khulumani continue to do to this day, could be expected. This was to become very evident in the reparations debate in the years to come, an issue discussed in Chap. 6.

At a political level, my comparative work in Brazil led me to conclude that it was also likely that the process of politically coming to terms with past violence through negotiation was going to move at a different pace to the individual process of dealing with personal loss, emotional pain and grief. Thus, society at large – if the Brazilian experience was an indicator – would at some point feel that survivors needed to stop reminding them of the horrors of the past and ‘move on’ toward ‘closure’. This concern with the contested nature of ‘closure’ and ‘moving on’, and the gap between the individual and political and social processes of addressing a violent past, would remain a consistent theme in my work over subsequent years. This will be evident throughout this book, and specifically in Chap. 5.

In addition to the points made about the challenges for survivors having to deal with extreme political traumatisation, part of my research also investigated the intersection of criminal and political violence in countries coming out of violence. Although at first this seemed tangential to my work on survivors of political violence, as I show in Chap. 9, the changing nature of violence post-settlement is important in

thinking about what transitional justice processes can achieve. In brief, violent trends within societies can continue and be legitimised after political settlement even where a decrease in or end to the so-called 'political' violence has taken place.

For example, in Rio de Janeiro at the time of my stay in Brazil, a tough crime-fighting approach had been adopted specifically targeting so-called delinquent youth. Policemen were given pay rises of up to 150% for 'bravery'. It was argued that this resulted in an increase in the 'execution' of suspected criminals and arbitrary killings by the police of young people (Economist, 1997). The number of lynchings (i.e. public executions or assault for suspicion of criminal activity), where people had taken the law into their own hands against suspected criminals, had also dramatically increased in Brazil over the years (Pineiro, 1996). Several academics, activists and authors in Brazil see the ability of the state and citizens to carry out this type of anti-human rights action as linked to the past levels of impunity, unbridled political violence against citizens, and what has been termed 'socially rooted authoritarianism' (Adorno, 1995; Cardia, 1996; Pineiro, 1994).

It is maintained that the reconstruction of a democratic society in Brazil since the dictatorship has not been rigorous enough to contain the arbitrariness of the violence of the agencies of public order (Adorno, 1995). Similarly, it is argued that the return to democratic constitutionalism has done little to eradicate authoritarian practices embedded in the state and society (Pineiro, 1996). The concept of socially rooted authoritarianism in Brazil is seen as having its source before the dictatorship and is embodied in a range of social, political and cultural practices. It is considered to precede and survive the authoritarian regimes and is independent of political periodisation (Pineiro, 1994).

Although Brazil is not directly comparable to South Africa, my research there highlighted the way violence can change, develop and continue even in very different political contexts (meaning a shift from the more politically orientated violence during the dictatorship to violence against and by criminals when there is no longer a dictatorship). This was important as it is often in the post-transition context (sometimes typified by criminal and not overtly political violence) that debates on how to address the needs of survivors takes place. The dilemma of a society in transition is that the development of new norms (both legal and social) takes place in a context of extreme uncertainty when the 'new rules' of the society are in a state of flux. This can have a number of implications for the society. Current priorities (say, criminal violence or ongoing socio-economic concerns) can divert attention from survivors of past violence, thus impacting on the healing processes of survivors of political violence. These important shifts and their relevance to thinking about the impact of truth commissions are discussed in Chap. 9.

Conclusion

What the early years of the TRC and my work in Brazil taught me was that the past, as simple as it sounds now, can not be ignored. There were numerous experiences, in fact too many to count, where the 'tidal wave of emotion' that Wendy Orr (Orr, 2000a, p. 30)

mentioned above simply flowed out at the slightest provocation. At a wider level the TRC was engaging with this across the country. It is, as the TRC acknowledged, impossible to create in words 'a complete picture of the pain and suffering of the many thousands of victims who came forward' (South African Truth and Reconciliation Commission, 2002, Volume 7, p. 3). I have not attempted to create this full picture in this book, but rather to provide some markers of it. Like the Buffalo Thorn branch mentioned in Chap. 1, which is symbolic of loss, so too are the cases presented in this book. Like the ritual burial branch, they concern processes that move well beyond the symbolic to the core of how humans come to terms with profound loss and suffering. In the next chapter, I turn to the role psychologists and mental health workers can play in such processes by specifically analysing how mental health issues were taken into consideration in the South African TRC.

Chapter 4

A Place for Healing

I told them [the police] that if my body had a zip they could open the zip to see how I was aching inside.

Ms. Hawa Timol
TRC Hearing, 30 April 1996

Introduction

In July 1995, I was asked to speak publicly on a psychological perspective of the South African Truth and Reconciliation Commission (TRC) for the first time at an international conference in Cape Town. This was my first opportunity to begin to collate some of my thoughts and research on, and experiences of, the beginning of the TRC process. The conference paper (Hamber, 1995a) argued for a comprehensive mental healthcare programme for survivors of past political abuse. In addition, I argued that the TRC offered a unique opportunity to develop, provide and sustain much needed psychological services at the same time to contribute more broadly to the process of reconciliation in South Africa. It was also the beginning of the initial consolidation of some of my thinking with regard to the healing potential of processes like those that the TRC offered.

This chapter outlines some of this initial thinking and then traces how the TRC dealt with the issue of mental health. It essentially assesses the contribution of the TRC to individual healing.

Do Sleeping Dogs Lie?

Several weeks after the delivery of the conference paper mentioned above, I extended my conference paper into a larger paper entitled *Do Sleeping Dogs Lie?* (Hamber, 1995b). This paper drew on the theme of whether a traumatic past does, at least at an individual level, need to be dealt with or not. The title of the paper was taken from some of my experiences in the education workshops discussed in Chap. 3.

On one occasion, a young man said that he was in favour of a truth commission uncovering the truth about the past. However, he casually added that he did not want it to reveal specific truths. He went on to say he suspected that another young man (from a rival ex-combatant or paramilitary group) with whom he now worked on a job-creation programme, had killed one of his family members. He stated plainly that if the young man with whom he now worked admitted before a truth commission to killing one of his family members, he would have “no choice” and would “have to kill him”. If the young man did not admit it openly, he added, he felt he could go on working with him. This was a small foretaste of the seemingly paradoxical desire to simultaneously reveal and hide information about the past.

In another workshop, another young man from the townships who had listened to my initial input asked me, “Why don’t you just let sleeping dogs lie?” I immediately responded by asking if he thought sleeping dogs did indeed “lie”. Much discussion ensued. In an odd way, the idiom became a core organising idea for some of my early work. Drawing on the literature and clinical findings that remembering can be part of recovery from extreme trauma (Garland, 1998b), as well as my own practical experience at that time, I concluded that survivors of traumatic events and, more broadly, governments in transformation from past political conflict like South Africa’s, are often urged to *let sleeping dogs lie* or to *let bygones be bygones*. However, psychologically speaking *sleeping dogs do not lie*; past traumas do not simply pass or disappear with the passage of time. Psychologically, the past can never just be ignored and past traumas can always be expected to have emotional consequences for an individual.

My 1995 paper, *Do Sleeping Dogs Lie?* also explored other themes that I subsequently developed over time and that are the focus of much of this book. Specifically, the paper considers the healing potential of truth commissions, the value of reparations for victims of political violence and the potential pitfalls for victims when amnesties are granted to perpetrators of human rights violations. It also highlights the danger of the TRC being overly involved in the legal, logistical and political issues at the expense of the key psychological aspects of the process of reconciliation, especially for victims. It calls for a concerted effort by the architects of the TRC to develop social services to run parallel to the TRC. Although this may now seem to be a fairly obvious concern, it needs to be put in context.

When the TRC began, a range of debates were taking place about how it should ultimately operate. This debate was dominated by politicians and legal scholars, many of whom were making public claims that the TRC could contribute to healing (Asmal, Asmal, & Roberts, 1994; Boraine, 2000; Boraine & Levy, 1995; Boraine, Levy, & Scheffer, 1994; Simpson & van Zyl, 1995) and was worthy of public support for this reason. Psychologists, too, were making these assertions. Lesley Swartz and Gerard Drennan (2000) note how, during an international psychoanalytic conference in 1998, a number of foreign and ex-South African psychotherapists and psychoanalysts who had attended some TRC hearings made claims about its mental health benefits without any evidence.

However, some of the earlier conferences held around the formation of the idea of a TRC touched on mental health issues directly (Bosset, 1995). At these events, concern was expressed about overinflating the benefits of the TRC for individuals. I myself was optimistic (probably overly so) that a truth commission could “liberate individuals and broader society” from a skewed view of humanity, but also recognised that “in itself it was not sufficient to meet these psychological needs” of individuals (Hamber, 1995b, p. 3). In mid-1995, I made a range of specific suggestions (Hamber) in terms of support services that might need to be put in place once the TRC began if the individual psychological benefit was to be maximised. These were:

- (a) An audit of existing services in order to establish what services were available and where additional services might be necessary.
- (b) A network of mental healthcare providers to support those giving testimony because the testimony-giving process built into the TRC could be expected to be insufficient to address all the psychological processes necessary for complete psychological rehabilitation.
- (c) The TRC staff (fieldworkers, investigators and Commissioners) were to be equipped with the skills to identify signs of trauma in order to refer people in need to appropriate support services to enable their limited interactions with the TRC to be as beneficial as possible.
- (d) A pre-testimony briefing to prepare survivors for the ordeal of testifying and then a debriefing following testimony in case difficult feelings were evoked in the process.
- (e) The development of “survivor groups” of direct survivors and the relatives of persons lost and victimised during political struggle as a vehicle for self-help and community-based support.

In the months that followed the start of the TRC, I developed these ideas. However, it is also true to say that by the time the TRC began, a range of organisations across the country were considering the impact the TRC might have on the population and, specifically, on those testifying. The need for additional support services was recognised by a range of key stakeholders and organisations prior to the establishment of the TRC, and several submissions, including one from the CSVR where I worked, were made to the TRC at the start of the Commission (Centre for the Study of Violence and Reconciliation, 1995; Kwazulu-Natal Programme for Survivors of Violence, 1995; Mental Health Response, 1996). The Trauma Centre for Victims of Violence and Torture hosted a range of workshops in 1995 and 1996 to sensitise mental health workers to the issues the TRC would raise (de Ridder, 1997a, 1997b). In the Western Cape, a network was set up of mental health professionals known as the Mental Health Response to the TRC which included psychologists, social workers and institutions from the non-governmental and government sectors, which offered services to survivors going to the TRC (de Ridder). These interventions, along with others, were critical in putting the issue of mental health on the TRC’s agenda.

The Burdens of Truth

Remarkably, as the TRC began its operations in December 1995, several of the processes and support services that I and others had recommended were set in motion and began to unfold in its first year. However, this did not happen without lobbying. Initial proposals were received with a degree of ambivalence and lack of funding, time constraints and resources were continually cited as limiting factors (Walaza, 2000). There was even a debate within the TRC about whether they could offer support services as it was not in their written mandate (discussed later in this chapter). The Commission did, however, employ “debriefers” to assist those testifying, and a psychological component was included in the statement-taking training (discussed below). The Commission also employed a mental health specialist, Thulani Grenville-Grey, who had responsibility for overseeing support to those testifying and for developing support services for TRC staff who might find it difficult listening to harrowing accounts of the past.

The beginnings of these psychological support services within the TRC provided me with my first substantial focus of research on the TRC. Essentially, I set out to evaluate the support initiatives that were set up. This seemed critically important in terms of improving these services as the TRC unfolded, but it also had implications for the so-called “truth commission debate” internationally, as similar commissions were beginning to be discussed in other societies.

The results of my initial evaluation of the support services offered were published in 1998 (Hamber, 1998a) and the research that informed this took place throughout the period 1995–1997, as the psychological support services running parallel to the TRC were unfolding. Despite the TRC not primarily being a mental health process, it was clear at that time that one of the justifications for the TRC process was indeed posed in psychological terms; that is, many who argued for the TRC clearly stated that they felt it had a healing potential (e.g. Tutu, 1999), as was also mentioned above. In addition, as has been stated, the TRC had begun at this time to set up services and supports aimed at ensuring that the survivors and the families of the victims received adequate psychological support.

The evaluation uncovered that there was inadequate follow up, limited referral and only sporadic support of individuals who had testified or made a statement to the TRC. In some areas – the Western Cape, for example – a formal partnership between mental health support organisations and the Commission existed resulting in the TRC in the region making numerous referrals of victims to support organisations (de Ridder, 1997a, 1997b). In contrast, in Gauteng, fewer referrals were made and a limited number of individuals received counselling services or, at least, were referred to those offering support. Research with a number of survivors subsequently has highlighted that most victims did not recall receiving an offer of counselling during the statement-giving process (Picker, 2005). Whether this was indeed the case or not, it was the view of most mental health workers at that time that the TRC did not utilise all avenues for support (which were generally free of charge) or build extensive networks of service providers during its first 18 months of operation.

In retrospect, I think that some of this was linked to the fact that the TRC did not want to be seen to be endorsing specific NGOs. Alex Boraine, Deputy Chair of the TRC, made this point with regard to civil society participation more broadly, noting that Commission was hesitant to engage with certain civil society groupings in case it opened the Commission to accusations of bias, especially those with certain political leanings (mainly left) (Boraine, 2000, p. 65). This was linked to ongoing public criticisms from the right wing that the TRC was biased.

A further weakness of the process was that perpetrators were largely neglected from a psychological perspective. The amnesty process has been described as an intense and punishing process (Lax, 2004). Following interviews with 34 individuals who could be classified as political perpetrators in one way or another in South Africa, Don Foster, Paul Haupt and Marésa De Beer conclude that there was no consistent pattern with respect to emotional sequelae, although some struggled to deal with their guilt, others were depressed and some displayed classic post-traumatic stress disorder (PTSD) symptoms (Foster, Haupt, & De Beer, 2005). Others have noted that many amnesty applicants underwent divorces and suffered psychological problems as a result of testifying (Lax). Some perpetrators presented at various institutes for counselling and support, but a large-scale focus on them and their families was limited. Support for the families of amnesty applicants, who must have been confronting a range of psychological issues and ambivalences, remained sorely neglected and has been to this day. Perhaps this is due to the moral complexity of treating perpetrators in a country emerging from violent conflict. During the turbulent times of apartheid, the plight of survivors was prioritised by most organisations. The limited focus on perpetrators was partly because many organisations (the CSVr included) had only recently started to work with them – especially from the state and the security forces – and the experience in this area was not extensive. In addition, the operations of the Amnesty Committee and its quasi-judicial process made access to perpetrators and their families difficult. In practice, certainly when it came to the liberation forces (ANC and its allies), the line between victim and perpetrator was a difficult one to draw as was mentioned in Chap. 2. Many of those who received support at the CSVr could have been viewed as being on both sides of this line at one and the same time.

A good example of the blurring of the concepts of victim and perpetrator is the youth who were involved in intra-community conflict in the early 1990s in townships, which was largely characterised by conflict between the ANC and IFP and claimed about 15,000 lives between 1990 and 1994 – as was outlined in Chap. 2. This group had limited interactions with the TRC in part because the IFP had initially lodged a blanket objection to the Commission (Bell & Ntsebeza, 2001), and only allowed its members (mainly combatants) to engage in the amnesty process late in the day. An assumption implicit in the TRC was that, at least to some degree, there were two sides to the conflict and that there were two main categories of protagonists; i.e. victims and perpetrators (see Foster et al., 2005, for a detailed discussion on the dilemmas of the perpetrator and victim labels). The reality was, however, that as the TRC unfolded, a complex set of relationships and roles surfaced.

Briefing and Debriefing

The TRC provided what was referred to as “briefing” and “debriefing” sessions for those testifying before it and the TRC hired staff members known as “briefers” to conduct these. In many senses, briefing and debriefing became the major direct psychological intervention that the TRC undertook, with limited referral to NGOs offering counselling services. It should be added that at that time, the mid-1990s, this was also a fairly unique intervention, albeit limited in its depth. It is now fairly a common practice in processes such as the International Criminal Court (ICC) to set up some form of victim support (e.g. the Victims and Witnesses Unit of the ICC), be it legal or psychological. In South Africa at that time this was unheard of.

The intention of the briefing sessions was to ensure that witnesses had sufficient information about the legal implications of their public testimony, such as the naming of perpetrators, and that they were psychologically ready to testify. This should not be confused with “critical incident stress debriefing” (Mitchell, 1983; Mitchell & Everly, 2001) as a psychological technique that was discussed in Chap. 2. The briefers of the TRC essentially accompanied the witness during the hearing and provided ongoing support. As a result, briefers became known as “cry people” as they were regularly seen comforting witnesses during harrowing emotional testimonies.

The briefers were not psychologists or social workers, although most had some basic psychological training or counselling skills. They were given some additional training by the TRC and other support organisations. This training included some elementary information on PTSD, some gender awareness skills and some basic counselling skills. A creative initiative to use community-trained briefers was also undertaken. In communities, people were identified who could be trained and used in the briefing process and support the witnesses after the hearing. Individuals recognisable to the community, such as leaders and clergy, were chosen to be trained. These individuals played a critical role in the hearing process.

The training of briefers, however, was not uniform in each region and differed in content and intensity. There were differences in the competencies of the briefers and their levels of experience in dealing with traumatised individuals. This resulted in differential levels of effectiveness in terms of their abilities to deal with the psychological problems of the witnesses and those people interacting with the TRC. Nevertheless, it appears as if the briefing/debriefing process of those at public hearings was of assistance to the witnesses. It provided some form of psychological holding and containment for those testifying and was generally appreciated by survivors and family members of victims.

The briefers were also responsible for referring those who needed ongoing support to psychological support service providers. As a result, some referrals to support services occurred through this process – although this was not extensive or well organised, as was mentioned earlier. In fact, long-term followup of individuals at that time or beyond was almost non-existent. Few if any witnesses were consulted about their mental health status after the life of the Commission by any official state structure. One of the constant complaints of members in the groups with which I worked was that they received very little information about their cases on an ongoing basis.

There are a large number of survivors and families of victims who accuse the TRC of opening old wounds and then failing to support them in dealing with their pain. This is discussed below.

Limited Psychological Focus

So, even though there were some broadly psychologically based (or linked) interventions, they were limited in quality, reach and scope. The reasons for the limited psychological focus were many. One of the major factors was that it was not clear whether the TRC actually thought it should offer psychological support, at least in the initial period. There was a debate within the TRC as to whether it should offer any psychological support to those testifying because, as one Commissioner put it to me at that time, “it was not part of the TRC’s stated mandate in the Act to establish psychological support”, an ethically dubious argument at best. Other mental health workers were told the same thing (Walaza, 2000).

In the end, the TRC did, however, employ a mental healthcare specialist and other staff to take care of the TRC staff and those testifying, as I have noted. This provided some support but was limited inevitably by the fact that there was only one person expected to offer or coordinate all the necessary support. For example, the establishment of a dedicated and well-staffed victim liaison unit or support structure as seen in other processes (for example, the Commission for Reception, Truth and Reconciliation in Timor-Leste had a Reception and Victim Support Division) that only focused on victim support was not considered, to my knowledge. In fact my recommendations and those of others at that time were fairly modest with regard to psychological support, and we did not even venture down the road of demanding a fully fledged victim support unit.

Other reasons for the limited psychological focus included the inadequate availability of resources, as well as the daunting task of following up all the witnesses personally and the limited availability of psychological services in the country as a whole (mentioned in Chap. 3). A further reason may be that directly after the hearing – and the debriefing sessions – most of the witnesses appeared to be psychologically intact. The adrenaline-filled and cathartic experience of testifying publicly, although no doubt traumatic in itself, often initially masked the long-term or deeper psychological issues that were at play. Many of us working in the area observed that it was often months and sometimes years after the hearing that psychological problems began to emerge (I discuss this in more detail later in this chapter).

A further limitation was that briefing services were largely supplied only to those who had public hearings. In fact, one of the largest international misconceptions of the South African TRC is that all the victims gave their testimony in public, when in reality only about 1,800 people did so. The majority of survivors and families of victims only gave a statement to the TRC and it was seldom that these individuals were seen by briefers. The majority of survivors who interacted with the TRC spent 1–2 h with the Commission’s statement takers. The Commission itself noted that

statement takers represented victims’ “first and often their only face-to-face encounter with the Commission” (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 5).

Statement Taking

The statement takers who were employed by the TRC generally had a much lower degree of psychological knowledge and experience than the briefers, thus making their interactions with the survivors arguably less beneficial psychologically. To address this, statement takers were trained by the TRC and NGO specialists. I helped run this training with Thulani Grenville-Grey, Zena Williams and Thembi Ramagopa. This training focused on the psychological importance of the story-telling process and offered some basic psychological knowledge of dealing with individuals who had been victims of violence. The statement takers were also responsible for identifying those who needed psychological support and then making the appropriate referrals – in some regions they were trained in referral making skills (Orr, 2000a). To this end, the training of statement takers can be thought of as an additional psychological intervention of the Commission.

Internal to the TRC, particularly in the early stages, there was, however, disagreement on how the statements should be taken, and this impacted on the potential psychological value of the statement-taking process. The investigators often demanded a police-style, fact-driven statement whereas other workers from psychological backgrounds wished to focus more on the psychological importance of story telling and narrative. These tensions compromised the ability of the statement-taking process to be used in the most beneficial psychological manner.

It should also be added that as the pressure to increase the number of statements mounted, the TRC also began using what were called “designated statement takers”. These were individual volunteers within community organisations who were trained to take statements and given a basic training overview of the psychological importance of their job. In 3 months, these individuals collected 4,000 statements (Boraine, 2000).

Ultimately, under pressure from lawyers and investigators within the TRC, all statement takers whom we had initially trained and whose training had originally emphasised documenting the victims’ narratives and addressing victims’ psychological needs to the greatest extent possible were re-trained by investigators to adopt a more factual emphasis in statement taking (Wilson, 2001). This process of retraining is interesting to consider for two reasons. First, it highlights the *perceived* competing tensions within the TRC (and the seeming jostling for power between units within the Commission) and demonstrates that the overall purpose of the Commission was unclear from the start and, probably, throughout. Second, as Wilson argues, and drawing on Max Weber’s well-known analysis, it highlights how moral considerations can be replaced by technical ones – a process characteristic of bureaucratic rationalisation that can impoverish the life-world of social agents as

it renders the communicative practices of everyday life in instrumental and bureaucratic terms (Wilson).

The TRC statement-taking form was to go through several incarnations. In fact, the statement-taking protocol went through eight official versions until it found its final form in mid-1997 (Buur, 2002). Some researchers claim to have seen up to 11 versions of the form (Buur). The narrative space in each version of the statement-taking protocol seemed to continually shrink (Buur). The crunch seemed to start in August 1996 when some Commissioners felt that the collection of statements was too slow and the interview protocol needed to be simplified. The replacement form was made up of mainly closed-ended questions, which essentially disregarded the complexity of the victim's subjective statements (Chapman & Ball, 2007). Staff in the TRC's data-processing unit frequently referred to this form as a "dog licence application" (Chapman & Ball). This mechanistic way of taking statements is captured well by Wilson when he quotes from an interview with the TRC's chief data processor, Themba Kubheka:

When we started it was a narrative. We let people tell their story. By the end of 1997, it was a short questionnaire to direct the interview instead of letting people talk about themselves...The questionnaire distorted the whole story altogether...it destroyed the meaning (Themba Kubheka in an interview with Richard A. Wilson cited in Wilson, 2001, p. 45).

It is no wonder that some victims they felt that their story was "frozen in time" and "stripped to its essential characteristics" (Wilson, 2001, p. 48). Many of the testimonies embodied the fear Stevan Weine has expressed with regards to testimonies becoming "depersonalized, decontextualized, objectified and reduced" losing their meaning and importance to the individual and wider society (Weine, 2006, p. xiii). This led to some victims feeling dissatisfied that their case had not been thoroughly documented or investigated and that the story-telling process of the TRC was limited and alienating. This highlights that the exact purpose of the testimony for the Commission was unclear or at least changed as the TRC unfolded. The view contrasts strongly with that of some survivors who were members of the Khulumani Support Group. They felt Khulumani self-help meetings provided an uninhibited forum where survivors could speak about what they wished and for as long as they wanted. As one member put it:

Here at Khulumani I find it very very nice because we talk how we like to talk, and we tell people how we like to tell the people...and since I come to Khulumani I am a little bit very well because I keep on talking, talking, talking, talking...I keep nothing in my heart now (extract from Han, 1995).

Having said this, all the limitations mentioned should not be used to undermine the statement-taking process as a whole or, in particular, the individual efforts of statement takers and briefers. Their support, although limited, was important and often they bore the brunt of the emotional pain of the victims. They were the face of the Commission as well as its filter – a difficult job in the extreme.

There were also regional and individual differences as to how the statement takers interacted with the survivors and the families of the victims. Some statement takers' abilities and basic interpersonal skills were of a high quality. Some were remarkable

at holding the pain of victims and making them feel at ease and supported. Others were inexperienced and had limited psychological knowledge and training. This left some of the witnesses' feelings exposed and, in some cases, psychologically vulnerable after they had given their statement. Some statement takers did not always make appropriate referrals or perceive the psychological problems of the witnesses and take the appropriate action. In some regions, people who gave a statement were given a list of potential support organisations in their communities, but this was not always the case. Furthermore, this did not always result in the person referred actually contacting these groups. The lack of uptake for referral was probably due to many witnesses' limited knowledge of the role of psychological support services in South Africa and, perhaps, the often individualised and Western approach of much counselling, which invariably was foreign to many statement givers and arguably inappropriate for them.

Despite these difficulties, some referrals did occur and the statement takers and briefers were responsible for several ad hoc referrals to support services. As will be highlighted later in this chapter, where referral did occur, there was some satisfaction from survivors. Furthermore, there are a number of intrinsic psychological benefits of story telling in a closed and structured environment – even if this is a once-off occurrence – from which many of the witnesses, although never formally assessed, benefited no doubt at least in the short term (discussed below).

In retrospect, despite the criticisms raised, the briefing/debriefing added a valuable component to the work of the TRC and has in many senses set a precedent for other truth commission processes. It is now unthinkable that there would be no victim support accompanying a truth commission. However, given the complicated psychological difficulties experienced by many survivors and families of victims and the fact that many needs were not expressed in direct psychological terms, it is unlikely that the briefing/debriefing was sufficient to deal with these problems. Similarly, the main form of support that was available at that time was trauma counselling targeted at an isolated past trauma, an approach that I feel, especially in retrospect and as this book will show, was inadequate both conceptually and practically.

Vicarious Traumatization

A further issue was the mental health of the TRC staff themselves. Throughout the period of the Commission, they were constantly confronted with the painful stories of those interacting with the TRC. Stories circulated throughout the process that *some* staff (including statement takers, briefers, researchers, translators, investigators and Commissioners) suffered from nightmares, emotional problems, physical problems (e.g. headaches, stomach complaints, exhaustion, etc.), high levels of anxiety, irritability and aggression, as well as relationship difficulties (de Ridder, 1997a, 1997b). In some cases, substance-abuse related problems were also reported.

Although this was not documented, many of the staff themselves had suffered in the past – they too had been victims. This is not uncommon in contexts where truth

commissions take place. In 2006, I helped train statement takers with the International Centre for Transitional Justice (ICTJ) in Liberia. One of the questions asked on several occasions by statement takers of myself and Paul James-Allen from ICTJ was, "Who do I give *my* statement to?" It is impossible to say how many statement takers in this context were affected by the conflict. However, based on informal discussions with several Liberians working in the TRC process, it is safe to say that the figure may be well over 80% and possibly over 90%.

The South African situation is not comparable to this but, although it has not been written about extensively, a number of Commissioners and staff must have experienced apartheid victimisation. For example, Commissioner Dumisa Ntsebeza was detained without trial and beaten by the security forces (Bell & Ntsebeza, 2001); Commission committee member Hugh Lewin was jailed for 7 years by the apartheid state (Lewin, 1976); and fellow committee member Pumla Gobodo-Madikizela has written about her experiences of apartheid victimisation (Gobodo-Madikizela, 2006). I make this point not to pathologize any individuals involved (many of those working with survivors in the process and others at CSVr were in the same position) or to highlight the plight of specific individuals but rather to indicate that for many TRC staff, their work must have evoked their personal memories. For those staff members, whose painful experiences weighed particularly heavily on them, these experiences must have been exacerbated by an unyielding schedule, which included much travel and time away from home, the constant scrutiny of the media (Boraine, 2000), and a generally stressful working environment (de Ridder, 1997a, 1997b). Some of these challenges were documented by psychotherapists (Lubbe, Undated) and Commissioners. Commissioner Alex Boraine wrote:

We also faced the trauma of listening to, and in some cases taking upon ourselves, the grief, the horror, and the pain of victims and survivors. Several of the commissioners and many of the staff sought counselling at trauma centres and from the resources within the Commission itself. When one is dog-tired and the pace is relentless, it also brings about a feeling of inadequacy, a questioning of oneself, and a desperate hope that one can measure up to the task (Boraine, 2000, p. 95).

The most well-known case of a Commissioner becoming overwhelmed by the hearings concerned Archbishop Tutu who put his head in his hands and wept during the testimony on 17 April 1996 of Robben Islander, Singqokwana Ernest Malgas, who was tortured by security forces. There was, however, no room for Commissioners' emotions. Some survivors and families of victims I worked with were outraged by Tutu displaying emotions and felt that he was detracting from their sufferings; many saw his weeping as theatrical. The media did not help the situation by splashing pictures of Tutu crying on all the front pages. Archbishop Tutu is reported to have been "mortified" by the media focusing on his emotions (Gish, 2004, p. 151). Of course, weeping is not necessarily a sign of extreme traumatization, it is for the most part a healthy human reaction, but the incident points to the complicated mix of permissibility and contestation over the suffering the TRC embodied, as well as the fact that for those listening to the testimony there was an emotional cost.

Others have also noted the stresses of the process on other TRC staff, for example, the translators who had to relate horrific events in the first person (Weaver, 1998).

Journalists have also written about different levels of trauma and emotional distress they experienced while covering the process (Hayner, 2001; Krog, 1998). Max Du Preez, editor of the *TRC Special Report* programme that summarised the TRC hearings each week for SABC television, captured the challenges faced by journalists when he wrote:

After the second week of Truth Commission hearings in April 1996, a caring SABC boss with a mournful face came to me with the news that he had arranged a psychotherapist for me and my colleagues on the *TRC Special Report* team. I'm from the old school of journalism. I still romanticise our craft as one practised by hard-living, cynical and tough bastards. We eat meat and we smoke and PC is something we type stories on. Therapy? This was our favourite joke for at least the next week. A journalist getting therapy is like a Springbok rugby prop using moisturiser...But after the fourth week of hearings – that's when Archbishop Tutu had his now famous emotional breakdown on camera – two team members started cracking and had to leave the team. The jokes became cruder and crueller. Mostly about torture, murder and suffering. Really tasteless stuff. It was our way of coping... The rugby prop really did need moisturiser (Du Preez, 1997, p. 9).

According to the TRC Mental Health Specialist Thulani Grenville-Grey, in my discussions with him (Hamber, 1998a), it was not only those who had direct contact with the survivors who sometimes struggled with the process, but also data processors and others who had to work with the cases on paper or computer often manifested more signs of vicarious traumatisation than those working directly with the victims. Research on a number of commissions has found that the staff processing data have been the most disturbed by the process (Hayner, 2001). This situation probably arises because those working with the individuals directly had more space to integrate the information received into their own cognitive schemata, based on a full understanding of the difficulties faced by the traumatised individual. For example, the witness may show signs of coping, resilience or having support systems, which makes the statement giver's problem seem less drastic and, as a result, lessens its impact on the interviewer or TRC worker. For those working with the statements or computer data, there was less chance for this cognitive integration to take place and, on top of this, the quantities of traumatic information processed were much greater. Commissioner Wendy Orr captures the essence of this in her book on the Commission when she writes about her experience of processing the data from hearings compared to her experience of listening to testimony:

Absorbing the details of dozens of violations every day was traumatic. Most people, when they ask me about the TRC, say, "Sitting in hearings and listening to those awful stories must have been difficult". Yes, that was difficult, but there was a limit, at least, to how many testimonies were heard and how long the hearing lasted. Somehow, the reduction of rape, murder, torture, pain, loss and grief to terse, computerised data, comprehending 50 or 70 or 100 violations a day, and having to decide whether a beating was severe "enough" to constitute severe ill treatment, was worse than sitting in a hearing, where there was at least humanity and feelings associated with the process (Orr, 2000a, p. 341).

In response to these levels of traumatisation, the TRC set up some internal support structures that appear to have worked relatively successfully within the constrained environment of the Commission. The support groups were not initially envisaged as

therapy groups but rather as general support structures to which all the staff were invited; they appeared to have served this function and more. The groups provided a forum for the staff to raise their grievances with management and their difficulties experienced with the monolithic structure (e.g. over 300 staff members) that the TRC created to fulfil its mandate. The groups were also used for a so-called “closure programme” as the TRC ended. These sessions focused on issues such as the long-term personal effects of working for the TRC, future personal and professional roles and coping skills after the TRC ended.

On the positive side, there are very few former TRC staff I meet, who do not describe their experiences with the TRC as life-changing or affirmative in one way or another. Priscilla Hayner, in her review of commissions around the world, comes to a similar conclusion; that is despite the pain of hearing stories ultimately staff find it positive and rewarding (Hayner, 2001).

Revealing is Healing

Evaluating the TRC from a wider perspective than analysing the services offered by the Commission reveals that where psychology is integrated into social and political processes it is often done in a rather unsophisticated way. Social and political processes often struggle to integrate psychological complexity. The South African TRC process was riddled with simplicities throughout. For example, there was a misconception in the country at the time of the South African TRC that as long as individuals were crying at the hearings some healing was occurring. This view often comes from a rudimentary notion of catharsis; that is, that speaking out is in itself healing. This crude notion was embodied in the TRC slogan on many of its posters that popularised the Commission and attempted to entice victims to testify. It simply read: “revealing is healing”.

However, as Hayes writes: “So just revealing, is not just healing. It depends on how we reveal, the context of the revealing, and what it is that we are revealing” (Hayes, 1998, p. 43). Research on NGOs working with the TRC showed that most criticised it for creating the impression that healing is simply a linear process, and past traumas are something that are readily remedied (van der Merwe, Dewhirst, & Hamber, 1999). Although the TRC in some senses was instrumental in popularising the importance of support for the survivors of violence, by the time the TRC Final Report came out the impression that healing is simply a linear process or something that is easily brought about was well established at a public level.

My experience of working with those who testified before the TRC, as was briefly alluded to above, was that the adrenaline-filled experience of testifying publicly provided an initial sense of relief. This was also the view of other psychologists doing similar work at that time (de Ridder interview with author cited in Hamber, 1998a). Ethnographic research with the survivors in South Africa revealed that relief was short lived and temporary (Ross, 2003). This was also the finding of a wider study of truth commissions (Hayner, 2001). Clearly, the public

focus of hearings could mask the long-term or deeper psychological issues that were at play. Victims themselves expressed similar views in South Africa:

Last year in 1996 April I testified before the Truth Commission whereby I told them my story. Because all the time I couldn't tell any body about my son's death. I wanted them to help me find the person who killed my son. I had so many sicknesses because I kept quiet; I had everything inside me. Then when I told those people and all the problems came back me I felt as if now my son had just died...although there was a change after I told my story but it was hurting because I was crying...and then that particular day it was as if the burden was taken away from my shoulders because some other people were listening to what I was telling them, and it seems that they were sympathising because they were asking me questions whereby I told them what happened to me...I am worried that now maybe the Truth Commission will end...it is almost a year after I testified...now I am starting to panic and I am having really a hard time, because I am thinking that maybe it will just end up like that not knowing who killed my son (extract in Han, 1997).

And another survivor commented:

It makes me feel at ease after telling my story but after some time it comes back...again (extract in Han, 1997).

In other studies (Byrne, 2004), a sense of relief and the importance of telling one's story publicly was also noted by survivors – albeit a minority in this study, which focused on 30 Khulumani members:

I felt relieved that for the first time in ten years I could speak publicly about what happened to me (Interview with survivor conducted by Catherine Byrne cited in Byrne, 2004, p. 244).

However, it is a mistake, as mentioned above, to assume that giving testimony, either in public or private spaces, equated with healing in a linear fashion. At best, a cathartic release of emotions is a small step in the healing process (Allan, 2000) and it would be a grave error to confuse the TRC process with any form of psychotherapy (Swartz & Drennan, 2000). Some psychologist wondered at the time of the TRC whether testimonies as structured by the TRC would permit sufficient space for affective expression to ensure that testimony would be helpful (de la Rey & Owens, 1998). Giving testimony left some survivors feeling psychologically vulnerable. The Trauma Centre for Victims of Violence and Torture in Cape Town estimated in 1997 that “50 to 60 percent of the dozens of victims they have talked to in the last year have said they suffered difficulties after testifying or expressed regret” (Daley, 1997). David Backer's survey research with the victims also found that giving a statement caused a significant amount of distress for most victims (Backer, 2006b). Research carried out some ten years after victims had given their statements found that very few participants in the focus groups carried out by CSVR/American Association for the Advancement of Science (AAAS) felt that the hearings were therapeutic (Chapman, 2007a). Victims tended to complain of the TRC opening old wounds and then not offering any psychological support (Chapman). Other research has also found that the process involved considerable emotional pain for victims and that it was not experienced as empowering for most (Byrne, 2004). My experience concurs with these findings.

The process of giving either public or closed testimony to the truth commission was found in another study to have no significant effect on psychiatric health; that

is, it had neither a notably therapeutic nor a notably counter-therapeutic effect (Kaminer, Stein, Mbanga, & Zungu-Dirwayi, 2001). As Ms Thenjiwe Mtintso, former Chairperson of the Commission on Gender Equality and – at the time of giving testimony – Deputy Secretary General of the ANC, put it to the TRC:

I have been to Cape Town where there were hearings, Chairperson. I have been to Port Elizabeth. I have been to King William's Town. There are wounds that have been left gaping. It may not be the duty of the [Commission] alone; it may be the duty of the public, of all of us; but those wounds, they need to be addressed, Chairperson. You cannot open them in this hall and leave them gaping. Somebody has got to take responsibility (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 356).

Victims did, however, highlight as one of the biggest successes of the TRC the publicity generated by the Commission and the increase in public awareness about their plight (Hamber, Nageng, & O'Malley, 2000). Media coverage and interest in the TRC was high, at least at the outset of the Commission, although this tailed off as the TRC continued (see Chap. 8 where the specifics of coverage are discussed but also Theissen, 2007). Research with the victims has found that the TRC did help, at least to a degree, to restore dignity and humanity, especially when individuals were treated with sensitivity and respect in the hearings or by the Commission (Phakathi & van der Merwe, 2007). Where counselling was also received in addition to testifying this was appreciated (Phakathi & van der Merwe). David Backer's surveys with the victims, although finding a general level of disappointment with the substantive outcomes of the process, also revealed that a majority of victims felt that they got "something positive from submitting a statement" (Backer, 2004, p. 183).

Breaking the silence of the past and creating a vivid and unforgettable record of the atrocities committed under apartheid was one of the greatest successes of the TRC (Burton, 1998). Research carried out by the CSVr with 25 NGOs across South Africa found that they too felt this was probably one the biggest successes of the process (van der Merwe et al., 1999). Although the direct psychological benefits of testifying may have been short lived for some victims, research which my colleagues and I carried out at the CSVr fairly early on in the process, with Khulumani members who had testified before the TRC or given a statement, suggested that victims were generally positive and supportive of the idea of a TRC and were united in their quest for the truth (Hamber et al., 2000). Many felt the TRC might help with the quest for truth. Expectations of the TRC were very high at times (for example, some victims felt the TRC might get them a job) but many were not completely unreasonable, such as the Commission's providing support to buy a tombstone for a loved one or for further investigations.

The CSVr and Khulumani made a submission to the TRC concerning such issues (Hamber, Maepa, Mofokeng, & van der Merwe, 1998). The submission distilled the views of about 560 victims who participated in the 11 workshops hosted by the CSVr. The target constituency was mainly survivors and family members of victims of gross violations of human rights, although in some instances individual community organisations sent representatives to the workshops. The workshops were spread across North West, Mpumalanga, Gauteng and the Northern Province. What we found was that after the victims' hearings and statement giving,

many of them had become disillusioned with the TRC for reasons such as lack of follow-up support or information (or their expectations not being met). It was a common complaint that, despite having named perpetrators in their statements, the TRC had done little to follow up on the accusations.

On the whole the administrative treatment of victims was poor. Frequently, people we worked with complained that once they had given their statement to the TRC they heard little, some only being contacted 18 months to 2 years later to be told that they had been “designated” a victim. Research carried out after the TRC has found similar results, with nearly half of the victims interviewed in the study complaining of a lack of informational clarity and their frustration with the TRC process and procedures, especially with not getting feedback on their cases (Byrne, 2004). Others too have made similar findings; that is survivors complained that they had not received information about amnesty hearings and about whether perpetrators had been granted amnesty (Picker, 2005). Complaints about other administrative processes have also been found in surveys and focus groups with victims, such as the travelling distances to give statements being too great, long queues during statement taking, being forced to return to complete statements and that the process as a whole was generally slow (Backer, 2006b).

At times, losing control of their story once it was in the public was also a cause for concern for the victims as it was experienced as alienating and a form of appropriation (Ross, 2003). As Yazir Henry, torture survivor and MK activist in the ANC, (Henry, 2000, and see TRC Cape Town Hearing, 6 August 1996, Case CT00405), put it:

For a year and a half after my testimony, during which I had broken down physically, I had almost no contact with the Commission. I remember reading an email written by one of the Commissioners almost two years later, where she said that ‘in her medical opinion I was on the verge of a psychotic breakdown’. The lack of sensitivity with which my story was treated once it left the confines of that space and became part of the public domain was immediately apparent – my face and the story of my life was flashed across the country, on television, in newspapers, magazines and books, and often out of context. It was out of my control and done without my permission (Henry, 2000, pp. 168–169).

It is no wonder that research has found that healing was undermined by insufficient truth, inadequate reparations, lack of followup, dire socio-economic living conditions, limited remorse shown by perpetrators and the fact that perpetrators were not forthcoming with sufficient information (Phakathi & van der Merwe, 2007; van der Merwe, 2000). Because of these factors, and based on data from surveys with some 500 victims, David Backer has concluded that victims’ expectations largely remain unfulfilled (Backer, 2005b, 2006b). In other words, there was some (largely limited) benefit to testifying (at least in the short term, through offering victims some sense of dignity and respect), and that those who did receive some form of counselling valued it (Phakathi & van der Merwe), but it is the absence of factors such as truth, justice and reparations that had the largest negative impact on the individual healing process (see Chap. 10 where I discuss this in more detail). I would also contend that as time passed victims’ evaluations of the TRC experience became increasingly negative as the reality dawned that little will be done about reparations, truth and justice and that their living conditions remain unaltered.

Although it has been shown above that in general terms direct psychological benefit was limited, there were large individual differences. A range of responses to the TRC was always evident, with some being very positive about both the experience and the Commissioners, and others being wholly negative. In summary, our research at CSVR and my experience working with survivors at that time suggested that the majority felt fairly ambivalent about the contribution of the TRC to their personal healing and the impact of the TRC on their lives. This has been subsequently confirmed in later research (Backer, 2005b, 2006b; Byrne, 2004; Phakathi & van der Merwe, 2007; Picker, 2005; van der Merwe, 2007). My experience of the TRC process concurs with the research finding that “a complex mixture of satisfaction and disappointment, hope and resignation, magnanimity and anger” typified survivors’ experiences of the process (Picker, p. 5). Earlier I quoted a torture survivor, Yazir Henry, who raised some critical points about the TRC process and his negative experiences of it. He also claims that there was an attempt on his life as a result of his testimony (Henry, 2000). He captures the ambivalence of his feelings about the TRC when he writes:

In spite of all the limitations and difficulties, what was important about this space was that is provided, even if briefly, the opportunity to face not only myself but everyone else – from Commissioners to the people listening in the hallways and elsewhere. It was an opportunity for me to face my past and at the same time interface with the present, in ways that have enabled me to begin a journey of healing (Henry, 2000, p. 169).

The ambivalent psychological outcome of processes such as the South African TRC points to one of the main challenges for bodies such as truth commissions, or trials for that matter. Can they actually make a psychological impact, or is the above example an isolated case and merely, given earlier comments, evidence of varied reactions to the process? As was suggested above, the results of a process of this kind are always going to be mixed. Is it, ask Kaminer et al. (2001), even overly ambitious for truth commissions to have a therapeutic goal, except at the broader national level?

Perhaps the answer to this is that truth commissions should not be set up with the main goal of being directly therapeutic to victims through their testimony-giving process. The central aim of truth commission is not therapy (Hayner, 2001). At a minimum, the process should do no harm and offer the prospect of some therapeutic benefit. This might not come only from giving testimony but arguably, if successful, truth, reparations and, potentially, justice can play a role in healing. This is discussed at length in the rest of this book.

At a broader level, the psychological outcome of transitional social processes such as truth commissions is, I would contend, always going to be mixed for victims since their losses can never be replaced. This mixed outcome in terms of the South African TRC was sharply contrasted with the experience of perpetrators, whose outcomes were straightforward in a sense. Amnesty applicants or perpetrators either received amnesty or they did not (see Chap. 7, which discusses the issue of what perpetrators and victims could get out of the process). The experience of the wider society was also more straightforward. They could involve themselves in the process by watching and listening, or they could tune out. Politicians could also approach

the TRC at different levels. Some politicians grasped the TRC's reconciliatory ethos and sought to forge new relationships with previous enemies, or more minimally some began working on areas of mutual interest with former adversaries, whether political or economic. Such acts, as important as they were, in turn created added psychological stress for individual victims. Unlike politicians many survivors, given the suffering they had endured, struggled to build new relationships with those who harmed them.

The tensions between how survivors and families of victims saw and engaged with the process compared to others, links with a fundamental organising principle of my work and this book, which is the gap between the individual level and the collective level of the impact of political violence. Individual processes of forgiveness, psychological restoration and reconciliation do not always intersect with the collective process offered by vehicles such as the TRC. At its core the TRC was a political endeavour and, as such, it was unlikely to ever be sufficient as a mechanism to deal with all the needs of individuals at a personal level. As obvious as it sounds in retrospect, the process of coming to terms with the extent of past violence for survivors, and its consequences for them, was going to take a long time. Politicians – and, arguably, the majority of citizens who were not directly affected through, for example, the loss of relatives – could “move on” faster. I revisit these arguments in detail in Chap. 5, but suffice to say here that inevitable tension existed between the healing process for the survivor and the demands of society or the readiness for the political process to “move on”.

A Healing Potential

In its report, the TRC affirmed the “healing potential of storytelling, of revealing the truth before a respectful audience and to an official body” (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 351). As has been shown above, despite some reservation, truth commissions obviously have a healing psychological *potential* although this seems to be linked to larger goals than linear individual healing. Below I briefly outline some of these potentials.

Truth commissions can ensure that the past is not simply ignored by giving survivors and families of victims, space to speak out and break the silences about the past. Seeing the survivor giving spontaneous testimony, writes Stevan Weine, sends the message that history belongs to them (Weine, 2006. p. 43). The importance of having the wrongdoing acknowledged and of uncovering the truth was, throughout my experience of the TRC, commonly affirmed as a healing for survivors. Removing the fear of repetition from the lives of the survivors and the families of victims can also no doubt be restorative.

As was argued in Chap. 2, survivors react to extreme political traumatisation in accordance with what it means to them, and it is the meaning that counts and not the diagnosis (Summerfield, 1995). Putting fragments of traumatic memory into personal historic perspective is important in trauma recovery (Kornfeld, 1995).

Recovery from trauma is largely determined by how people make sense of the seemingly meaningless and how they integrate traumatic stories into a life and a collective narrative (Sveaass & Castillo, 2000). Others too have argued that understanding the origins of violence can promote reconciliation between groups and prevent new violence (Staub, 2006). To this end, an officially authorised truth commission could provide a framework in which victims could begin to understand, integrate and create new meanings for themselves and the society. By recovering the truth and creating a realistic perspective on past human rights abuses, truth commissions may be able to assist this process. It is my contention that for some victims the TRC created such a context.

Survivors who testified before the TRC affirmed the usefulness of publicising the plight of victims, and the resultant increase in awareness of the extent of past atrocities among certain sectors of the population (Hamber et al., 2000). Victims' own testimonies speak volumes in this regard. Mr. Sikwepere, who came to the TRC to tell of being blinded after he was allegedly shot in the face by the police, said:

I feel that what has been making me sick all the time is the fact that I couldn't tell my story. But now it feels like I got my sight back by coming here and telling you the story (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 352).

Nonetheless, the long-term ability of a once-off statement or public testimony to address the full psychological impact of the past is questionable. The TRC itself notes that "not all storytelling heals. Not everyone wanted to tell his or her story" (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 351). Some survivors and families of victims only began to experience a range of psychological problems months after their testimony and the administrative treatment of victims was poor, as was mentioned above.

The ongoing anger at amnesty is a matter that has not been talked about in this chapter, but is discussed in Chap. 7. This added a complicated dimension to the healing process. One cannot assess the value of speaking out and receiving psychological support in isolation from what it must have meant to do this in a context where those that harmed you were might walk free with impunity.

Conclusion

The psychological support services initiated and undertaken by the South African TRC were limited, although the TRC process enabled a number of individuals to receive psychological support that probably would have been denied to them without the TRC. The TRC, through its quest for truth and the uncovering of past pain, highlighted the desperate need for extensive relevant and appropriate mental healthcare services in the country. As a microcosm of this, it is obvious, especially in retrospect, that mental health issues and a psychological approach to dealing with the past were largely marginalised within the TRC, despite the efforts of some Commissioners, staff and NGOs. Significant tensions between those advocating a more mental-health-driven approach and those from other disciplines (primarily law)

were consistently present. This was not helped by the view that the mainstream of psychology as profession was largely Western and out of touch with community concerns. In addition, at times mental health workers' own skill sets were limited with regard to engagement in political process. This is discussed below and also in Chap. 10.

The TRC in South Africa undoubtedly began a healing process for some, and for a fortunate few it may have spurred on a complete recovery. However, despite these successes, it would be an error to exaggerate the ability of truth commissions or public testimony to address *en masse* the needs of individuals struggling with a personal and social history of human rights abuses. This is not to say that bearing witness or giving testimony does not have its psychological benefits (Agger, 1994; Laub, 1992, 2000; Weine, 2006; Wineman, 2003), especially when facilitated appropriately. But a TRC process is not "testimony" or "narrative" therapy even if it contains some elements of these. Truth commissions are invariably limited in what they can do psychologically because they are often shaped by political compromise. Also, limits will be imposed on victim interaction with the process because of time and resources. The over simplistic view of what it takes to address the impact of human rights violations, and at times a desire to move on too quickly for politically expedient reasons, also often masks the complexity of answering the question: did the TRC heal victims and survivors?

If the TRC process and working with the victims appearing before it taught me anything it was that the psychological life of the survivor of extreme violence is cut through by this complexity. The past has a deep-rooted hold on the survivors. How individuals deal with what happened to them is wider than they can express in testimony. Psychologically coming to terms with mass atrocity at an individual level concerns how individual experiences are dealt within their local community and by society as a whole. The political and social pressures of issues such as justice, amnesty and reparations cannot be taken out of the picture and they inevitably created a situation that would continue long after the TRC formally ended.

So did the truth commission heal? In short, it did for some victims and certainly did not for others. There certainly were what Martha Minow has called "therapeutic moments" (Minow, 1998b, p. 333). But as the TRC's own report acknowledges, in many cases the experience of testifying or making a statement "initiated more than it closed" (South African Truth and Reconciliation Commission, 1998, Volume 1, p. 367). Some survivors have been left frustrated, feeling psychologically vulnerable and used.

Can truth commissions heal? The answer is a qualified yes. The South African experience would suggest that the healing potential is increased substantially if:

- There is a social and political commitment to breaking the silence of the past.
- The statement-taking process is coupled with a strong focus on narrative.
- The testimony or statement-taking process is complemented by additional supports (for example, well-trained statement takers) and, where necessary, external supports from community support mechanisms through to culturally appropriate counselling.

- The administrative treatment of survivors and families of victims is of a high standard and is preferably delivered through a dedicated victim support team.
- Victims are treated with dignity and respect in all aspects of the process.
- Staff working with survivors are themselves adequately supported and trained for such work.
- Victims are given the space to exercise their political rights and to campaign for change if they desire, and express their feelings publicly, especially anger.
- There is long-term follow up of survivors.
- Needs for reparations, truth and justice are taken into account and adequately addressed.

Chapter 5

Ambivalence and Closure

Everything was equal now. Only his own death came between him and his grave. Resigned, he listened to the drop, thick, heavy, exact, as it dripped in the other world, in the mistaken and absurd world of rational creatures.

Gabriel García Márquez, *The Other Side of Death*
(Márquez, 1991, p. 19)

Introduction

It was sometime in late 1998 that I began a collaboration with anthropologist Richard A. Wilson. At that time he was researching the South African TRC and was specifically undertaking extensive anthropological fieldwork in urban African communities in Johannesburg (Wilson, 2001). He was focusing on how local communities conceptualised terms such as “justice” and how they perceived the TRC’s so-called “restorative justice” approach. Our collaboration provided an interplay between my psychological and Wilson’s more anthropological approach to dealing with the impact of political violence.

National and Individual Representation of Trauma

This collaboration resulted in an article entitled *Symbolic closure through memory, reparation and revenge in post-conflict societies* (Hamber & Wilson, 2002; and later reworked as a book chapter Hamber & Wilson, 2003). The article primarily stresses the gap between the experiences and the attitudes of grassroots communities and individuals and what was developing at national and political levels in relation to the TRC. At that time, Wilson and I were both finding that diverse individual needs were often being subordinated to the political expediency of “national unity” and “reconciliation” in South Africa.

In the article, we highlight the prevalence of the nation-building discourse in South Africa. We also stress how, at a political level, the concept of the nation was

“psychologised”; that is, an individualised psychological model of working through a violent past was applied to the South African nation at the political level. This assumed that nations had psyches that experience traumas in a similar way to how individuals experience them. These traumas needed to be worked through, it was assumed, and a cathartic public process of truth telling was necessary to “heal the nation”. This was typified by the often quoted statement made by Archbishop Tutu at the opening of the TRC:

We are meant to be a part of the process of the healing of our nation, of our people, all of us, since every South African has to some extent or other been traumatised. We are a wounded people... We all stand in need of healing (TRC, 1995).

Even Commissioner Wynand Malan, a man not prone to sentimentality, in his minority report which he submitted as part of the TRC Final Report, uses the metaphor of society operating like a living organism that was in need of healing. Speaking about victims’ experiences of testimony Malan concludes:

They told their stories as they saw them, as they experienced them, as they perceived what had happened to them. And as they left their seats, the image was wholly different. They walked tall. They were reintegrated into their community. They could re-assume their roles in society; they could manage themselves and the world around them again. They were healthy cells of the national organism (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 444).

In the article *Symbolic Closure*, Wilson and I reflect on the act of “psychologising the nation”, noting that this mistakenly implies that the pursuit of national unity is a unified and coherent process and that individual and national processes of dealing with the past are largely concurrent and equivalent. Distinguishing individual experience from the collective process of coming to terms with the past was important to us at that time because we both were finding that many individuals with whom we had contact were not experiencing or dealing with their own extreme trauma in this unified or linear way. In the *Symbolic Closure* article we note, for example, the way individuals (mainly widows) were often treated as the social embodiment of “the nation” during the South African TRC process rather than as individuals who were still trying to come to terms with their suffering. They were, at times, expected to psychologically advance at the same pace as the state institutions that were created in their name, even if these were pursuing a national political agenda rather than an individual healing agenda.

Unitary national discourses, we observe in the *Symbolic Closure* article, can have damaging consequences for individual survivors who are seen as “out of step” with a putative collective conscience. An example can be seen in the reaction to the Khulumani group’s picketing of the offices of the TRC in Johannesburg in April 1996 because they felt they did not have sufficient information on amnesty. The protest was timed to coincide with the first public hearing of the Commission. At that time I was attending the first hearing of the TRC in East London, over 1,000 km from Johannesburg. After the hearing I received a call on my mobile phone from an irate truth commissioner in Johannesburg, who proceeded to bellow down the phone at me. The 30-min “discussion” included accusations that I had “put them up to it” and was “anti-reconciliation”. The reality was somewhat different.

I had assisted the group with a press statement on the issue of amnesty before leaving Johannesburg, not knowing they would convert this into a protest, but supported their right to do so nonetheless. The response from the Commissioner to their action was overwhelming, and clearly demonstrated to me the constant political and social pressure upon victims to remain “in step” with the national or political process. Clearly, some within the Commission saw any protest actions by the victims as essentially being anti-reconciliation rather than as a legitimate complaint or a right that individuals were entitled to exercise. Given that the Commission had publicly stressed the importance of victims in the TRC process, it could not, certainly at the first hearing, be seen to be chastising victims for not supporting parts of the TRC process or its approach to reconciliation. I became the fall guy on that occasion.

A further example of the expectations of victims to follow a reconciliatory agenda concerned the unsuccessful Constitutional Court challenge to the TRC Act by the Azanian People’s Organisation and the families of high-profile murder cases. These were the families of Steven Biko who died in detention in 1977, Griffiths Mxenge who was killed in 1981 by a police hit squad, and Fabian and Florence Ribeiro who were killed following a Security Branch and SADF Special Forces operation in 1986 (see Azanian Peoples Organisation AZAPO and Others v the President of the Republic of South Africa, CCT 17/96, Constitutional Court, 25 July 1996). The families argued that the TRC’s ability to grant amnesty denied victims right of access to courts and, as such, was inconsistent with the Constitution. This constitutional challenge was dismissed by the Constitutional Court in 1996.

In sum, the judgement argues that amnesty was a pragmatic solution and necessary to ensuring democracy in South Africa, and that hopes for large-scale prosecution were not viable given the inefficiencies of the court system. It argues that the TRC offered at least potentially some truth and reparations to a greater number of survivors than the courts could have, whilst also ensuring peace. Despite upholding the amnesty provisions, the judgement made it clear that because perpetrators would be granted amnesty those found to be victims were entitled to “nuanced and individualised” reparations. But the judgement also conceded that the state can take into consideration the available state resources, the claims of all victims, and the competing demands of the government when deciding what reparation policies to implement (cf. Braude & Spitz, 1997, for more detailed comment and criticisms of the judgement; Dugard, 1997, 2000; Klaaren, 1999; Moellendorf, 1997; Roht-Arriaza & Gibson, 1998; Sarkin, 2004).

The reactions to the families’ cases are interesting to consider. These reactions highlight the degree to which the TRC process was tied into the notion of reconciliation and the extent to which the notion of reconciliation was tied into issues such as amnesty and nation building. Members of the African National Congress Youth League, a rival political party to AZAPO who had brought the case, supported the families’ call (South African Press Association, 1996c). Nationally, however, the ANC held a very different view from that of its Youth League. They labelled the families “anti-reconciliation”, because they were “unconsciously working against the national interest” and largely colluding (even if unconsciously, the ANC added) with the apartheid state (South African Press Association, 1996b). The TRC

itself – a body that liked to portray itself as victim-centred – also reacted angrily. It deemed the families to be opposed to reconciliation. Archbishop Tutu himself said that he was “annoyed and very hurt for the many people I know who want to tell their stories” and hoped the group bringing the case would “get their come-uppance” (South African Press Association, 1996a).

At an individual level, victims too often felt the pressure to be in tune with the national reconciliation agenda. There is little evidence from a close analysis of the transcripts that Commissioners imposed reconciliation or directly pressurised victims in the hearings (Chapman, 2007b). However, there is little doubt that forgiveness was tied into the whole ethos of the TRC and Archbishop Tutu came to symbolise this at a public level. Other factors also accounted for centralising the notion of forgiveness. Fiona Ross and Pamela Reynolds, for example, highlight that the survivors with whom they worked referred to the TRC in Xhosa as *iKomishoni Yenyaniiso Noxolelwaniso* (Ross & Reynolds, 2004). This translated as the Commission on Truth and Forgiveness (Ross & Reynolds) suggesting some survivors interpreted the Commission as being about forgiveness. My own experience in South Africa revealed that victims who testified to the South African TRC often felt that there was an expectation to forgive the perpetrators even if this was not articulated. Others too have concurred with this view:

Reconciliation was also interpreted as synonymous with forgiveness, and tremendous pressure was exerted on victims who came before the Commission to ‘forgive’. The emphasis on a discourse of reconciliation at the public hearings came at a cost of invalidating displays of ‘negative’ emotions. Some of these emotions – such as anger, anguish or resentment – are legitimate healing emotions for those who have suffered loss. Their dismissal in favour of forced forgiveness had the potential to do additional damage to victims by denying them the process of natural grieving and healing (South African History Archive, Undated, paragraph 23).

When thinking about reconciliation in the political context, there is always the danger of what Michael Ignatieff calls “false reconciliation” (Ignatieff, 1996). He defines this as where different groups “indulge in the illusion that they had put the past behind them”, with the party responsible for injustice trying to impose a “forgive and forget” mentality (Ignatieff, p. 110).

To this end, the political demands of the transitional context generally took priority and were seen as the most important issues at the collective level. The reactions outlined to the AZAPO case also highlight the fact that some individuals participating in the TRC process were subject to a range of political and social forces. Victims were not simply exercising their rights to truth, to speak out or to access reparations. They were seen as part of a much larger social and political endeavour.

Attempts by victims to achieve what they saw as justice through the courts were largely seen as a hindrance to peace. They had to forego some of their rights in the interests of the greater good (a paradoxical situation considering that the right to justice through the courts was available to victims of so-called “ordinary” crime). These examples also highlight what we meant in the *Symbolic Closure* article, when we argued that “psychologising the nation” could be a vehicle for subordinating diverse individual needs to the political expediency of national unity and reconciliation. This can also lead to simplistic discourses such as the “revealing is healing” or “truth:

the road to reconciliation” statements (as I discussed in Chap. 4) as those in power publicly seek ways to “justify” some of the national processes taking place.

In *Symbolic Closure*, Wilson and I go on to argue that this has implications for the work of truth commissions more broadly. Namely, that by treating “nations” as if they have psyches that need their “collective” ghosts cathartically exorcised, truth commissions can aim to set out to construct memory as a unified, static and collective *object*, rather than a political process, or as a struggle over the representation of the past. This can divert attention from the real value of such processes.

Ignatieff challenges the notion of speaking about nations as if their psyches are the same as those of individuals (for example, as in the assertion that by truth telling the nation will be healed). He feels that it is problematic enough to vest an individual with a single identity, let alone to talk of the healing of a fissured national identity as if it was an individual with a conscience, identity and memory (Ignatieff, 1998). Leslie Swartz, reflecting on the South African TRC, makes a similar point:

Individuals who...are given the role of speaking for the nation’s pain, are not necessarily “healed” or helped by this process, and may in fact find the experience unhelpful and distressing. The sensitivity of the TRC to this issue is praiseworthy, but it is easy for us to get lost in the confusion between psychoanalytic views on how individuals can best be healed, and what is essentially the political need for a country like South Africa to find a way to meet the challenges of the future (Swartz, 1998, p. 184).

Gutmann and Thompson (2000) feel that reconciliation as goal of a truth commission is an illiberal aim if it expects that an entire society is to subscribe to a single or comprehensive moral perspective. Wilson and I therefore took a restrained view of what truth commissions could achieve. Instead of truth commissions setting out with such expansive goals as reconstructing the “national psyche” and “healing the nation”, or even “reconciliation”, truth commissions can – through investigation and uncovering facts about the past – provide a frame for public discourse and public memory (Ignatieff, 1998). Elsewhere Ignatieff writes, “The past is an argument and the function of truth commissions, like the function of honest historians, is simply to purify the argument, to narrow the range of permissible lies” (Ignatieff, 1996, p. 113). Truth commissions can help to create a new public space in which debate and discussion on the past can occur, and the range of “permissible lies” can be narrowed.

But this public process is also not wholly open-ended. Truth commissions must also define the acceptable limits of the argument over *what happened to whom* and reduce the range of acceptable historical revisionism. In the *Symbolic Closure* article, we argue that the legitimating function of this new framing of history can be important to victims because during the authoritarian era, such narratives are regularly silenced and distorted by the media, the courts, and public institutions.

The Limits of Closure

Wilson and I found an important confluence in our work (as mentioned above); namely that the individual experiences of those with whom we worked and researched, as well as subjective victim desires and expectations were often “out of

sync” with the collective process. We thus observe in *Symbolic Closure* that closer examination of TRC processes reveals “cracks appearing between the national and individual representation of trauma” (Hamber & Wilson, 2002, p. 37). We go on to try to deal with the complexity of the individual healing process, and specifically what we term “the different forms of closure”.

The concept of closure is important for my work as a whole and is integrally linked for me to the ideas behind the notion of trying to “repair the irreparable” discussed later in Chap. 6; that is, that the psychological impact of extreme human rights violations can never be totally alleviated, and actual harm done cannot be reversed. As psychoanalytic theorist Melanie Klein conceptualises it, the harm inflicted can never be *completely* “made good” (Klein & Riviere, 1964). Closure can only ever be partial, and the resolution of trauma is never final and recovery is never complete (Herman, 1992). Or as a victim of political violence in Northern Ireland put it to me recently, “I dislike the word ‘closure’...I will only receive closure in the grave” (Personal Communication, 24 June 2004, focus group discussion on truth). These words chime with those of another Northern Ireland victim who not only recognises the impossibility of closure but also links demands for it to national and political agendas:

What’s closure? What, you don’t talk about it anymore? No there’s no such thing as closure. Closure is a nice way of society saying, “for fuck sake dry your eyes and go on”, that’s what closure is. Closure is not about you, closure is about everybody else; that’s what closure is about. For you it’s about learning to live with a new situation and dreaming about the past. Closure is definitely someone else’s agenda because how can you close on something that’s in your head. How can you ever forget your brother or your mother or father or your sister? You can never forget about them and they will always be who they were and they will always be them...that’s not closure...learning to live it and learning to live in a manner that’s good for your health rather than being unhealthy, always being depressed about what happened (cited in Lundy & McGovern, 2005, p. 33).

This is not to say that all victims of political violence remain psychologically damaged following extreme trauma. Degrees of dealing with the consequences of extreme political violence and trauma are possible; many victims are indeed survivors and highly resilient and can “learn to live with it” as the survivor above implies. It is possible to reach a place where a substantial degree of mental resolution takes place – a place where the trauma is no longer seen as unfinished business requiring, for instance, a compulsion to take revenge. The grief one feels at a loss, although still there to a degree, stops interfering with everyday life and the individual can tolerate thinking of the event. It is accepted and integrated into day-to-day living. The best resolution for the survivor, Herman argues, is the restoration of the capacity to take pleasure in life and fully engage in relationships (Herman, 1992). When it comes to bereavement, successful mourning means that the relationship with deceased is transformed and the loss is accommodated into everyday life (Field, 2006b).

Research suggests that the impact of negative life events such as death is highly variable and may persist for many years (Tait & Silver, 1989). The degree to which the effects of such events can be said to be abnormal or normal is also unclear (Tait & Silver). It is for this reason in recent years that I have begun to revert to some psychoanalytic conceptualisations of what is possible in working with the victims

of political violence. The psychoanalyst D.W. Winnicott uses the term “good enough” in relation to parenting, arguing that parents need not be perfect but simply good enough and that the mother needs to treat the child with a primary maternal preoccupation and create a holding environment. To this end, and given that what has lost can never be fully replaced, psychological and social remedies for political violence (whether through counselling, reparations, justice, etc.) can at best only ever be psychologically good enough (cf. Davis & Wallbridge, 1981); that is, the victim feels subjectively satisfied that sufficient actions have been taken to make amends for their suffering and some psychological state is achieved in which some sort of mental resolution (as I explained it above) concerning past trauma is reached. This type of “good enough” resolution is what I mean by healing when I refer to it throughout this book.

On the whole, public bodies such as truth commissions seek closure (at least at the level of rhetoric) largely through symbolic means, but also through trying to offer victims a voice and an opportunity to address their pain. The limited procedures they embody (statement taking, giving public testimony, etc.) can converge with or diverge from survivors’ individual agendas or needs at a psychological level. However, in line with some of the complexities of the individual psychological healing process discussed so far in this book, the degree to which processes such as truth commissions can fully (or even should) converge with individual processes is questionable.

The experience of political trauma associated with murder and the disappearance of the victim creates a complicated psychological space. Pauline Boss calls this experience “ambiguous loss”; that is, the most stressful form of loss because by its nature it is irresolvable and none of the traditional markers such as death certificates exist (Boss, 2004, 2006). Ambiguous loss is an extraordinary stressor and because of its unending nature literally encourages a denial of loss (Boss, 2006). The disappearance of bodies through political repression creates an ontological uncertainty among survivors and a psychological experience of what Freud termed the “uncanny” (Suarez-Orozco, 1991; also see Chap. 2 where I discuss the term “uncanny”). Both the survivor and the dead inhabit a symbolically liminal space; that is both are part of society but removed from society. Put another way, the Latin root of the word liminal means “threshold”. The disappeared person inhabits the threshold between being dead but also potentially still alive, and the families of the disappeared can find themselves psychologically preoccupied with the same existential space.

The TRC Final Report documented dozens of cases of disappearance, most directly linked to political attacks; however, the apartheid system enforced liminality in other ways, which have caused spiritual difficulties for some. At the Nelspruit hearing of the TRC, Mtsorombane Carlson Ngwenyama, described how in 1964 not only were he and his family forcibly removed to make way for white homes but also the dead were also moved on:

In 1964, the message came to us that the graves were to be exhumed. The owners of these graves were not even informed...As I am a parent today, I am having twelve children but they don't know the grave of my mother...As blacks this is a problem to us because it is

our tradition that they must know; they must worship their elders (South African Truth and Reconciliation Commission, 1998, Volume 5, pp. 153–154).

In the article *Symbolic Closure*, Wilson and I also use examples from our own research to outline the nature of liminality. For example, we highlight the way that rooms of those who are disappeared are often left untouched by loved ones for years and sometimes decades in the hope that their relatives will return. In the Brazil case, which I introduced in Chap. 3, the naming of streets after the dead and missing, as a form of reparations or commemoration, has been significant and meaningful for some but not for others. Some families have opposed such moves because they believe that naming the street concretises the death of their missing relatives. These families appear to still live in hope (or denial) that their children will return and have therefore refused to attend the inauguration of the streets named after their loved ones. Some families even refuse to move house in case their missing relatives finally come home.

In Northern Ireland, one is constantly reminded of the liminal space of the dead through street art and murals, as well as protest art depicting those killed in the conflict on billboards or posters. What is interesting (and unavoidable) is that these public forms of commemoration hold the dead person in limbo because the images never age. So while the rest of society gets older, and the dead person's contemporaries physically age, those killed in political violence remain trapped in time. In the Northern Ireland case, this often takes the form of black and white images of the 1970s, with the victim still sporting the fashions and haircuts of the time. Unlike individual photos, which can be used as tool for conversation as to where someone might have been today if they had not died potentially aiding the process of mourning (Dawson & Riches, 1998), public displays of this kind generally do not encourage such dialogue as they are tied primarily to political messaging, which flows one way.

Wilson's research in South Africa uncovered more bizarre cases. For example, the ghost of a man called Two-Bob Mpopu who had been stabbed to death by his girlfriend was reported to have been seen by several witnesses walking the township streets of Msogwaba near Nelspruit and assaulting passers by (Hamber & Wilson, 2002). On the political front, some victims' relatives complained how after the Sebokeng Night Vigil massacre of 1991 in which 42 mourners were killed by IFP combatants, the community avoided visiting those who lived in the houses where the massacre took place. Community members kept away from the homes because they said they could see the dead "walking around in this house, and in the garden" (Margaret Nangalembe, Interview with Richard A. Wilson, 29 November 1996 cited in Hamber & Wilson, p. 43).

In Chap. 3, I spoke of the case of Duma Kumalo, a man who had been accused of murder and spent 6 years on death row as part of the case known as the Sharpeville Six. He recounted, when we were making a documentary about his case, some of his experiences:

Imagine I have spent 1,076 days waiting for death...on the 14th of March we were told that "the Lord of the world has no mercy and we will be executed on the 18th"...[pause]...on the 4th day they usually bring a full chicken, so that you can eat it before you die and you are being provided with R7 to buy whatever you want to buy. When we are busy saying

good bye to our parents for the last minutes...our attorney enters because he was from the court fighting for the stay of execution. He told us that we managed to get a stay of execution. We are supposed to be happy...but we were confused because our case have been going up and down, we have been building hopes and those hopes used to be shattered... we accepted it...and we went back to our cells...the most painful thing is that when I get to my cell the chicken was there waiting for me, of which it was an indication that I am finished...but I managed to eat part of that chicken with one of my co-accused...I died from that time...[pause]...At times while I was in jail I always dreamed being outside and I become angry to myself in the morning when I woke up and find out the walls are still those walls, even the blankets, I am still in jail. And the situation now happens outside, whenever I dream it takes me back to death row, and when I woke up I find myself being outside. I am not certain about what is happening to me. Maybe my going back to that place it might be of a great assistance because I want to go there and dump a packet of cigarettes in the toilet because I start becoming a heavy smoker while in there. So if I can dump a packet of cigarettes it might be of a great assistance because I will tell myself I am out, because I am no more smoking (extract in Han, 1997).

Duma Kumalo's experience, at least in the initial days of his release, was of a profound sense of dislocation – experience of the uncanny if you will. Elsewhere he spoke about death row being a place where the soul leaves the body and one watches one's own body from a distance, waiting for the moment of release (Matshoba, 2002). At one of the TRC hearings, Mthembeni Siphon Magwaza – who had been abducted, lost one of his friends, and had seen five other people being shot by the IFP – described his own psychological state as: "I am a living zombie; psychologically and emotionally, I am dead" (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 131). The feeling of being already dead reveals, in the words of Richard Rechtman, a kind of "interiorisation" of the rhetoric of the extermination (Rechtman, 2006, the rhetoric of extermination was discussed in Chap. 2). Kumalo's words clearly demonstrate the way objects and action (the chicken and the dumping of the cigarettes in the toilet) have a deep psychological significance to survivors. It seems that Kumalo needed to engage in concrete activities to symbolically find his way back into reality and away from death and liminality. This is where issues such as reparations, and particularly symbolic reparations, can become important (see Chap. 6 for a detailed discussion of this). Concrete processes such as granting reparations can have an impact on the individual psyche at a profound level, and arguably so could other processes such as justice and acknowledgement. As Wilson and I note, summing up what is essentially meant by symbolic closure:

When the living receive payment for offences against the dead (and forsake revenge), this can, in some cases, solidify and resolve the dead, who were previously seen as wandering like undead ghosts. Reparations (and processes of remembering and commemoration) stabilise the ghosts, they domesticate and tame them by representing the compensation for their death (Hamber & Wilson, 2002, p. 44).

This approaches, at a deeper level than was discussed in Chap. 4, the healing potential of processes such as truth commissions. If sufficient truth is revealed, truth commissions could help individuals to place their experience within a narrative that makes personal sense and consequently helps to rebuild their place in society, which the political trauma, as was argued in Chap. 2, fundamentally undermines. This can be aided by steps such as finding the bodies of the missing, which has

symbolic meaning and practical importance. Susan van der Merwe's husband disappeared on 1 November 1978 after being killed by a group of MK soldiers to whom he had offered a lift. The words of her testimony to the TRC capture the dual role of the symbolic and the practical, which are also interrelated:

The uncertainty and the utter feeling of helplessness that was caused by the disappearance of my husband was probably worse than receiving news of his death, one time. If I could put it this way, it would have been better for me just to hear that he had an accident with a gun or he had a car accident. It would have been better for me to digest the news. But the fact that there was no body even to bury led to the fact that there was no official evidence of his death. This led to me not being able to conduct financial transactions such as buying a house. My whole life was then an uncertainty...My story...is but a story of a woman who could not bury her husband because there was no corpse (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 153).

Truth commissions can create a framework of explanation (Ross, 1997). Clinically, it has been found that for victims the memory of the events they have suffered need to be integrated into their conscious existence – the meaning of the trauma for the individual has to be discovered (Garland, 1998a). A successful truth commission that assists in uncovering new information for the relative, as well as the details of a specific atrocity, can become a mechanism through which ideological rationalisations for loss could be internalised and understood. It can also assist in providing practical markers of moving from liminality to reality.

The story that truth commissions uncover can help the victim develop a matrix of meaning around the event and assist with cognitive recovery. This perspective is in line with the trauma theory discussed in Chap. 3 (Janoff-Bulman, 1985, 1992), which sees the impact of extreme trauma as a partially cognitive experience, shattering cognitive assumptions and therefore requiring the rebuilding of a narrative and understanding of the event within a wider frame. The social environment itself and truth commissions as mechanisms for creating narratives and uncovering concrete truths (such as bodies) can be critical in this process of discovering the meaning. This could in some cases be complemented by individual work (such as therapy or traditional healing rituals that may take place outside the bounds of a truth commission) aimed at addressing the deep intra-psychic process of dealing with extreme loss for some individuals.

In this respect, my work has developed along three intersecting strands over the years. One strand considers the relationship between truth commissions, uncovering the truth, developing a coherent narrative and the process of creating a cognitive meaning of the event for victims. The second considers how social and contextual factors (e.g. actually delivering reparations, truth or justice) link to such processes. A third strand acknowledges the profound intra-psychic impact of the past and the complexity of any process aimed at uncovering meaning and seeking some form of mental resolution following mass atrocity.

Using these strands, I maintain that truth commissions may provide some narrative framing and understanding of the impact of an atrocity for a victim at the cognitive level and can potentially result in concrete outcomes that have a psychological impact, such as reparations. However, the impacts of narrative framing or reparations

moves beyond the cognitive and will always be processed by individuals at a deep intra-psychoic level that has its own time frame and process. How this is dealt with at the intra-psychoic level is in turn profoundly influenced and shaped by the social and political context, which can promote or hinder the delivery of reparations, truth, justice, and survivors' actual social and political participation in such processes.

My approach, therefore, concurs with some of the clinical findings of Eagle (Eagle, 1998). She argues that trauma requires specifically this kind of dual focus on both external behaviour and internal processes (Eagle). This approach marries, at least to a degree, a more psychodynamic understanding of trauma with a cognitive approach. However, where the emphasis of attention should be given in this approach is less clear. The dominant approach to dealing with trauma, as anyone in the field knows, is a cognitive one (Bisson, 2007; National Collaborating Centre for Mental Health, 2005). But such approaches are normally preoccupied with the individual in the therapy room. For me the bigger questions are how meaning systems are altered by macro processes and what the relationship is between intra-psychoic processes and social change. In the final chapter of this book, I argue that when dealing with political trauma it is the social context – and activity and activism of victims around issues such as truth, justice and reparation – that requires increasing attention in the psychological field and in the consideration of how to deal with extreme political traumatisation. Of course, these factors have a strong cognitive influence, but effecting such change primarily happens through altering social reality.

To this end, we can begin to ask about the gap between the individual and political processes of addressing the past and also to look for the confluences between the two. Reparations are potentially one of these areas of confluence (along with truth and potentially justice). If made in a timely fashion, reparations can more closely align political or national attempts to repair the past with the individual process of healing. They would also need, though, to meet a range of criteria, such as occur in a context where truth is also acknowledged, where there is a perceived sense of justice, where reparations are individualised, and where victims are part of the process of delivery. These are all issues I discuss in detail in Chap. 6.

Bonds with the Dead

Over the years I have frequently been asked to explain the centrality of truth, justice and reparations to the healing of victims, as well as activism in seeking to address these. I have found myself using an unconventional (and perhaps inappropriate) way of responding to these requests. I use a typical Western or cowboy film in my explanation because they often capture, in their brutal simplicity, the essence of the human dilemma with regards to addressing wrongdoing. Many Westerns begin in the same place – the unjustified death of a loved one, be it a wife or friend. The next scene is typically that of a cowboy standing next to a freshly dug grave and, as he stands there, he makes a vow. Normally, these vows contain three elements: nothing

will replace you; the truth will come out and justice will be done. To fulfil this, the cowboy then begins a bloody gun-slinging journey of revenge or retribution. The Western genre remains popular (largely with men, I acknowledge), and I would contend that this is because, despite the death and mayhem and without condoning revenge, the quest for revenge is often portrayed as an honourable pursuit. Ignatieff talks about fantasies of revenge being founded on something deeply moral (Ignatieff, 1998).

There is much that could also be said about the gendered nature of the cowboy example, as well as the difference between the concepts of revenge and retribution (Nozick, 1981), but I use it not to justify revenge or to enter into a philosophical discussion about it but rather to highlight the important connections between the dead and the living after political atrocity. Ignatieff calls what I describe above “keeping faith with the dead”, which is the making by the living relative of psychological and invisible pacts with the individual who has been killed (Ignatieff, 1998).

Grieving individuals often enter into conversations with the image of their dead loved one; these can persist years after the death (Volkan, 1997). Conversations with the dead can be important in adjusting to the loss (Walter, 1996). The invisible bonds Ignatieff talks about between the dead and living and the content of the conversations are important when one thinks about the legacy of political violence for individuals. Pledges for justice and truth (often at the graveside) go some way to explaining victims’ (often unrelenting) quest for truth and justice. In terms of reparations, this is integrally linked with the vow that nothing will replace the loved one. The problem with these pledges, however, is that, unlike the cowboy living in a lawless celluloid society, they are tied to the social and political context. It is often impossible for the relative to meet the demands of the oath outside of what is happening in the society, which can often curtail efforts at truth, justice or reparations.

As a result, passively accepting reparations can be experienced by survivors as a disrespectful act that betrays the loss they have endured, the vow they made at the time of the death of their relative, or the memory of those killed. In Northern Ireland it has been found that for victims of political violence, forgiveness is often not seen as possible because of the desire to keep faith with the dead (de Vries & de Paor, 2005; McLernon, Cairns, & Hewstone, 2002). The impact of these moral and honourable bonds can be witnessed with regard to some of the mothers of the disappeared in Argentina (the Madres of the Plaza de Mayo) who do not accept reparations because reparations compel them to accept their children’s death against their wishes. Accepting reparations would induce guilt and would imply giving up hope and rendering meaningless the lives of their children (see Suarez-Orozco, 1991, this is also discussed below and in Chap. 6). In the same vein, Rechtman argues that survivors of genocide (in his case the Cambodian genocide) face a paradox; that is, if the survivor:

leaves this world of death, that could mean abandoning the dead without a symbolic place where they could exist. But if he/she keeps them only in his/her own memory, that could signify that the survivor remains captive of the perpetrator’s world of death. In both cases, the survivor’s attempt to escape this paradox fails with the risk of confirming the abominable claim of their torturers (Rechtman, 2006, p. 7).

The weight of guilt, be it because of surviving or being unable to prevent what happened, and the horror of the death of others and loved ones, needs to be lifted without the memories of the past being forgotten. An ongoing inner relationship to death and destruction in the society is needed, but this needs to be predicated on a healthy (albeit impossible to define in normative terms) connection to the dead, the living, and the society at large.

There is no consensus on the length of a grieving process (Beristain, 2006). Clearly, the rituals of respect and memory associated with death and trauma are difficult to break and, arguably, should only be severed (if at all) by the survivors themselves when they are personally ready to do this. In fact, it is a point of debate whether coming to terms with death entails breaking the bond between the living and the dead or the psychological process of working and living with connections to those who have passed away.

Collective mourning and grief are present in all cosmologies and they assert the existence of continuity between the dead and the living (Rechtman, 2006). There are generally continuing interactions and internal relationships with the dead in most societies, from visiting burial sites through to encounters with ghosts, ancestors or wandering spirits. The dominant view of how different cultures continue bonds with the dead in the ways mentioned above has shifted away from thinking of successful mourning as being about severing bonds with the dead to being about constructing a durable biography of both the survivor and the deceased (Klass & Goss, 1999; Neimeyer, 1998). In bereavement studies, there is a growing acceptance of what is termed the “continuing bond” (Boelen, Stroebe, Schut, & Zijerveld, 2006; Field, 2006b; Field, Gao, & Paderna, 2005; Klass, 2006; Klass & Goss; Klass, Silverman, & Nickman, 1996; Neimeyer, Baldwin, & Gillies, 2006; Schut, Stroebe, Boelen, & Zijerveld, 2006). It is now widely accepted among bereavement theorists and practitioners that an ongoing relationship to the deceased is normative and necessary for adaptation to a loss (Field, 2006a). Much of this thinking is built on a rejection of the Freudian view that one had to sever emotional attachments and invest in others to complete the mourning process (Freud, 1955).

Although holding onto so-called “linking objects” (Volkan, 1981, see definition below), conversations with the dead, and even hallucinations, have a sense of the uncanny about them and can be maladaptive at times (discussed later), these things can also be important in constructing meanings about life and dealing with grief (Klass, 1999). Work on the notion of a continuing bond teaches us that bonds to the dead are important in dealing with loss, and that it is a misnomer to think of the relationship between the dead and the living as ever being severed. However, even in cultures where there is a strong and ongoing connection between the living and the dead, a boundary between the two exists (Field, 2006b). Cemetery visitors on the whole are not confused about whether the person they are visiting is dead or alive (Klass, 2006). There is:

...a clear frontier between the dead and the living. They are not the same kind of beings, and this is a powerful invariant all over the world, even if it takes various cultural expressions. The dead and the living can live in the same world, share the same universe, belong to the same system of values, even meet each other under certain circumstances, but

nevertheless they will never be identical. They will never share the same flesh, the same blood, or even the same values. They will never belong to the same category of beings (Rechtman, 2006, p. 6).

Death is an assault on an individual's meaning system (Field, 2006a), as is mass trauma, which is not only about physical hurt but also philosophical hurt (Saul, 1997). The result is that there is a need to attribute significance to and make meaning from the loss (Beristain, 2006), which can be existential or spiritual but also practical and personal (Neimeyer, 2001). If the death involves a traumatic event or is directly witnessed by the bereaved or they too were under threat, the loss can be particularly fear-invoking (Green, 2001 cited in Field, 2006b). Violent loss increases the inclination to cling to the lost person (Boelen et al., 2006). The result can be that the distinction between the present and the past, or the existence of the physical separation, can fail to be recognised by the bereaved (Field, 2006b).

In addition, in politically repressive contexts it is not only people that are lost. But as Freud has noted, loss can also be about abstract things such as "one's country, liberty, an ideal, and so on" (Freud, 1955, p. 167). Mass violence, as was quoted in reference to Bosnia in Chap. 2, kills dreams of morality, kinship and belief and belonging in one's country. In short, it can destroy visions not only of the past but also of the future. Rhetoric associated with extermination can also alienate the living from the real world (Rechtman, 2006). Survivors often have to exist in a context where a crisis in meaning was not only present during the conflict but also continues to linger after it, in cases where bodies remain unaccounted for and lies or even direct violence continue. The problem with repressive political contexts is that they dramatically pervert the meaning of death, as well as what it means to survive political violence and to continue to live with it or its legacy. Bonds to the individual dead are interwoven with others who were killed, as well as with the living (Klass, 2006).

Thus, political violence of the past and living with its legacy in the present, especially if elements of repression continue, can result in the dead and the living symbolically co-existing. The difficulty this creates is that, although people might seek individual meaning as they try to understand what they or their family were subject too, very often meaning can only be reworked or understood through a shift in the political and social context that created the crisis in meaning in the first place. The predicament is not merely one of the dislocation or mislocation within the individual psyche but between the disconnect between inner reality and social reality (Klass, 2006).

This goes some way to understanding the activism for justice, truth or reparations of some survivors following political violence or their involvement in self-help groups made up of others with similar experiences. They are attempts to change social reality, forge new connections and align inner reality with what is happening externally while developing new communal narratives. On top of this, the impact of extreme trauma is psychologically profound and fragile intra-psyche processes are constantly at play for survivors. These processes need to be taken into account. However, we also need to be aware that it is through the social reality that the continuing bond with victims of political violence is renegotiated. This poses a

myriad challenges to survivors because their ability to change the social and political context, and thus meet the obligations of the promises they made to their loved ones, is constantly under threat as societies in transition try to deal with the macro questions of doing justice, seeking accountability and making reparations for what happened.

It is unlikely that victims will ever be able to fulfil all the promises they make to their relatives or that survivors of extreme trauma will ever be able to fully create a completely coherent meaning system of what happened to them in the present. The question is how do we, as mental health workers, and practitioners in the field of transitional justice more broadly, create contexts that can alter the social reality in a way that increases the ability of survivors' promises to the dead to remain intact, as well as maximise the potential for them and other survivors of atrocity to develop a new set of narratives and new meaning from the trauma.

Ambivalence and the Dark Side of Closure

The psychological space where the impact of political violence resides is a contradictory and ambivalent one. To deal with the uncertainty and social dislocation of political trauma, the victim or survivor has to engage in a profoundly ambivalent relationship with the dead. Wilson and I have referred to this as the “darker side of closure” (Hamber & Wilson, 2002). The example of one faction of the Madres of the Plaza de Mayo in Argentina (mothers of the disappeared) who refuse all forms of compensation or reparations, arguing that “those who were taken from us alive should be returned to us alive”, is a case in point. These words, as irrational as they seem, have become for me a central tenet of how I have come to understand the activities and work of many victims' groups, as well as a metaphor for the depth and complexity of the impact of extreme human rights violations at the intra-psychic level.

First, the statement “those who were taken from us alive should be returned to us alive” embodies the frustration that victims feel when trying to achieve justice and uncover the truth in highly charged political environments (not to mention the frustration felt in confronting the reality that what has been lost cannot be replaced). I have observed this frustration in several countries. In societies in transition, there is often a desire to rebuild the state as soon as possible, which means that very often survivors and their attempts to come to terms with what has happened to them have to chime with this rebuilding project or be cast aside. Survivors are asked to hurry up and find closure, very often before processes such as truth, justice and reparations, which might assist the process of closure, have been put in place. This can be exacerbated, as was noted above, by calls for reconciliation or forgiveness when survivors do not feel psychologically ready to reconcile or forgive.

Second, the statement “those who were taken from us alive should be returned to us alive” highlights the gravity of and complications implicit in the healing process, which is often contradictory by its very nature. This is captured by Suarez-Orozco in Argentina in his reflections on the reasons for some of the Madres of the Plaza de Mayo refusing any form of compensation:

The Mothers argue that any such bureaucratic intervention requires them to psychologically become their children's executioners: they would first need to psychologically kill and bury their children before proceeding with the legal route. And this is too costly, much too guilt inducing. It is as if giving up hope is betraying their children (Suarez-Orozco, 1991, p. 496).

I have constantly observed the contradictory desire by victims to both want to continue to remember the events of the past and a wish to somehow forget them (possibly to escape the all-consuming bond with the dead). This was, at times, evidenced by some TRC victims' (literally unbelievable) statements about the desire to forgive and forget some of the abuses of the past. For example, as one victim noted, "If I get money, I'd forget everything and do my things the way I like... He shot me, I forget. If I saw him, I'd say 'you're my friend, forget about the past. I've got everything I want'" (cited in Crawford-Pinnerup, 2000, p. 45). Herman argues that the will to deny horrible events and the will to "proclaim them aloud is the central dialectic of psychological trauma" (Herman, 1992, p. 1).

Finally, the phrase "those who were taken from us alive should be returned to us alive" has alerted me, with the benefit of hindsight, to the possibility for victims to become stuck or trapped in the mourning process. This is captured by Volkan when he talks about people becoming "perennial mourners" (Volkan, 1997). For Volkan, complications in the natural and involuntary process of mourning can sometimes set in and the individual can remain preoccupied, year after year, with the image of the dead person (Volkan). Objects (he calls these "linking objects") can connect the perennial mourner with the dead person, such as a handkerchief or a watch, and the individual remains in a state of limbo, bringing the dead person back to life through the object (Volkan). Others researchers have found clinically that some individuals turn away from the task of mourning, making a strong identification with the "dead object" and, rather than mourn the dead, they descend into a pathological substitution for mourning (Garland, 1998b). A perpetual state of mourning can persist. Volkan uses the example of mothers who continue to turn down their children's bedclothes every night even though they know they will not return (Volkan).

The question that the research on continuing bonds raises is how we determine what are positive or negative (or, put another way, adaptive or maladaptive) behaviours once we accept there is a continuing bond with the dead (Field, 2006b). For example, keeping the deceased's room intact (or even turning the bedclothes down as Volkan mentions) could be part of the process of continuing a bond for a period of time as the loss is reintegrated internally. I am thinking of some of my, admittedly limited, work with children who had lost parents in the early days of my training as a psychologist. Many of them, in the initial months of the trauma, reported seeing their parents in the house or garden. Widows too also report seeing their husbands, hearing their voice or footsteps, or possibly visiting places where they might be found, such as at the bus stop (Field). This, however, is often a transitory phase as they integrate the loss of their husbands.

However, keeping a room unchanged for a number of years, or persisting with the behaviours Volkan mentions, and continually seeing and talking with dead

relatives, can be a “defensive fantasy of the deceased’s continued existence that serves to deny their death in order to ward off the pain of the loss” (Field, 2006b, p. 744). Herman also discusses the issue of compensation in this regard (Herman, 1992). She argues that fantasies of compensation – like those of revenge and forgiveness – can, at times, become impediments to mourning (Herman). Although in many cases compensation can be an important part of recovery, she argues that it can also be a trap, with prolonged and fruitless struggles for compensation representing a defence against facing the full reality of what has been lost (Herman).

I have also observed how some victims use graphic images of the dead (for example on victim group websites or in publications) as a way of reminding themselves of the horror and, in some cases, I believe, to ensure the bonds with the dead do not fade. The flipside of this is that in Northern Ireland I have seen how television companies continue to run scenes of certain bomb blasts on anniversaries of horrific events. It is common for victim groups to complain about this because they feel this is done without their permission and warning and often evokes old traumas (Parish & Hamber, 2006).

Clearly, therefore, there is a fine line between being stuck in a maladaptive mourning process and coming to terms with a loss. Research on continuing bonds complicates (correctly) this distinction even further by noting that the question of whether maintaining bonds is healthy or not is simplistic and does not consider the multiple roles that bonds play or the fact that these roles change over time (Klass, 2006). Thus, a more nuanced perspective is needed, built on a recognition that bonds continue in a variety of forms often for decades. Some bonds are adaptive and others maladaptive; a continuous process of reintegrating, narrating and reinterpreting the loss is always taking place, which brings into question staged theories about how individuals manage loss and suffering.

Politics adds a further complication. In the *Symbolic Closure* article, Wilson and I are at pains to point out how those we interviewed and with whom we worked often felt that their ordinary process of mourning was being hurried by a national political process that was giving them the message to just “have done with it”. To this end, once politics enters the fray, victims can be painted as perennial or pathological mourners because they do not want to simply move on when it is deemed politically expedient by others to do so. Moving on and the language of closure used in political rhetoric often implies a severing of the bond with the dead and fails to recognise the adaptive nature of most bonds.

Victims can also be uncomfortable reminders of our own vulnerability. From a social psychological perspective (and drawing on the “just world” hypothesis discussed in Chap. 3) they could be derogated as victims (Hafer & Bègue, 2005; Lerner & Miller, 1978; Lerner, Miller, & Holmes, 1976; Montada & Lerner, 1998) by others who are uncomfortable with being confronted on an ongoing basis with the injustice victims represent. The study of psychological trauma itself, Herman contends, has to constantly include the tendency to discredit the victim (Herman, 1992). Herman goes as far as to argue that even those working with victims of trauma are often discredited. The desire to discredit the victim can extend as far as such individuals being seen as contaminated by contact with victims (Herman).

This adds new light on how we might interpret the avoidance of the families who were victimised in the Sebokeng Night Vigil massacre mentioned above.

In Brazil, the mothers of the disappeared told me, as I mentioned in Chap. 3, that people call them “dinosaurs” because they keep bringing up the issue of the past and the unresolved murders of their loved ones. The mothers of the disappeared in Argentina (Madres of the Plaza de Mayo) are called the “mad mothers” as I also noted. In Northern Ireland on several occasions policymakers and politicians have commented to me in private that “they” (the victims) should now move on. Politicians often approach the issue cynically in Northern Ireland, making comments such as routinely referred to victims groups as being part of the “victim industry” (Hansard, 2008; Lords Hansard, 2006).

Nonetheless, Volkan’s concept of perennial mourners has challenged me in retrospect to consider whether some of the actions of survivors that I have observed over the years are indeed complicated, unresolved mourning responses or merely part of the process of coming to terms with extreme trauma in a charged political environment. I recall a member of Khulumani, for example, who, when talking about the death of his son, would repeat his story word by word every time. There was no evidence of change or movement over the years in his narrative.

However, making the judgement that one is dealing with a complicated unresolved mourning response (or, to put it colloquially, a victim being stuck in victimhood) is difficult and morally challenging. In line with the more reflexive methodology I outlined in Chap. 1, it is also fair to say that, at times, given the political nature of the work I have been involved in with victims in South Africa (for example, work to do with lobbying for reparations) that made use largely of a standpoint methodology (Tanesini, 1999, discussed in Chap. 1), I chose to avoid making judgements (at least publicly) because of the potential political ramifications of these.

Having said that, the many cynical views policymakers and politicians have of victims, which have been expressed to me in interviews and during parliamentary hearings (and in private) over the last number of years, suggest that we should treat comments such as “victims are stuck” with caution, certainly when they are heard at a political level. The politics involved in the issue of victimhood in societies in transition are generally potent and fraught with peril. Politicians can be reluctant to deal with the continuing bonds to the dead that victims often demand, such as annual remembrance and commemoration services, because these can be expensive, time consuming and, in some cases, actually destabilise peace even if for the survivors the motives behind the demands are purely personal.

Or, alternatively, politicians can be overly enthusiastic to use victims for political ends. In Northern Ireland, politicians have been routinely criticised for grandstanding the plight of some victims to emphasise the inhumanity of their political opponents whilst omitting mention of their own failings (this has been noted in several reports see Cap Gemini Ernst & Young, 2001; Clio Evaluation Consortium, 2002; Deloitte & Touche, 2001; Hamilton, Thomson, & Smyth, 2002; Morrissey, McGinn, & McDonnell, 2002). On the flipside, others have argued that politicians in Northern Ireland urging victims to move on is often about those in power perpetuating denial about the past rather than a genuine appreciation of what is going on for the victim (Dawson, 1999).

Drawing on Humphrey's analysis, victims can also find themselves reproducing their victimhood for the so-called "public good"; for example, social benefits (René Gerard, 1987 cited in Humphrey, 2002) such as societal transformation, peace and stability, potential long-term lesson learning and violence prevention. The human body (the victim and his or her testimony) can be turned into an object of knowledge (Foucault, 1991) in processes such as truth commissions. Plainly stated, the victims themselves and their participation in processes such as truth commissions come to signify or embody a social purpose, at least to some degree, which stands outside of their own experience. Although one could argue that the process has some benefit for the individual (as was argued in Chap. 4), the social purpose of participation (political reconciliation, say) and the benefit of testimony (and perhaps getting the truth and reparations) will seldom overlap with the individual meaning of participation or meet all the individual's psychological needs. Using victims in processes such as truth commissions can even result in individual needs being socially and politically marginalised; for example, in the case of victims having to forgo retributive justice in South Africa or being forced into premature closure and false reconciliation.

Difficult questions have to be asked in relation to institutional mechanisms utilising, for better or for worse, the suffering of individuals for social purposes (even if this has some benefit for victims). There is a limited understanding of the extensive impact of political violence on individuals, especially in the transitional justice field. Even in my own work, my understanding of the impact of large-scale political violence has become an increasing complex endeavour over the years rather than a simpler one.

Conclusion

This chapter has focused primarily on the complicated process of addressing the long-term impacts of political atrocity. It has been argued that the aftermath of extreme political trauma is best described as psychologically ambivalent for survivors. Social processes such as truth commissions set up, at least in part, to deal with the consequences of extreme trauma can never meet all of the victims needs and can only ever be psychologically "good enough". This is the best that can be hoped for in a context where the ambivalences inherent within trying to assist survivors at a deep psychological level (for whom the desire to deal with the past, and to ignore it, is also in constant tension) are being played out and affected by a dynamic and often tense political context. This context is constantly determining and impacting upon the political, social, economic and psychological life of survivors in an ongoing and cyclical way. The questions of truth, justice and reparations are central to this; the delivery of these, however, is often defined politically. This then raises questions about how we include social and political factors in the process of individual healing. The next three chapters of this book will address in detail the role of reparations, justice and truth from a psychological perspective while, at the same time, recognising how these shape and are shaped by political transition.

Chapter 6

Reparations and Paying for the Past

*For who would bear the whips and scorns of time,
The oppressor's wrong, the proud man's contumely,
The pangs of despised love, the law's delay...*

William Shakespeare, Hamlet
To be or not to be Soliloquy (Act 3 Scene 1.64–98)

Introduction

This book has to this point focused on the complexity and challenges of coming to terms with political atrocity. This chapter will take these arguments a step further by analysing the process of reparations, largely through the prism of the South African case, and consider the implications of reparations for societies attempting to deal with a legacy of political violence. The issues surrounding reparations can help to amplify the psychological process of attempting to deal with the legacy of a violent past. They are also useful because they are inevitably a product of the social context and are inextricably linked to political processes. As such, the issues provide another vehicle for analysing how the individual process of coming to terms with political violence is related to what happens at the political level.

The chapter begins with a theoretical and conceptual focus on reparations, and thereafter discusses the implication of such thinking in the South African case. It concludes by extracting the key lessons from South African for the wider reparations debate.

What are Reparations?

Reparations can imply a range of responses and actions. Generally, reparations entail, amongst other things, acts of restoring what has been lost, giving back something that is equivalent to a loss to the person who has undergone the loss, or making amends for what has been done, whether symbolic or material amends. They may even entail specific gestures such as an apology. Most often, drawing on largely

legal notions, reparations are understood as the effort to restore someone (or something) to the state they (or it) were in before harm was done. From this perspective, reparations generally imply a structured and procedurally just way of trying to redress or compensate for harm.

However, from a psychological perspective, reparations have a specific meaning. This is perhaps most evident in psychoanalytic thinking. Historically, the meaning is mostly closely associated with the work of Melanie Klein (Klein & Riviere, 1964). Space does not permit a thorough examination of Klein's work, but suffice it to say that in psychoanalytic thinking, reparation generally deals with internal psychic processes. It is closely associated with intrapsychic guilt; that is, the profound (psychological) urge to 'make good' for injuries done to others. As Klein writes:

[s]ide by side with the destructive impulses in the unconscious mind both of the child and the adult, there exists a profound urge to make sacrifices, in order to help and put right people who in phantasy have been harmed or destroyed. In the depths of the mind, the urge to make people happy is linked up with a strong feeling of responsibility and concern for them, which manifests itself in genuine sympathy with other people and in the ability to understand them, as they are and as they feel (Klein & Riviere, 1964, pp. 65–66).

In this extract, Klein is talking about internal processes that fall within the field of psychoanalytic thinking. She uses the term 'reparation' and not 'reparations', a point to which I will return. Klein is also talking about infant phantasies and not actual harm. She deliberately talks of phantasy rather than fantasy. For Klein, fantasies are conscious, such as acts of daydreaming, but phantasy largely concerns unconscious thoughts that are linked to instincts. Thus, the infant can have phantasies of hate or aggression, when it is not provided by its parents with everything it needs. Subsequent to having them, the infant can be filled with guilt and an urge to make some form of reparation for the harm it has done in phantasy.

This chapter concerns actual harm but the processes implicit within Klein's thinking are instructive. For Klein, the human need to make amends for perceived wrong is closely tied to developing the capacity for taking responsibility. The capacity to understand others and have sympathy for them is developed each time the infant engages in the psychological process of making reparation. Space does not permit a more detailed discussion of this point, but it is central to much psychoanalytic thinking. It is probably best expressed by Winnicott's notion (drawn from Klein's work) that the beginning of the socialisation process is the development of the capacity for concern. Winnicott sees maturity as the ability of individuals to compromise and to feel and act responsibly (see e.g. Davis & Wallbridge, 1981). Thus, for many psychoanalysts, the notion of reparation is woven into reaching a new developmental milestone insofar as feelings of personal guilt in respect of aggression lead to the urge for reparation and the beginnings of social responsibility.

In this sense, the psychological ability to make reparation is considered an essential component in the psychological development of the child and, ultimately, necessary in the formation of all relationships. Klein's analysis tells us that not only do most people have an urge to try to set things right that have been damaged in some way, but that they also expect similar behaviour from others. If this theory is correct then reparation, and the urge to make amends for perceived or actual wrongs to others, holds a fairly central place in human psychology.

Reparations and Reparation

To understand the relationship between the individual (micro) and collective (macro) processes, I believe a distinction between the terms ‘reparation’ and ‘reparations’ can be useful. I define ‘reparations’ as the acts or objects associated with attempts to make amends, such as compensation payments or building a memorial for victims. Reparations can also be representational in form or intent, such as the act of stating an apology. Simply put, reparations are the things done or given as an attempt to deal with the consequences of political violence.

In this chapter, I approach the issue of ‘reparations’ in a fairly narrow way; that is, ‘reparations’ refers to attempts to provide benefits directly to the victims of certain types of crimes (de Greiff, 2006). De Greiff argues that thinking of reparations in this way does not include broader strategies such as institutional reform or truth telling through bodies such as truth commissions (de Greiff, 2006), even though these too could be considered forms of reparations. In addition, this chapter is primarily concerned with reparations granted through what de Greiff calls a ‘massive reparations program’ (de Greiff, 2006); that is the reparations that flow from bodies such as truth commissions’ adhoc reparations structures (e.g. the Asian Women’s Fund, discussed later) or even through courts. Such processes embody wider aims such as doing justice and can include the goals of recognition, civic trust, and social solidarity (de Greiff, 2006), but this chapter considers the significance of reparations as acts, objects, or things done or given to individuals.

The term ‘reparation’ describes what is sought through the granting of reparations. Reparation, as I frame it, is a psychological state in which victims feel that adequate amends have been made for a wrong committed. From an individual psychological perspective, it is helpful to think about the aim of reparations, as obvious as it may sound on first reading, as being about making reparation. From the Kleinian perspective, the purpose of reparations is to make good psychologically what has been damaged, lost, or destroyed. From a macro perspective, a government may also aspire to its reparations programme (for example, a massive reparations programme as defined above) broadly satisfying victims in this way; or, at the least, it might hope that the programme brings some level of satisfaction. The advantage of using the term ‘reparation’ in this way is that it can assist in providing an understanding of how an individual victim may think about reparations and what they may ultimately desire from them. However, whether reparation has taken place for an individual is difficult to measure.

As mentioned in the previous chapter, reparations are a double-edged sword. Symbolic acknowledgement and monetary compensation can be useful, but they can never wholly meet all the psychological needs of survivors or offer full reparation. They also put the victim in a dilemma, as accepting reparations can also break the sacred bond with the dead relative (see Chap. 5). Like the broad issue of dealing with the psychological impact of extreme violence, the psychological needs that reparations seek to address are not instantly or easily addressed through the provision of some form of reparations. The next two sections of this chapter, therefore, deal with the benefits of symbolic reparations, and then the challenges associated with them.

Benefits of Reparations

All objects or acts of reparations have a symbolic meaning to individuals – they are never merely acts or objects. This symbolism to individuals operates at two levels. First, reparations generally symbolise something to individuals. In form, quality, shape, or image, they represent or indirectly express something abstract or invisible, such as the memory of a loved one. Such acts and objects can be profoundly meaningful to victims or survivors at a psychological level. Second, reparations also represent or indirectly express something abstract or invisible to victims about those giving or granting the reparations. Reparations can, for example, symbolise an admission of guilt, benevolence, care for citizens by society, and/or a willingness to pay back what has been lost.

Symbolic Value of the Type of Reparations

In terms of the first point, acts of reparations (for example, reburials) and material acts of reparations (for example, payments) serve the same symbolic end. Both stand as symbolic markers of redress, recognition, or acknowledgment in their own right. This is not to say, however, that political conflict cannot have very real material impacts (such as goods being stolen or destroyed, and/or a breadwinner's income being lost) that may need to be redressed in a financial or compensatory way.

But financial reparations are often mistakenly viewed as, and spoken about by policymakers and survivors alike, as forms of concrete assistance that are significantly different from and certainly more substantial than symbolic acts, such as the erection of tombstones or the naming of streets after the dead. However, although they can have real material benefits, the reality is that seldom will the sums of money granted ever equal the actual amount of money lost over the years since a breadwinner has died and, psychologically speaking, there is nothing inherent in money that will cause it to have a greater psychological impact than other mechanisms. Therefore, we should view financial reparations as another form of symbolic or nominal reparations, even though they may be welcomed by the majority of destitute survivors. This is particularly true in a society like South Africa, where many survivors are living in conditions where any amount of money is appreciated and often of great practical benefit.

I do not suggest that symbolic reparations should replace financial compensation or that they are less important. Compensation can have a direct and important impact on individuals' lives and this cannot be underestimated. I am thinking here, for example, of the situation of Alan McBride in Northern Ireland whom I know as part of a group I work with called 'Healing Through Remembering'. He heads a victim organisation called WAVE in Belfast. Alan lost his wife and his father-in-law following an IRA bomb that exploded in October 1993 in the fish shop where they worked. They were killed along with seven other civilians that day, two of whom were children. Alan has become an inspiration to many victims and to me, and has

been instrumental in building relationships across communities. He was, for example, the first person from a unionist background to give the Bloody Sunday Memorial Lecture (BBC, 2006), which had been until then traditionally perceived as a republican or nationalist gathering.

I have heard Alan on many occasions tell his story, and there are multiple factors that helped him deal with his loss. Four issues, however, always feature when he tells how he struggled to come to terms with what happened. First, he went through a phase of registering his outrage and anger. He was well known for his protests, particularly those aimed at Gerry Adams, leader of Sinn Féin. Gerry Adams carried the coffin of one of Alan's wife's killers; the IRA volunteer blew himself up in the explosion (BBC, 1999). He picketed one of Adams' visits to the US. Alan also wrote to him on many occasions, including in Irish, and would confront him on radio debates. (I refer to the value of this type of protest in Chap. 10.)

Second, he talks about a very active process of grieving. He spent hours and hours, he says, writing letters to his wife, which began as letters of grief and longing and ended with a focus on his attempts to understand what had happened and its meaning. Put another way, as mentioned in Chap. 5, he was building a 'continuous bond' with his wife that was being reshaped through the writing and the historical context that was changing, i.e., the bomb was shortly before the first IRA ceasefires.

Third, at a conference, Alan met a former IRA republican prisoner who, over drinks, apologised to Alan unreservedly, stating that the bombing was wrong. This was a marked difference to other apologies or statements of regret, which had always been qualified. For example, the IRA maintained that the bomb, which only killed civilians, was a military operation targeting a rival loyalist group upstairs. (I discuss the issue of apology later in this chapter.)

And, finally, the compensation Alan received after the death of his wife facilitated his return to university. This allowed him to get a degree and move into youth work, both of which were instrumental in enabling Alan to become a survivor in the true sense of the word. Compensation, when coupled with other factors, allowed him to reconnect with his own community and other communities as a peace builder. Being a peace builder gave a degree of meaning to his loss.

However, although compensation can make a material difference, as can more traditional symbolic measures, it is limited in its psychologically reparative power, particularly if unaccompanied by other measures. It is important to think about compensation in this way as it militates against political attempts to present compensation as the point of closure (see Chap. 5) rather than as only one component of a complex healing process. At an individual level, financial reparations and other acts of reparations, such as building a monument, have the potential to play an important role in any process of healing, coping with bereavement, and addressing the impact of violence for victims. They can symbolically acknowledge and recognise the individual's suffering. Symbolic representations of what happened, particularly if the symbol is personalised as in a memorial on which the name of a loved one is inscribed, and culturally relevant, can help concretise a traumatic event, aid an individual to come to terms with it and help label responsibility. The final point is important because labelling responsibility can appropriately redirect blame

toward those responsible and relieve the guilt that survivors often feel. In addition, reparations can serve as focal points in the grieving process and be a physical or visual representation of what was lost, allowing individuals the space to channel their emotions and address them in a focused or specific way. This can aid recovery by allowing individuals to focus exclusively on their grief through the symbol. Symbolic reparations and even compensation payments, in some instances, can also symbolically mark the point of moving onto a new phase and an individual's mastery over the past.

Messages about those Giving or Granting the Reparations

In terms of the second level of symbolism mentioned above – that is, what the granting of reparations represents to victims about those giving or granting them – a few points are worth making. First, the offering of reparations to victims can represent a societal or community willingness to deal with and part from the past. Reparations are a form of social action, which, in the symbolic realm, aims to repair the victim's relationship with society (Lira, 2001). Reparations can assist victims to feel a greater level of integration, recognition, and acceptance into society. This in turn can combat feelings of isolation, which are a common consequence of political violence, as well as assist survivors in breaking the silence surrounding what happened to them or their loved ones. Others too have argued that reparations can lead to greater feelings of recognition by the state and increase levels of civic trust as mentioned above (de Greiff, 2006). This can be vital in countering the consequences of extreme political traumatisation that were outlined in Chap. 2 – the undermining of an individual's sense of belonging to society and the destruction of individual, community, and institutional bonds.

Monuments, museums, plaques, and other markers are some of the ways that governments, as well as social actors, can try to embody memories. These are, writes Jelin, vehicles that are instrumental in the intergenerational transmission of historical memory (Jelin, 1998). In line with the points made above, the symbolic meaning of reparations to victims, spatial markers of memory such as memorials and monuments are also attempts to make affirmations and statements. They are both objects and gestures that embody individual, political, collective and public meaning. A public monument, for example, is a form of collective recognition that provides 'legitimacy...for the memory deposited there' (Savage cited in Levinson, 1998, p. 63). The establishment of monuments and museums, plaques, and other markers, demonstrates a societal or community willingness to deal with and acknowledge the hurts of the past. They may result in lessons from the past being carried into the future and convince victims of the possibility of nonrepetition.

For survivors of political violence or the families of victims, blame for their victimisation is generally focused on the state or armed nonstate actors, and sometimes society more broadly, and it is tied up in the minds of victims with whether their suffering is recognised by those in positions of power (Maguire & Shapland, 1997).

According to Lean, reparations demonstrate a government's interest in, and the state's acceptance of, responsibility for the wellbeing of its citizens (Lean, 2003). Reparations are, according to de Greiff, a materialisation of society's willingness to do things differently (de Greiff, 2006).

At a more micro level, in restorative justice, restitution paid by the perpetrator to the victim can also help symbolise the perpetrator's commitment to apologising, making amends, and taking responsibility. There is research to show that many victims of criminal violence want reparations in the form of a sincere apology from their offender, as well as compensation from them for damages, promises not to reoffend, and the taking of responsibility by the offender for their actions (Petrucci, 2002). Similar needs have been expressed in relation to truth commission processes.

On 3 March 1986, the South African police ambushed and killed seven young black men outside of Cape Town after having supplied them with weapons via an informer. Cynthia Ngevu, mother of one of the so-called Guguletu Seven, noted at a conference on 19 March 1997, over ten years later:

In my opinion, I think the best way to demonstrate a truthful commitment to peace and a truthful commitment to repentance is that perpetrators of acts of violence would make a contribution, a financial contribution to the families of victims and, in that way, they would then cleanse themselves of their own guilt, and they will then demonstrate with extreme confidence that in fact they are sorry about what they did (South African Truth and Reconciliation Commission, 1998 at Volume 5, p. 99).

Hugo van der Merwe, in his study of a community in South Africa over the life of the South African Truth and Reconciliation Commission, found that it was common for victims to want to confront the perpetrator and tell their story. They wanted perpetrators to be made aware of their suffering and in some cases wanted them to explain their actions and apologise (van der Merwe, 1998, 2000, 2002).

Repairing the Irreparable

As much as survivors might desire an apology, acknowledgement or some form of compensation, all are limited in their potential impact. From an individual perspective, reparations for human rights violations are attempts to repair the irreparable (Doxtader & Villa-Vicencio, 2004b; Hamber, 2000; Minow, 2002; South African Truth and Reconciliation Commission, 2003, Volume 6, p. 161). Put another way, Jon Elster writes that life does not have an "Undo" button' (Elster, 2004, p. 167). Acknowledgment, apology, recognition and even substantial material assistance do not bring back the dead nor are they guaranteed to converge with, and alleviate, all the levels of psychological pain suffered. No matter what the motive, all reparations strategies face this intractable problem. All reparations, in the context of trying to redress the impact of political violence, whether financial or in the form of an object, are nominal in nature, as I noted earlier. It is impossible to wholly close the gap between an individual's personal psychological needs and what the society can offer at a social and political level. Furthermore, the difficulties of trying to repair

the irreparable can be compounded in transitional contexts. For example, one of the needs often highlighted by victims of human rights violations is the need for justice (discussed in Chap. 7). However, in societies in transition, justice through the courts is a need seldom met – for example, in cases where concessions to former combatants and amnesties to state officials are part of a peace agreement or where there are insufficient resources or evidence to prosecute human rights violators.

In the South African context, for example, there is little doubt that the granting of amnesty to perpetrators of human rights violations compounded the sense that some survivors had that their situation was irreparable, whether retributive justice through the courts was a pragmatic possibility or not. This is not to say that even if justice had been forthcoming (in the retributive sense through the courts, say) a past wrong of the extreme kind (murder) could ever have been totally set right from a psychological perspective either. Nevertheless, justice through the courts remains the favoured option of many – as discussed in Chap. 7.

Reparations, however, can also add tensions to the process of dealing with human rights violations. For example, passively accepting reparations can be experienced by some survivors as a disrespectful act that betrays the loss they have endured or the memory of those killed. In the case of families of the disappeared, for example, accepting reparations can often unconsciously make survivors feel complicit in betraying the final memory of their missing relatives. This was highlighted in relation to the Madres of the Plaza de Mayo in Argentina (mothers of the disappeared) in Chap. 5, some of whom felt that they would become the ‘executioners’ of their children if they accepted reparations (Suarez-Orozco, 1991, pp. 469–505).

Clearly, therefore, trying to psychologically come to terms with human rights violations is a difficult, complex and lengthy process, not to mention a highly individualised one. For the most part, at the time reparations are granted, survivors will not be ready to put the past behind them. Reparations can be part of the individual process of psychological healing. It is likely that their personal process of coming to terms with what has happened to them will not fully overlap with the protracted process or political timing of granting reparations. The granting of reparations is a political act with its own time frame and its own potent social dynamic.

In addition, it is critical that reparations are not conditional and do not make demands on the recipient. For example, victims should not be expected, either implicitly or explicitly, to forgive the perpetrators or forget about the past because some form of reparations has been made. Any form of reparations can be expected to leave the survivor feeling dissatisfied. In line with what was argued in Chap. 5, reparations designed or granted with the naive aim of closure are embarking on a misguided trajectory. This is not to say, however, that reparations cannot be psychologically beneficial or that they cannot open personal and social space to assist with dealing with a violent past. But the reality is that the gap between what reparations can achieve at an individual and internal level and what they can offer at a collective and political level will never completely close.

When thinking about consequences of extreme political violence and trauma, reparation (singular) can never be fully achieved at an individual level. The psychological impact can never be totally alleviated and the actual harm done cannot,

psychologically speaking, be completely ‘made good’ in the Kleinian sense. It is for this reason, and because what has been lost can never be fully replaced, that the type of reparation that reparations can contribute to for individual victims can at best only be psychologically ‘good enough’ as I discussed in the last chapter.

Admittedly, this is a less than conclusive way of thinking about the issue, especially for policymakers. In the groundbreaking book *A Handbook of Reparations*, edited by de Greiff, he notes that Article 50 of the European Convention states that reparations should be about just satisfaction to the victim. Correctly, de Greiff asks what just satisfaction actually means (de Greiff, 2006). In a sense, I ask the same question. One way would be to try to quantify a fair level of compensation based on calculating material and moral loss as the Inter-American Court does but, as de Greiff notes, this in itself can be impractical in the transitional justice context. From the psychological perspective, however, we cannot take the question of satisfaction out of the equation. It is ever present from the victim perspective at the same time as remaining elusive, differing from individual to individual and never fully attainable. Nonetheless, some level of satisfaction is attainable from reparations if they are developed and operationalised in certain ways. This is discussed below, with reference to what I term first ‘context, process and discourse’ and second ‘content, nature and type of reparations’. I discuss the concepts behind these terms with reference to the South African case.

Reparations: The Case of South Africa

The Reparations and Rehabilitations Committee (R&R Committee) of the TRC made a set of recommendations in its Final Report that included symbolic, administrative and financial forms of reparations. These were outlined in Chap. 2. The R&R Committee was compelled to deal with reparations in two parts. Under the TRC Act, it had to make what were called ‘Urgent Interim Reparations’ (UIR) but it could also recommend long-term reparations. UIR was paid to 16,885 individuals in the form of a once-off payment ranging from a baseline of approximately R2,000 (about US\$260, exchange rate on May 2008 for all figures below) up to R6,000 (US\$790) in exceptional circumstances. The payments, despite being urgent, began two-and-a-half years after the TRC began and only months before it ended its victim hearings. Research with those who received this initial money has shown that:

Urgent interim reparation (UIR) must be considered a token compensation or symbolic reparation in that it satisfied the recipients’ material needs only briefly, and in that only those recipients who perceived the UIR as symbolic seemed to benefit from it. UIR has not in and of itself made a meaningful and substantial impact on the lives of recipients and cannot, therefore, be considered a significant or even an adequate attempt at reparations (Crawford-Pinnerup, 2000, pp. 50–51).

The UIR scheme was intended to be complementary to a longer-term individual financial grant scheme proposed by the TRC. The TRC proposed a so-called ‘long-term reparations scheme’ in its final report, in which it recommended, as was outlined

in Chap. 2, a six-year pension scheme. In summary, the government rejected this idea and instead opted for a once-off final payment. A final reparations grant of R30,000 (about US\$4,000) was made to some 19,050 individuals in 2003. In other words, a limited form of final reparations was paid some five years after the victim hearings ended. Thus, no victim received more than about R36,000 (US\$4,760 at May 2008 exchange rate) in total from the government in response to the Commission's recommendations.

The response from victims to the government's eventual offer of reparations was predictable, given the delays and the disparities between it and the TRC recommendations. Although some seem satisfied, most seemed unhappy. Victims were quoted as saying that President Mbeki's words stung like salt in a wound (Thompson, 2003), and Ntombi Mosikare, co-ordinator of Khulumani, added, 'We are not putting a price tag on our pain...we only want the country to acknowledge us. What they are giving us is too little' (Thompson, 2003, A5). Others referred to the grants as 'peanuts' and, in some cases, insufficient to cover medical expenses (News24, 2003). On the whole, many victims felt betrayed (Doxtader & Villa-Vicencio, 2004a).

These responses cannot be divorced from the acrimonious relationship between victim groups and the government that has developed over time. For example, in 1999 Khulumani decided to write to all MPs concerning the slow response to the reparations process. This infuriated the ANC and, subsequently, some Khulumani members and I met with the ANC Secretary General who was unhappy that the group had not come directly to him. At the time, the national elections were happening, and the Secretary General asked the group to limit its campaigning and promised that the issue would be dealt with after the election. Needless to say, after the election no news or movement on reparations followed. This type of exchange, where levels of trust and mutual agreement had been reached only then to be followed by inaction enraged victims.

The result was that victims routinely criticised the TRC for bending over backwards to accommodate alleged perpetrators at the expense of victims' concerns. For example, in a letter calling for civil society representatives to endorse a memorandum, one year after the TRC completed its victim hearings, representatives of Khulumani noted:

The TRC has compromised our right to justice and to making civil claims. In good faith we came forward and suffered the re-traumatisation of exposing our wounds in public in the understanding that this was necessary in order to be considered for reparations. We now feel that we have been used in a cynical process of political expediency. We are angry, frustrated and disappointed by the lack of progress and transparency regarding reparations. (Extract from letter calling for endorsements, entitled 'One Year Since the Truth and Reconciliation Commission' issued by the Khulumani Victim Support Group, 29 October 1999).

In the memorandum demanding reparations, which was sent to the Ministry of Justice following a protest march on the same day, the group continues that:

...Many victims, in the pursuit of reconciliation, sacrificed their rights to justice, when the political agreement was made to grant amnesty to perpetrators who admitted to their misdeeds; and unless victims' needs are addressed, the danger exists that victims will lose faith in a process, which appears to grant amnesty to perpetrators, but does very little for the survivors. (Extract from memorandum to the Minister of Justice, Mr Penuell Maduna, from the Khulumani Support Group issued by the Khulumani Victim Support Group, 29 October 1999).

The situation, however, was not only aggravated by delays and avoidance by government and high expectations from victims but also by direct and scathing comments. Some government statements have tried to reduce victim claims effectively to a desire for monetary gain. President Mbeki has, for example, undermined claims for reparations by victims from the TRC by saying in Parliament in May 2000:

Did our people engage in a gigantic struggle, with some deciding to lay down their lives, with the prospect of financial reward in their minds? I have said, and I will say again, that any such suggestion is an insult to them and to all of us who now enjoy the freedom that they fought for.

To make matters worse President Mbeki reiterated the sentiment in his announcement that long-term reparations were to be granted. In his statement at the tabling of the final reports of the TRC on 15 April 2003 he said:

We do so with some apprehension, for as the TRC itself has underlined, no one can attach monetary value to life and suffering. Nor can an argument be sustained that the efforts of millions of South Africans to liberate themselves were for monetary gain. We are convinced that, to the millions who spared neither life nor limb in struggle, there is no bigger prize than freedom itself, and a continuing struggle to build a better life for all.

Such comments served to fuel the resentment many victims bore towards the government's seeming reticence in responding to the TRC's recommendations on reparations. They also led to protest action, which has further exacerbated the situation. For example, in late December 2003, the Khulumani Group disrupted a healing ceremony for victims held by government in Cape Town. The protest took place because they felt, despite all the fine words and platitudes about reconciliation, that they were still being 'treated like third-class citizens' (Sapa/AP, 2003). On this occasion the protest was sparked by the fact that when the survivors arrived at the ceremony, organisers told them to be seated at the back, while government and other dignitaries were at the front (Sapa/AP, 2003).

More recently, Khulumani members were charged for holding an illegal gathering at the opening of parliament on 8 February 2008. Khulumani members picketed parliament demanding community reparations, greater levels of consultation, and that the government withdraw its affidavit from US Court with regards to the 'apartheid reparations' case (discussed below). They were acquitted on 14 May 2008.

Arguably the dismal and hostile response by government to TRC reparations claims are linked to the reason victim groups have sought alternative redress through the international courts. These are known as the 'apartheid reparations'; that is, the case using the American Alien Tort Claims Act filed in the US Courts in 2002 by members of Khulumani against 23 multinational corporations and leading international banks¹ for aiding and abetting the apartheid state in the form of

¹The defendants in the case as: Barclay National Bank Ltd., British Petroleum, PLC, Chevrontexaco Corporation, Chevrontexaco Global Energy, Inc., Citigroup, Inc., Commerzbank, Credit Suisse Group, Daimlerchrysler AG, Deutsche Bank AG, Dresdner Bank AG, Exxonmobil Corporation, Ford Motor Company, Fujitsu, Ltd., General Motors Corporations, International Business Machines Corp., J.P. Morgan Chase, Shell Oil Company, UBS AG, AEG Daimler-Benz Industrie, Fluor Corporation, Rheinmetall Group AG, Rio Tinto Group and Total-Fina-Elf.

supplying weapons, technology, resources and financial backing to state organs and security services. The question of whether these companies are found guilty or not is important and on 12 October 2007, the case was on appeal referred back the New York courts to proceed. But the intricacies of the case are beyond the present focus (see Hamber, 2007b; Michalowski, 2007; Nagy, 2006). For the purpose of this book, however, I want to make some comments concerning the symbolic meaning of the case.

At one level, it concerns the unfinished business of the TRC and that most beneficiaries of the apartheid system (primarily wealthy whites in South Africa and elsewhere) have not responded to calls for justice (Nagy, 2006). At another, it concerns whether victims feel the new government is meeting their needs and heeding their ongoing poverty. Put another way, victims question whether they do, in fact, have a place in the new society and are not merely third-class citizens. In terms of this question, the impact of the current government's negative rhetoric about TRC reparations and its lack of support for the apartheid cases (discussed below) fuse into one in the minds of many victims.

To date, the South African government has made it clear they do not support the apartheid lawsuits. President Thabo Mbeki argued that it is 'completely unacceptable that matters that are central to the future of our country should be adjudicated in foreign courts' (Thabo Mbeki, extract from Statement to the National Houses of Parliament and the Nation, at the tabling of the Report of the Truth and Reconciliation Commission, 15 April 2003). Even Nelson Mandela has spoken out against the apartheid reparations lawsuit saying they will deter foreign investment (SAPA, 2003). The then South African Minister of Justice, Penuell Maduna, took the process one step forward by writing to the US District Judge John Sprizzo, who was presiding over the cases, and asked him to dismiss them (Ancer, 2004; Khulumani Support Group, n.d.). The result has been that the notion of reparations has become deeply intertwined with many black South Africans' general frustrations about white beneficiaries failing to offer reparations and the lack of economic progress for the poor.

The result has been that a process that began with a very wide range of reparations options being presented in the TRC Final Report – including both acts and objects of reparations, such as building memorials, paying for tombstones for the dead, and financial compensation, not to mention a call for a wealth tax – has been reduced to legal battles and financial claims, which in themselves have multiple forms, meanings and manifestations. In reality, most victims wanted a range of reparations, including grants, job creation, empowerment programmes, education and skills development; some wanted assistance with business start-up capital from the TRC (Phakathi & van der Merwe, 2007). Even at the start of the TRC process most survivors had a holistic view of reparations. This is confirmed in a journal entry I made in 1995 after a Khulumani meeting:

After tea a discussion around reparations was held, which was particularly fruitful. The members' suggestions were amazing, no to money but yes to bursaries, medical aids and centres which supplied people with small business loans, skills and the like. Paul [van Zyl] and I have been trying to write a paper on reparations and the thoughts from the group were clearer than we had ever discussed (Brandon Hamber, personal journal, 29 July 1995).

However, the official announcement made by the South African government about long term TRC-related reparations, which finally came in April 2003, was largely understood by the public and the media as being only about financial compensation. Granted, the President did mention the issue of community reparations and the need for ongoing social transformation, as well as the importance of other forms of support and memorialisation. Later the government also attempted to link developments of the Freedom Park Memorial to the TRC, as was discussed in Chap. 2. However, the vagueness of his comments in some cases and the lack of definition of terms such as ‘community reparations’ and ‘collective reparations’ (see Hamber, 2007b; Roht-Arriaza, 2004a, 2004b) led to an increased focus on the monetary component of the reparations, as they were the most concrete of his suggestions.

At one level victims’ anger at the mere \$4,000 settlement could be simply read to be an objective statement about the relatively small amount of money offered. However, at another level, the degree of animosity developed over the course of the process between the victim groups and the government has left a bitter legacy. If more sizable grants had been offered, the immediate retort that the amount of money was insufficient might not have been made. But, given the anger left over from the clash with government and that many in the Khulumani feel that the government has consistently failed to recognise their reparations claims as legitimate, the negative response from victims was perhaps inevitable. The reduction of the debate largely to the financial in South Africa serves as a good reminder of how the context and the broad political environment affect how reparations are defined, fought for, and received.

One cannot separate the call for reparations for victims from how people feel and perceive they are being treated. Many survivors are acutely attuned to having being mistreated in the past and, in line with the thesis presented so far in this book, a government failing to deliver on an issue such as reparations feeds directly into an undermining of victims’ sense of belonging in society; the same perception caused by the original violation (see Chap. 2). It is for this reason that in the South African context, and in the absence of substantial reparations, money has taken on a negative symbolic significance; that is, it symbolically represents the new government’s lack of willingness to listen to the voices of those who were victimised in the past. In essence, it has been the process of making reparations – marked by the government’s failure to act promptly and the negative public discourse about those seeking reparations – that has soured relationships and turned the debate into a struggle over amounts of money.

One of the missed opportunities in South Africa was the failure to deliver substantial reparations to victims (for example, the offering of tombstones and the renaming of streets after activists) early on in the transition process when the context was conducive to their constructive delivery and positive reception. Instead, as it currently stands, the struggle for reparations has been converted into a bureaucratic and political one through delays, inefficiency, and seeming governmental reticence and obstinacy. This has fed into perceptions that the Commission offered more to perpetrators than to victims (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 96), and did not fulfil what were, according to the TRC itself,

legitimate expectations that substantial reparations would be granted (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 99).

All this has left many victims feeling that they fulfilled 'their part of the deal' while the TRC failed to honour its part (Picker, 2005, p. 6). The failure was that of the government that was charged with implementing reparations, but I share Nomfudo Walaza's (Walaza, 2000) opinion that the TRC should have challenged the government more aggressively on the issue, certainly in the build up to the release of its policy in 1998 and following their release. That said, many Commissioners themselves remain embittered as to how the South African government has treated the issue and, by the release of their final volumes, the view was clear:

It cannot and must not be forgotten that the Act allowed for reparations for those who testified before the Commission and were subsequently identified as victims. While the recommended reparations are not and cannot ever be proportionate to the harm suffered, reparations may be understood at least as an act of good faith and a serious attempt to alleviate some of the material and psychological trauma that victims endured. Today, when the government is spending so substantial a portion of its budget on submarines and other military equipment, it is unconvincing to argue that it is too financially strapped to meet at least this minimal commitment (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 163).

In fact, even at the time of the release of the TRC's 1998 reparations recommendations, it was estimated that the recommended victims' pension component of the policy would only have represented 0.06% of the Gross Domestic Product and 0.2% of the total government expenditure in 2000/2001 (Hamber & Rasmussen, 2000).

Context, Process and Discourse

The South African case clearly demonstrates the value of process and public discourse in the delivery of reparations. Process is important to victims because it is one of the ways in which the symbolic importance of reparations is conveyed to them. Reparations are laden with value judgements for survivors as was mentioned earlier in this chapter. In South Africa, and in line with the arguments outlined above, the failure to deliver adequate reparations sent the message that the nation did not care (Walaza, 2000).

Genuine reparations and the process of healing do not only occur through the delivery of an object such as a pension or a monument, but also through the process that takes place around the object and the way in which those who can grant reparations manage and deal with their delivery. This process is also integrally tied to questions of language and discourse, which in South Africa has largely been negative and typified by government attempts to equate a demand for reparations with a desire for money. Victims of political violence in South Africa have, I would contend, experienced the TRC reparations process as largely persecutory – and perhaps mildly practically helpful, financially speaking – and this must have impacted on many victims' ability to deal with what happened to them, in psychological terms.

Thus, careful attention needs to be paid to the process of reparations and the language used in their delivery. For many victims of direct political violence, it is the denial of their victim status, the social and political silence about their victimisation, and the untruths told through official sources about the reason for their victimisation that are the most difficult to bear. From the perspective of many victims, these are often the fundamental injustices they wish to see set right, at least to some degree, through reparations.

This is where the distinction between reparations and reparation made at the beginning of this chapter can be helpful in thinking through how we understand the impact of reparations. Although, in some objective sense, adequate acts of reparations may have taken place in a society – that is, a programme may be developed that is well resourced relative to other social priorities offering internal coherence through a range of different measures (de Greiff, 2006) – the context and process in which they were granted may have been unsatisfactory to many of those who received them. Reparations may be interpreted as being insufficient as reparation at the individual level. The context and discourse around the granting of reparations are two of the mediating variables that can change this situation. Some of the most important factors in this regard are the issues of truth and justice.

When some survivors or families of victims talk of reparations as a form of blood money as some do in Chile, Brazil, Argentina and Northern Ireland, this is because the national process of moving forward and making amends is not coinciding with the individual process of reparation; or, the content or type of reparations (discussed later) and the context in which reparations are made may be mitigating individual reparation being achieved. This is particularly the case when survivors feel that reparations are being used to buy their silence in the absence of the truth and justice.

Without some form of justice reparations can often be perceived as being a pay off or, in the South African case, victims can view them as bolstering a process of false reconciliation, which I referred to in Chap. 5. Without justice, generally through the courts, survivors tend to see reparations and compensation as attempts to buy their silence or to force them into colluding with a state's lack of will to prosecute those responsible for violence against them. This issue was brought into stark relief in South Africa in relation to amnesty, but was also conveyed to me in the course of interviews with families in Brazil (mentioned in Chap. 3).

Reparations, justice, and truth recovery need to be linked in order for reparation to be good enough at the individual level. In this way my view fits well with de Greiff's notion of reparations programmes needing to be externally coherent; that is they must bear a close relationship to the other transitional justice mechanisms or structures than can deliver truth and justice, such as criminal justice system, truth telling processes such as truth commissions, and wider institutional reform (de Greiff, 2006).

One further factor is the socioeconomic status of the society, which could also undermine the reparative value of reparations. Where society remains unjust on different levels, or power is unequally distributed, claims for reparations are likely to be more evident, especially where the injustice of the present can be explained

through the continuities of historical oppression. The seemingly increasing number of claims for reparations, especially for historical crimes and oppression against individuals who are no longer living, is a direct reflection of ongoing injustice and inequality within society. Structural inequality and ongoing oppression are two of the most destructive factors that undermine the possibility of a context that is conducive to achieving individual reparation.

In addition, it is important to remember that survivors are not passive agents in any reparations process. Much of how they come to terms with the past will involve interaction with the reparations process and the wider context. If we accept that in societies in transition this context is often filled with social contradiction and political compromise, it is likely that the context in which survivors have to negotiate reparations will always be one fraught with tension between what they desire and what a society can deliver. Thus, for any reparations programme to be successful, ongoing space has to be provided for survivors to express their feelings of sadness and rage as they struggle to come to terms with the psychological and emotional impact of their loss – a loss that reparations can only nominally acknowledge. These spaces can take the form of private spaces, such as counselling or traditional mechanisms for story telling and sharing, and the ongoing use of public space such as the media, exhibitions, and theatre. Civic participation in campaigns to attain reparations, as will be argued in Chap. 10, can also narrow the gap between the individual healing process and the unfolding political context.

Content, Nature and Type

The argument made above has focused largely on the importance of the context and process of making reparations. This part of the chapter asks if the content, nature or type of reparations makes a difference. I will discuss this with reference to symbolic reparations such as memorials, monuments and apologies. A discussion of symbolic reparations and how one can understand them will also help elucidate the relationship between the individual and collective processes. The South African case does not provide an enormous amount of material in this regard as symbolic reparations were limited, so this section of the chapter will have a broader focus and introduce the reader to how one can think about symbolic reparations from a psychological perspective and how the actual content of symbolic reparations can make a difference.

At the level of content, it is difficult to categorise or discuss the potential impact of all the different types of reparations, whether they take the form of apologies, memorials or service packages, because this will be different from context to context. However, one psychological theory that I find useful for framing an analysis of what symbolic reparations can mean and achieve is the theory about human development proposed by D.W. Winnicott, concerning what he calls transitional objects (Winnicott, 1971). In child development, Winnicott argues, a child begins its life focused inwardly – he or she lives in a subjective inner world. To make the

transition to experiencing the objective reality of the outer world, the child uses objects, typically a blanket or teddy bear but it can be any object to which the child seems attached, as vehicles for fantasised thought and action. This object becomes the first external object that gets woven into the child's personal or individual pattern. The object becomes the child's symbolic bridge between the outer and inner world. The object becomes sacred. Often the parents collude with this because they know not to risk altering, washing, or throwing the object away for fear of seriously upsetting the child. They understand the object's magical significance to the child. I have simplified this theory a great deal here – the bridging for the child comes from the fantasy and the thinking the child starts to link with the object, which is neither a 'me' nor a 'not me' object. Winnicott himself also acknowledges that the line between the object being used positively and negatively in a regressive way is also a thin one (for an introduction to this work see Davis & Wallbridge, 1981).

In line with the theory of 'transitional objects', reparations contain a deep internal resonance for survivors of political violence. Symbolic reparations, like the transitional object, need to exist in both the internal and the external world for the survivor, and they must have something sacred or even magical about them to have an internal (individual) and social (collective) meaning simultaneously. If they exist only in the external world (for example, a government memorial project that is more about nation building than individual victims), the survivor will feel estranged from the significance of the object, and this will not serve as bridge between troubled internal feelings and feelings of social belonging.

But what does this mean practically? Can reparations acquire these quasi-magical characteristics? How does an object become sacred? These are difficult questions as the answer to them can depend on many factors. Some of these factors concern issues such as context, process, and discourse, as discussed above, but other factors can relate directly to the object itself. On the whole, if victims are part of the process of creating the meaning and symbolism of an object such as a memorial, and the symbol relates personally to them and their suffering, the object is more likely to have increased inner significance for them. Although this is not always the case (e.g. the Vietnam War memorial which most veterans and public opposed before it was created Edkins, 2003), my central contention is that if an object embodies both an individual and collective dimension, it is more likely to have significance to individuals and its value as a form of reparation (singular) will increase.

One initiative that demonstrates this, although not related to political violence, is the development of the AIDS Quilt, which is the largest ongoing community arts project in the world. To date, 44,000 colourful panels have been sewn by family members and loved ones of those who have died of AIDS. The individual squares are sewn together into a massive memorial that is now large enough to cover the entire Mall in Washington DC. I have seen similar projects in political contexts, including a quilt being developed by victims of state violence in Northern Ireland through an organisation known as 'Relatives for Justice', as well as the production of small stained glass windows, which were amalgamated into one large window by another Northern Ireland-based group of victims known as WAVE.

The reason for the popularity of this approach is that it allows for individual symbolism to be created and controlled by the family and loved ones, while the overall experience of memorialisation is collective. For example, most symbols on the squares on the Relatives for Justice Remembering Quilt are highly individualised. They include personal symbols, photos, and images that have deep meaning to the families. For example, one family placed a photo of their dead relative in the centre of the square. Andrée Murphy from Relatives for Justice explained, at the launch of the quilt on 6 August 2001, that the relative in the photo 'is wearing a shirt and tie. The tie he is wearing has been used to border the square. Many more squares have used similar sacrifices from families' dearest treasures'. In other words, linking objects are collectivised, but they still have an individual significance that makes them part of the continuing bond (discussed in Chap. 5). Furthermore, their location in the collective effort that the quilt represents decreases the potential for the objects to be used in a regressive or maladaptive way. The continuing bond becomes an individual connection and a social reconnection at the same time.

Names, as part of the process of individualising those lost, are also important in these projects. It is also common practice to put the name of individuals onto such squares. For example, in the AIDS Quilt Project, now under the banner of a foundation known as the 'Names Project Foundation', the reading of names is now a tradition followed at nearly every quilt display. On a much larger scale, and directly related to political violence, the worldwide holocaust memorial project, 'Unto Every Person There Is A Name', now in its eleventh consecutive year, attempts to perpetuate the memory of the Jewish victims of the Shoah as individuals, by the public recitation of their names on Yom Hashoah, or Holocaust Martyrs and Heroes Remembrance Day.

Another example is the Vietnam War Memorial in Washington. One of the strengths of the memorial is the way it personalises individuals through the names on it, whilst recognising the suffering of others and drawing reflective relevance to the present. As Sutherland writes:

Looking at the Wall, we see the world reflected: sun, moon, clouds, the trees in the distance, the people standing next to us. Finally, we see ourselves on its surface. These reflections remind us that the Wall is as much about the present as the past. We see our world mirrored in the names we find there and realise that the slightest movement changes the view. No image is permanent on the Wall. Only the names are eternal (Sutherland, 1995 cited in Edkins, 2003, p. 89).

When thinking about apology as a means of making reparations, the issue of content, nature and type is also important. Take, for example, the case of the so-called *comfort women*, and this term is a euphemism for the 200,000 women, mainly but not exclusively from Korea and China, who became sexual labourers for the Japanese troops before and during the Second World War. Much has been written about the challenges of making adequate reparations to the comfort women, and I will not outline these debates in detail (see among others Barkan, 2000; Choi, 2008; Soh, 2001; Tanaka, 2002; Torpey, 2003). But one issue that has been a constant source of contention is the compensation that has been offered through the Asian Women's Fund and the issue of apology. This fund, disbanded on 31 March 2007, was a private institution supported by donations and some Japanese government

money and was set up by the government to improve the conditions for all women, in lieu of payments to individual survivors (Choi, 2008; Vandeginste, 2003). The fund has broadly not satisfied the demands of many of the comfort women (Torpey, 2003), and a feeling remains that the state should pay compensation directly from government and make a formal apology, fully acknowledging what happened (Brooks, 2003).

An official letter of apology was issued and accompanied the compensation from the Asian Women's Fund. Some have questioned the process of apology. For example, the fact that the letters of apology were delivered by the Asian Women's Fund and not by diplomats representing the various countries where the women were from has been criticised by some women (Hogg, 2007). In terms of the nature or content of the apology, it is argued that it was acontextual because, although it mentions 'honor and dignity' and 'remorse', it does not make reference to the war of aggression or colonial domination by the Japanese (Soh, 2001). Some women have also found fault with the phrase 'my personal feelings' in the Prime Minister's original apology letter because it came across as being about individual rather than corporate or state responsibility (Soh, 2001). From 1998 onwards, after Keizo Obuchi replaced Hashimoto as Prime Minister, the term 'personal' was taken out (Soh, 2001). The Korean translation of the letter also uses the word *sajoe*, which implies admission of a crime, rather than the making of a mistake, which was seen by the women as a slight improvement (Soh, 2001). However, at the time of writing this book, serious questions remain about whether the Japanese government will take full and corporate responsibility for what happened (Choi, 2008; Hogg, 2007; Onishi, 2007).

This example raises the issue of what sort of apologies work and, more specifically, the importance of who is selected to make the apology, what does this convey both about the apology itself, and how the harm apologised for is perceived. Michael Ziesing argues that a strong apology is appropriate only in the context of responsibility and intentionality (Ziesing, 2000). If we think of the apology made to Alan McBride mentioned earlier, it was meaningful to him because it was not qualified – in other words, the act apologised for was deemed wrongful by the apologiser. Hiroshi Wagatsuma and Arthur Rosett argue that a meaningful apology must acknowledge that: (1) the hurtful act happened, caused injury, and was wrongful; (2) the apologiser was at fault and regrets participating in the act; (3) the apologiser will compensate the injured party; (4) the act will not happen again; and (5) the apologiser intends to work for good relations in the future (Wagatsuma & Rosett, 1986). The nature of apologies has also been explored by others in detail, most notably Nicholas Tavuchis who highlights their delicate and precarious nature, and the central importance of genuine sorrow and regret (Tavuchis, 1991).

I would add that careful attention also has to be paid to how apologies are worded in that regard, especially those from official bodies in the political context. This obviously cannot be divorced from the process around their delivery as was noted. In Chile, for example, the apology by President Patricio Aylwin for the violations of the Pinochet regime was seen by some as healing to a degree and symbolically meaningful. But so too was the delivery of the truth commission report to the house of each victim, with a card from the President of the republic

attached. For many, this was the most significant aspect of the process (Roberta Bacic, statement taker for the Chilean truth commission, personal communication, 6 September 2006). Comparing this to the way in the 'comfort women' case, many women rejected the apology they were given because it came via Women's Fund functionaries and not government diplomats.

Clearly, therefore, the process surrounding the making of reparations is important, but the individual content of memorials, or the wording of apologies for that matter, is also important. Another way of putting this is that reparations of this kind need to contain personal and culturally relevant symbolic capital to contribute to greater levels of reparation at an individual level. For example, some of the memorials set up to commemorate victims and remember the atrocities committed under apartheid have been criticised for failing to reflect local African cultural traditions and practices (Naidu, 2004). They have taken on, in some cases, a holocaust identity as the process of establishing such memorials has often been run by external (Western) consultants (Naidu, 2004).

The difficulty, however, for massive reparations programmes is that it is difficult to recommend the type of community development processes such as the quilting projects outlined above. Such initiatives generally work better when they come from communities or groups themselves than when they are recommended by an outside body such as truth commission. This is not to say, however, that such initiatives could not be supported financially through reparations processes.

The lesson, therefore, for massive reparations programmes that are considering various symbolic forms of reparations (e.g. memorials, monuments, plaques, and apologies) is that, although they may often have to balance a range of macro factors (e.g. reaching as many people as possible with limited resources), from a psychological perspective, the personalised and individual content of such processes requires attention. If symbolic reparations such as memorials and apologies are delivered, individuals generally but not always need to feel that their suffering, or their relative's suffering, is adequately reflected in these measures. This can be difficult to achieve and cannot be assumed without adequate participation and public involvement of key stakeholders in the development and conceptualisation of the symbolic reparations.

Conclusion

In the final instance, one could understand reparations objects, such as memorials and the like, as objects that assist in bridging the gaps between the internal psychological world and the social world for victims and individuals in the society. Reparations objects of this kind bridge inner-directed grief and suffering and mirror to the world and the individual how that suffering is understood and accepted or not within the real socio-political world. Through the object, the reactions of the real world are tested and messages are sent back at a deep psychological level to the victims about their personal value and sense of belonging in society. How the object

that symbolises reparations comes into being is created and delivered, and is treated by others and society is of great significance to victims, as was outlined above. The context in which reparations is granted needs to be one that demonstrates adequate levels of recognition, responsibility, social change and acknowledgement of the individual and the collective to a degree within an environment where its meaning is felt to be genuine by those it directly affects. If not, the object itself can become the metaphorical vehicle for re-evoking inner pain and suffering. Instead of helping to bridge and externalise suffering and convince victims that the outer world or the society is a safe and caring place in which the victim has a stake and place, the object and those who supported its establishment become ‘persecutory’ in a very profound psychological sense and drive suffering inward once again.

Psychologically, victims and survivors have to deal with the inner reality of what they have lost and the impossibility of it being externally replaced. The goal is to pay sufficient attention to process and content that the object can be seen as significant and meaningful and worthy of securing and maintaining an adaptive continuing bond. When considering reparations, however, the inner world inescapably gets drawn into the political and public realm. The individual (psychological) and the collective (political) always stand in a relationship with each other, and often in tension to one another, when reparations are granted. Reparations are not a quick fix to deal with individual psychological distress. Herman writes, specifically referring to the issue of compensation and reparations for the holocaust, that there is no single or efficacious magic bullet for traumatic syndromes (Herman, 1992, p. 156). The gap between what the delivery of a massive reparations programme aspires to do in a society in transition and what it can actually do in terms of delivering adequate reparation to individuals is a core dilemma in any reparations programme, as it is in dealing with the needs of victims of political violence more broadly. But the reparative nature of reparations at the individual level can be maximised in several ways.

First, the context, processes of delivery, and how reparations are spoken about at the macro level are important. An adequate reparations context needs to be fostered. Such a context should attempt to address the needs of those harmed in a timely fashion and with sincerity and, objectively, reparations should be substantial relative to other social priorities. South Africa offers a good example of how not to produce a conducive reparations context. We cannot separate out reparations from other attempts to set right past wrongs, such as attempts to uncover the truth, do justice, and acknowledge past atrocity. For reparation to take place, ongoing space has to be provided for survivors to express their feelings of sadness and rage as they struggle to come to terms with the psychological impact of their loss.

Second, greater attention can be paid to the nature and type of reparations offered, their psychological meaning, and their personal symbolic capital. Acts and objects of reparations have a greater likelihood of being considered meaningful and of being of value to recipients if they have a direct and personalised reference to the issue or form of suffering they are trying to deal with. Acts and objects also need to embody an appropriate mix of individual, political and social symbolism. This process needs to be seen as dynamic and developmental. It is only when reparations are treated with this level of sensitivity that they can ever be ‘good enough’.

Chapter 7

Doing Justice

*Today, Medgar Evers was buried from the bullet he caught
They lowered him down as a king
But when the shadowy sun sets on the one
That fired the gun
He'll see by his grave
On the stone that remains
Carved next to his name
His epitaph plain:
Only a pawn in their game*

Bob Dylan
(Only A Pawn In Their Game, 1963)

Introduction

I recall attending a television debate on the TRC sometime in 1998 with several survivors from the Khulumani Victim Support Group. In preparing for the discussion, the group and I discussed some of the issues that might be raised in the TV debate. In our discussion, the issue of amnesty came up and some expressed the view that they understood the context for this. However, once we were on air and in the glare of the live TV cameras, the mood changed. Immediately, members of the group began speaking of the need for retributive justice, demanding it. This highlights how the issue of justice was always and still is under the skin in South Africa. This, I think, is understandable and supports the findings of the research that will be outlined in this chapter that retributive justice is the preferred option for most victims. The question that the South African case presents, however, is what happens when a country, for political reasons, decides that retribution for the crimes of the past is not possible and that amnesty is preferable. To put this in another way, what happens when a country chooses peace over justice?

This chapter is primarily concerned with what justice means to victims. It begins by exploring victims' desires for retributive justice, and then contemplates the relationship between justice and healing. Some social psychological theory is

introduced into the discussion, namely Equity Theory and research on distributive, procedural and interactional justice. The chapter does not review all the literature available on justice from a social psychological perspective (see for example Cropanzano, Byrne, Bobocel, & Rupp, 2001), but rather uses key research as a framework to assess the South African Truth and Reconciliation Commission. The chapter argues that there is a gap between the micro individual imperative to do justice and the inability of many societies to deliver complete justice. To deal with this gap, the chapter argues for greater recognition of the ethical dilemma posed. To address this dilemma, the chapter argues for a paradigm shift that locates victims' rights and accountability as central to transitional justice rather than as a hindrance to pragmatic change.

The Desire for Justice

My experience and research in a range of countries has demonstrated that the idea of attaining retributive and penal justice for human rights violations is centrally important to victims. Contrary to popular perceptions of the South African TRC, my experience of the process suggests that most victims favoured punishment of perpetrators. This included calls for retributive action. This is captured in the exchange below between torture survivor, Tryphina Jokweni, and the Commission on 8 May 1996, where the desire for retributive justice, if not revenge, is clear:

Victim: I've got a question to ask. I've got a question to ask. The question I would like to know I would like to ask from Baba P W Botha, because he is still alive, because in 1987 he was the one who was still ruling. If you could speak to him, you as the Commission, that as an old woman like that where will my coffin come from, because they have destroyed my house? I am living in a shack.

Commissioner: We thank you, Mama. As a Commission that has been established by the President of this country there are things we are going to pass on to him and tell him what are the people's wishes. Maybe he is going to go and speak to that old friend PWB, we don't know. We are going to pass on your wishes to Madiba...

Victim: I really am requesting you. I am not satisfied. Even Samson got his eyes gouged out. These people's eyes must be gouged out.

Commissioner: Thank you, Mama

There were of course also those who expressed magnanimity and willingness to put the past behind them, or even to forgive. The TRC outlines a number of these cases in its report (South African Truth and Reconciliation Commission, 1998, Volume 5, pp. 371–382). Nundlal Rabilall, for example, who gave testimony on the death of his brother, Krish, who died in Mozambique in the 1981 Matola cross-border raid carried out by the South African military, clearly expressed the need to “forget” the past. He felt it was personally important to unburden himself of the hate he felt towards white people in general because of the killing:

So, I changed my philosophy of life. I realised that I could not hate white people. It dawned on me that most white people were to a large extent by-products of apartheid, just as much as the freedom fighters were. I learned also that there were many white people who sincerely

hated the obnoxious system of apartheid, and that some of them had lost their lives fighting it. I admired people like Rick Turner, Neil Aggett, Joe Slovo and Beyers Naudé. I also realised that I wasn't being true to my religion if I hated somebody. Knowing the power of vengeful thoughts, Mahatma Gandhi had said, "Fight without malice". This meant a great deal to me. We have the right to fight injustice without hating the personalities or circumstances involved and, to taste the sweetness of life, one must have the power to forget the past (South African Truth and Reconciliation Commission, 1998, Volume 5, pp. 375–376).

However, my experience was that such cases were the exception and not the norm. This is now supported by research. For example, an empirical study of the TRC victim transcripts has found that retributive justice was the preferred option for many survivors. Using a sample of 429 survivor transcripts it was found that about 20% of victims mentioned justice in their testimony (van der Merwe, 2007, p. 31). This was more than those mentioning reconciliation, forgiveness and religious commitments. Although "justice" was not a term used more than the other terms such as "reparations" and "truth", wherever it was mentioned it referred mostly to retributive justice; that is, "the demand that perpetrators should be made to pay for what they did" (van der Merwe, p. 31). Thus, Hugo van der Merwe concludes that although one cannot say that all victims had the same view of justice, and that some were content to forgo justice, the empirical evidence of the transcripts shows that victims still focused on the need for prosecution, punishment and justice (van der Merwe). In addition, victims generally felt that there were not enough consequences for perpetrators and that the process did not impact on them sufficiently (Phakathi & van der Merwe, 2007).

This concurs with social psychological research that teaches us that a desire for justice is the most common response following a perceived wrongdoing (Shepard, Lewicki, & Minton, 1992; Shuman & McCall Smith, 2000; Skarlicki & Folger, 1997). Evidence from research in the workplace shows that people want to "get even" for perceived injustices and "punish" unfair employers through theft, vandalism and sabotage if other mechanisms are not available (Skarlicki & Folger). It has been observed across diverse cultures that "human rights victims thirst for justice in the form of prosecutions" (Orentlicher, 2007, p. 22) and that trials are still the desired norm in most societies (Orentlicher, 2005). Retributive understandings of justice, for example, have been found to be more prevalent in South Africa than understandings of justice that emphasise reconciliation and forgiveness (Wilson, 2001).

For most victims, there is something seemingly satisfying about retribution and, more specifically, about punishment (Villa-Vicencio, 2003). Trials are evidence of utter wrongfulness on behalf of the perpetrator (Minow, 1998a). For victims of violent crimes, retributive actions by the state are generally seen as more important than reparations (Pfeiffer, 1993 cited in Montada, 2003). At a wider level, prosecution is thought to have a significant impact on preventing impunity in the future and entrenching the rule of law is also thought to prevent impunity (Baudot, 2003; Jackman, 1996; Orentlicher, 1991, 2007). However, although the desire for justice is considered fairly universal, preferred standards of justice and what is considered to be just or unjust can vary within cultures and are subject to historical changes (Montada). Given the range of cultures and political contexts, it is difficult to talk

of a universal formula for transitional justice (Orentlicher, 2007). Justice can also be multidimensional including acts such as reparations, acknowledgment, restitution or apology.

The problem, though, is that thinking about justice in the retributive sense, as this chapter largely does, means that the courts, at least in most societies, become the expected vehicle for the delivery of justice. There is much research, however, to suggest that victims are unhappy with the criminal justice process. Often they feel that they are just “footnotes” in the entire court process (Zehr, 2003, p. 69). In many societies, secondary victimisation is reported following court proceedings (Nikolic-Ristanovic, 2002; Orth, 2002; Regehr, Alaggia, Lambert, & Saini, 2008; Trulson, 2005; Walkera & Louw, 2007). International trials, such as the International Criminal Tribunal for the former Yugoslavia (ICTY), have proven costly and been seen as unapproachable by ordinary citizens, as well as time consuming, overly politicised and resulting in limited prosecution (Bass, 2000). In this context, the link between prosecutions and preventing impunity can be questioned.

There is also a growing recognition that traditional mechanisms of dispute resolution or doing justice are often the preferred option in many societies (Huysse & Salter, 2008; UN Office of the High Commissioner for Human Rights, 2007). For example, in Mozambique following the 1976–1992 civil war, traditional healers were used to carry out ceremonies to promote healing and accountability (Igreja & Dias-Lambranca, 2008). From the perspective of Canadian first peoples, justice can only be healing if it embodies indigenous values and practices, many of which run counter to the Western notion of justice (Henderson & McCaslin, 2005). The use of traditional practices for building reconciliation and doing justice, in the broadest sense and with differing degrees of success, has also been documented in East Timor (Babo-Soares, 2004), Rwanda (Uvin & Mironko, 2003; Clark, 2007), Uganda (Baines, 2007; Quinn, 2007), Sierra Leone (Stovel, 2008) and Guatemala (Arriaza & Roht-Arriaza, 2008), among others.

It is argued by Luc Huysse that tradition-based mechanisms, despite several shortcomings such as being male-dominated and being irrelevant in ethnically mixed communities, can facilitate greater contact between victim and perpetrator, making accountability more personal than remote courts do (Huysse, 2008), and being more restorative in this way. In the last decade, certainly in the West, there has been a shift toward attempts to consider victims within the criminal justice system (e.g. the use of victim impact statements). The restorative justice movement has also grown dramatically. This has offered alternative approaches for centralising victims in criminal justice processes and fostering a view that crimes concern victims, offenders, and the community and that all should be part of and interact in resolving disputes (Johnstone & Van Ness, 2007).

In the transitional justice field, it is now common to talk about the need for victim-centered processes, and the importance of “doing justice” through truth recovery, recognition, reparations, victim support services, guarantees of non-repetition and promoting civic trust and solidarity (Sooka, 2006). The importance of justice through the courts to victims, however, has only more recently started to find a more principled foothold in transitional justice circles. International law and

policy have shown increasing support for the notion that serious crimes should not go unpunished (Orentlicher, 2005, 2007).

The problem in transitional societies, however, is that delivering justice through the courts is often difficult for political and logistic reasons. Mark Freeman argues that in transitional contexts, where there has been mass abuse, there is a virtual guarantee of incomplete justice (Freeman, 2006). This can be the result of, among other reasons, there being hundreds and sometimes thousands of victims and perpetrators; corrupt legal systems; abusive forces continuing to wield power; inadequate evidence or destroyed evidence; witnesses' fear of coming forward; and an inadequate or under-resourced criminal justice system (Freeman). Even those who support tradition-based approaches have questioned their ability to deal with war crimes or extensive abuses, concluding that such approaches can at best be part of a national transitional justice strategy (Huysse, 2008).

The core problem is that the inability of states to ensure complete justice generally stands in opposition to victims' desires for it. Research in Aceh, for example, following the end of the conflict in 2005 between the Government of Indonesia and the Free Aceh Movement (GAM), has shown that victims want truth, but also feel justice should be done through criminal prosecutions and punishments (Clarke, Wandita, & Samsidar, 2008). Similarly, in Northern Uganda, following recent moves towards peace with the Lord's Resistance Army (LRA) it has been found that about three-quarters of people in a population-wide survey think that those responsible for abuses should be held accountable for their actions (Pham, Vinck, Wierda, Stover, & di Giovanni, 2005). However, perceptions are complex. For example, in the Ugandan research mentioned above, although the majority wanted retributive justice, 65% of people felt amnesty for the LRA was needed (Pham et al.). At the same time, they felt this should be conditional (96%) and should entail accountability. In 2007, the survey alluded to above was repeated. It was then found that 54% of people preferred soft options (forgiveness, reconciliation and reintegration) and 41% preferred hard options (trials, punishment or imprisonment) for LRA offenders (Pham, Vinck, Stover, Moss, Wierda, & Bailey, 2007 cited in Wierda & Otim, 2008). However, what has remained consistent is that affected populations in Uganda feel that the needs of victims should feature more centrally in any process that develops (Wierda & Otim).

In South Africa it was found that in 1992, 74% of black South Africans felt that "whites who harmed blacks during apartheid [should] be charged in court", with 83% of whites largely disagreeing with this (Schlemmer, 1992 cited in Theissen, 2007). However, after the TRC had completed its victim hearing process and some of the amnesty hearings, this situation had reversed. By the year 2000, 57.3% of all South Africans were not opposed to amnesty, which broke down as 71.6% of blacks approving amnesty and just under 50% of whites (Gibson, 2002). However, supporting amnesty did not equate with considering amnesty to be fair. Gibson found that 72.7% believed amnesty was unfair to those who died in the struggle and 65.2% believed it unfair to the victims (Gibson). When asked if amnesty was unfair to ordinary people, 52.6% felt it unfair and only 33.5% thought it fair (Gibson).

These surveys raise several issues. First, perceptions of justice can change over time and are presumably influenced by macro political factors and developments. Survey data has confirmed that victims' attitudes change depending on circumstances, not to mention individual factors such as differing interactions with bodies such as truth commissions and natural moderating influences such as the passage of time and personality traits (Backer, 2006b). On the whole, attitudes are markedly non-linear (Backer). I also found this with many victims with whom I worked. For example, some began the TRC process saying they felt that truth was all they wanted; however, when they heard the full extent of the violations against their loved ones they, understandably, started to call for justice. Second, the above surveys were done with the general population. This does not give a clear indication of what victim populations might think. There is a limited amount of work in this area. However, David Backer surveyed 228 victims in Cape Town who had been to the TRC, and complemented this with interviews with 16 individuals from the sample (Backer, 2005a). What he found was that their views did not differ that much from the general populations. Victims also showed what could be termed "pragmatic views"; that is, they saw the value in amnesty if it was going to assist the transition (Backer, 2005a). However, victims in Backer's Cape Town study differed from the general population in feeling that compensation for them was inadequate and that there should be additional repercussions for amnesty applicants; for example, 64% argued for perpetrators to be removed from public office and 83% felt that perpetrators should pay compensation to victims (Backer, 2005a). Combining the material from his Cape Town study with survey and focus group data from Johannesburg, which he also collected, he reached a similar conclusion; that is the level of acceptance of amnesty was reasonably high among victims, but at the same time they generally believed that the amnesty was unfair to them (Backer, 2006b).

This points to what Christine Lillie and Ronnie Janoff-Bulman refer to as the difference between macro and micro understandings of justice (Lillie & Janoff-Bulman, 2007). With the latter, victims or the general population might feel that a certain action (e.g. amnesty) might be justified for the greater good (macro), but this does not mean that they feel it is fair to them personally (micro). Gibson's work highlighted above suggests that the general population hold this view too.

Clearly, therefore, victims are not unaware of the tension between their micro desire for justice and the perceived macro political imperative for peace that might force compromises such as amnesty. However, unlike politicians or the general population, for victims, letting go of justice at the micro individual level is far more psychologically difficult. It often means, in line with what was argued in Chap. 5, betraying the bond between themselves and their dead relatives. In sum, the sacrifice of peace over retributive justice is, as obvious as it sounds, experienced by survivors more acutely than in the wider population.

Before turning to how we can think about dealing with this situation, I will discuss the link between justice and healing, and then how victims and perpetrators experienced the South African TRC from a justice perspective. This will amplify the challenges of the micro-macro gap outlined above and suggest some directions forward on how to deal with the issue of building peace while doing justice simultaneously.

Justice and Healing

There is little research on the role of justice, or of perceptions of justice, in psychological recovery – especially in the field of transitional justice. Most of what we know is extrapolated from the experience of victims of the criminal justice process more broadly. What we do know, as was outlined above, is that justice, whatever this means to different individuals and in different cultures, is the preferred option for most victims following atrocity. Bringing perpetrators to justice is considered an important and sometimes essential component of a victim's recovery and psychological healing (Kaminer, Stein, Mbanga, & Zungu-Dirwayi, 2001; Shuman & McCall Smith, 2000). In the criminal justice system, victims routinely experience a sense of relief following the arrest, conviction, and punishment of an offender (Shuman & McCall Smith). However, as Nigel Biggar points out, this does not mean that attempting to do justice is primarily about punishment of the perpetrator – it is also about the vindication of the victim (Biggar, 2003). The need for vindication expressed by most victims; that is, retribution and not revenge (Nozick, 1981), at least in social psychological theory, can be linked to the need to re-establish feelings of empowerment and equity.

Several social science theories conceive of wrongs as creating imbalances in power, and see the legal system as helping to re-establish the power balance, thereby aiding the healing process (Shuman & McCall Smith, 2000). Healing after a crime is linked with empowerment (Zehr, 2003). Generally, after an injustice “balance needs to be restored to compensate for the inequity that has been experienced” (Gehm, 2003, p. 284). Empowerment is important as there is a direct relationship between power and domination and between illness and disease (McGuire cited in Shuman & McCall Smith). Human rights and dignity are necessary conditions for promoting public health (Desjarlais, Eisenberg, Good, & Kleinman, 1995). Acknowledging suffering is the first step in helping victims heal (Staub, 2004) and accountability by perpetrators is also critical to this (Zehr). Those advocating restorative justice argue that restorative justice initiatives that engage the victim, the offender and the community can contribute to understanding, equality, empowerment and respect, and in this sense justice can be healing (Pranis, 2007).

An application of Equity Theory in social psychology can provide a basic framework for understanding the role of justice in healing. In summary, the theory posits that many societal relations are governed by rules of fairness with a primary one being that a person's profits should be proportional to their contribution. Equity or distributive justice exists when the same ratio between two persons is present when their outcomes divided by their inputs/contributions is the same, or the ratio between rewards and costs is similar between individuals. Distributions can be about allocating material resources, symbolic goods, rights, positions, power, opportunities, etc. – both between and within groups and populations (Montada, 2003).

Equity theory is not an uncontested theory. Complexities creep in when one starts to question whether people are entitled to equitable relationships in some social exchanges; why conflicts arise when equity is evident and, for this chapter,

the complexities of a relationship to a State that can, by definition, never be equitable. It also fails to take procedural fairness into account (Cropanzano et al., 2001). Nonetheless, equity is often linked to the basic idea of justice and thinking about equity and its relation to justice goes back to Aristotle, Socrates and Plato (Powell, 2005).

When relationships are not equitable, research has shown that people feel distressed (Greenberg & Cohen, 1982; Markowski, 1988; Powell, 2005); those who under-benefit feel angry and those who over-benefit feel uneasy (Tyler, Boeckman, Smith, & Huo, 1997). Victims of decisions they deem unfair experience feelings of outrage and resentment (Skarlicki & Folger, 1997). This can result in a desire for compensation, in some cases, and elicit a desire for retribution in others (Shepard et al., 1992). In a detailed analysis of compensation claims in the US, it has been shown that when people perceive that they are experiencing a share of suffering that is disproportional to their perception of their responsibility for it, they experience an aversive emotional state or what has been termed “inequity distress” (Hensler et al., 1991, p. 147).

Victims of serious crime whose offenders are acquitted after a legal process show pronounced feelings of indignation, disappointment, helplessness, with mistrust in the legal system, a decreased belief in a just world, coupled with reduced self-esteem and trust in the future (Orth, 2000 cited in Montada, 2003). Light sentences can be seen as a form of secondary victimisation (Orth, 2000 cited in Montada; Orth, 2002). Equally, some victims can feel that their dignity has been denied when sentences are passed such as the death penalty when they oppose it (Cushing & Sheffer, 2002).

The logical extension of the “inequity distress” argument is that if some form of equity (between victim and offender, both objectively and psychologically) could be established, then it would have a therapeutic psychological value for individuals, or at least limit the harm of inequity. The criminal justice system, and arguably restorative justice mechanisms too, or even truth commissions, could re-establish some equilibrium, or change the equity ratio positively. This could be done, for example, by reducing the benefit of the crime to the perpetrator (lowering outcome) and verifying the innocence of the victim (lowering input or contribution). Alternatively, and more in line with restorative justice models, the equity ratio could be changed through increasing the input of the offender through restitution and lowering the negative outcomes for the victim (for example, hostility and anger) by helping them to understand the motives of the perpetrator.

That said, the idea of justice being potentially healing is – like any aspect of healing – a highly personal and individualised process. This book has dismissed the simplistic notion of “Revealing is Healing”; in the same vein justice is not the antidote to individual trauma. We should also dismiss the trope that retributive justice is healing (Stover & Weinstein, 2004). Retributive justice can be psychologically helpful in externalising blame, but also become maladaptive when excessive energy is used to maintain bitterness and resentment (Gehm, 2003). Empirical social psychology studies with victims of violent crime show that perpetrator punishment only partially, and moreover only transitorily, satisfies feelings of revenge among victims (Orth, 2004).

Some victims of crime delay recovery until prosecution, some recover without it, and others do not recover even with it (Shuman & McCall Smith, 2000).

The problem with the notion that justice is healing is that it can imply that if justice is done, healing will flow in some cathartic way (Fletcher & Weinstein, 2002). Justice is better thought of as a critical part of a long-term process and linked with other factors such as truth, reparations, and social conditions. Clearly, no direct linear relationship between justice (through the courts or otherwise) and healing or psychological recovery exists, although the absence of justice clearly creates psychological distress. A successful prosecution, or a perception that justice has been done, restoratively or retributively, may be necessary for recovery but is unlikely to be sufficient in itself. In other words, the potential impact of justice on psychological well-being is dependent on different factors.

First, there are situational factors. These include, among others, the personal coping resources of the individual; the crime of which they were a victim; the passage of time between the event and the crime; the role of the victim in the crime; the support they received; the social conditions and positioning (for example, age, gender) of the victim and their experience of the criminal justice system as a whole. Second, the responsibility taken by perpetrators and their blameworthiness are factors which can have an emotional impact upon victims. Credible justifications by the perpetrator for their actions and apology can reduce victims' anger, as well as the degree of punishment they feel is appropriate (Montada & Kirchoff, 2000 cited in Montada, 2003). In addition, it has also been shown that dissatisfaction with a failed prosecution is moderated by the victims' assessment of how just the proceedings were (Orth cited in Montada).

This finding is not surprising, as studies in social psychology in the workplace have found that when individuals perceive procedures as fair and even-handed they are more willing to accept undesirable outcomes (Greenberg & Folger, 1983). Individuals define fairness not only by the outcomes received, but also in terms of how they perceive the procedures used to determine those outcomes (procedural justice) (Skarlicki & Folger, 1997). Sometimes procedures can be as important as the outcomes (Lind & Tyler, 1988). Put another way, procedural justice generally moderates a lack of substantive justice outcomes (Backer, 2005a, 2006b). It has been confirmed in many empirical studies that fair procedure impacts on resolving conflicts and the acceptance of decisions, even unpalatable ones (Montada, 2003). This does not mean that people do not care about outcomes, but rather that they do not *only* care about outcomes (Tyler, 2004).

What is important, however, from a psychological perspective, is to understand that procedural justice has a subjective component (Lind & Tyler, 1988). When reference is made to procedural justice being high or low, it is meant that those involved feel that the process was fair or unfair. This is different from assessing, based on some normative understanding, whether the process was objectively fair or not; as is often the case in legal notions of procedural justice [see Freeman (2006) for an overview of the procedural fairness of truth commissions with regard to international standards and domestic law]. Procedural justice judgements in the interpersonal and psychological arena are typically more abstract and general than

those in the legal arena (Lind & Tyler). Fairness in this context is always a matter of subjective perception or, when framed more widely, writes Laurence Powell, is also a matter of cultural definition (Powell, 2005).

Justice: The Case of South Africa

Below I evaluate the TRC process against the social psychological theories of justice outlined above. I specifically focus on distributive, procedural and interactional justice; that is, judgements on the fairness of outcomes (distributive justice); judgements on the fairness of process elements (procedural justice); and judgements on the fairness of interpersonal interactions (interactional justice) (Cropanzano et al., 2001). Some comments on restorative justice are also made before ending with an overall assessment of the degree to which the TRC was experienced as just by survivors.

Distributive Justice

Judgements of distributive justice compare the outcomes a person receives to some subjective standard of fairness or deservedness (Lind & Tyler, 1988). The theory of relative deprivation proposes that individuals judge their situation not in absolute terms but compare it to the situation they see around them instead (Lind & Tyler). Judgements of distributive injustice are made based on feelings of relative deprivation (Crosby, 1976). In fairly controlled processes (such as truth commissions), equity theory, and the early work on what is called “referent cognitions theory”, would propose that conscious and careful evaluation of information between an individual (the victim in the TRC in this case) and referent (the referent could be the perpetrator in the TRC process, or even other victims) will often determine fairness judgements (Cropanzano et al., 2001).

Thinking specifically about perpetrators as referents, it is difficult to sustain an argument that power-relations between most victims and perpetrators were completely psychologically altered by the TRC, whether by social, political, or socio-economic power. The entire process was significantly different for victims compared with perpetrators with each getting different outcomes from the process. These outcomes have invariably informed whether victims see the process as just.

For the perpetrator, or amnesty applicant, in the South African TRC process the procedures in and around the truth commission, and reciprocal obligations, were largely clear; that is, the perpetrator’s testimony was offered to the State (specifically the TRC, as the State’s surrogate), and the perpetrator either benefited or not from an adjudication made by the Commission. From the outset, perpetrator participation in the amnesty process was portrayed as pragmatic. At its opening hearing, the TRC defined the parameters for application for amnesty as a process devoid of moral distinction:

Most persons, for instance, make a distinction in the moral quality of violent acts according to the motive of the one who commits them. For instance if a woman resists her rapist, killing him, her violence would not be considered to be culpable. Whereas we would all condemn roundly a car hijacker who killed the owner. That homicide would be culpable universally. We must stress that the Act under which we operate makes no such moral distinction. Those who apply for amnesty are judged to qualify for the granting of that amnesty or not only by whether they satisfy the criteria laid down...If these criteria are met, then amnesty must be granted. No judgement about the morality of the offence is required or expected (TRC 1995).

This statement, which is technically and legislatively correct, demonstrates that for perpetrators the parameters of their engagement in the process was clearly defined from the outset, constrained and morally neutral. For perpetrators, their engagement was linked at least in rhetoric to bolstering the broad reconciliation process in South Africa. The TRC might have been hopeful that some perpetrators would have engaged in wider reconciliation processes, but their involvement in the TRC was minimally determined by the truth for justice trade-off that was outlined in the TRC Act. The clear rules concerning perpetrator involvement and published amnesty criteria, even if difficult to interpret, probably contributed to a reasonably high level of procedural justice on their account; that is each step of the process had a clear set of steps and rules by which applications were assessed making for some consistency between cases. Although there have been claims of some inconsistency in how the TRC operationalised its criteria for amnesty and used precedent from a legal perspective (Coetzee, 2003; Foster, Haupt, & De Beer, 2005; Villa-Vicencio & Doxtader, 2003), the Amnesty Committee is generally seen as even-handed in its approach (Pedain, 2006; Sarkin, 2004). The number of public appeals and complaints about the process from perpetrators has been limited.

In terms of outcomes for the perpetrator, the options were narrow; they either received amnesty or they did not. The perpetrator was also protected by self-incrimination laws; that is, the information they disclosed could not be used to prosecute them following the Commission. If they were already in jail they only had something to gain from going to the TRC: at worst, if amnesty was rejected, they went back to jail. If they received amnesty, criminal and civil liability fell away. The only potential impacts (evident in a few cases) included having to deal with the emotions associated with their crimes such as guilt or remorse in a public realm, and also the impact of public shaming (Mabuza, 2000; Tutu, 1999).

Some consider the process of public shaming to be a severe punishment. For example, Archbishop Tutu has commented that "But there is justice. The perpetrators don't get off scott-free. They have to confess publicly in the full glare of television lights that they did those ghastly things. And that's pretty, pretty tough" (cited in Reid & Hoffmann, 2000). Charles Villa-Vicencio has taken this a step further arguing that public censure is a form of justice and "in a certain way, is as severe as languishing in prison" (cited in Liatsos, 2006, p. 119). I seriously doubt victims would see it that way. The gap between limited public censure and the victim's loss (for example a relative killed in the conflict) is so wide that it is impossible to

argue, at least from the micro perspective of the victim, that the punishment of shaming or public censure fits the seriousness of crimes such as murder or torture.

On top of this, many victims felt the TRC accommodated alleged perpetrators needs at the expense of victims. Extending the deadline for the receipt of amnesty applications from December 1996 to May 1997 provides a good example of this. Arguably, the Commission extended the dates because it had not received enough applications. This angered some victims, because if perpetrators failed to apply before the cut-off date, they could have been prosecuted after the life of the TRC. It is not hard to see how victims would have been angered by some of the TRC statements that begged perpetrators to take up the opportunity of amnesty:

This is a cry from the heart. May the 10th is just around the corner on Saturday. That is the deadline for applications for amnesty. I appeal to all of you, right across the political spectrum, please take this golden opportunity to apply for amnesty on the most generous terms possible...This amnesty is one that would expunge any criminal or civil liability you are likely to have. Please come forward because this is an opportunity to put the past behind you; to help in the process of your own healing and the healing of this beautiful land. Please come (TRC Press Statement, Tutu appeals to South Africans to apply for amnesty, May 4, 1997).

Victims' engagement in the process and the potential benefit for them was less clear than for perpetrators. As I have argued throughout this book, victims' participation in the TRC was inherently more contested and ambivalent at a personal level. For example, giving testimony may have been empowering for some, but equally, agreeing to give testimony helped legitimise the TRC and thus tacitly meant agreeing to amnesty, which might have been difficult at the same time. Victims may have received some psychological solace from engaging in the process but, for most of them, the TRC and giving testimony were not directly healing, as was shown in Chap. 4.

Other potential outcomes for victims, notably truth and reparations, were also contingent on other factors; that is, would the TRC find the truth through its investigations and would the government agree to reparations. What we know in the end, as outlined in Chap. 6, is that reparations were woefully inadequate and as I will demonstrate in more detail in Chap. 8, the uncovering of truth was also only partial. Further, if truth was found, this could potentially add another variable that would pose challenges for the victim; that is, the survivor might be then confronted by the perpetrator and the perpetrator might receive amnesty.

In addition, the TRC was portrayed as a package: victims were given space to tell their stories; amnesty was traded for truth; reparations were given to victims; and reconciliation was to flow from this. Implicit within this was a complex social exchange. Social psychological research teaches us that social exchanges of this kind are also seen as more just if there is reciprocity (Montada, 2003). Although it was neither necessary nor demanded, the implicit reconciliation ethos surrounding the process (as discussed in Chap. 5), meant that many victims invariably looked toward perpetrators for signs of remorse or apology as part of the social exchange. The TRC Final Report outlines a number of responses from perpetrators, including:

...taking pride in their past actions, to disavowing any further support for their earlier attitudes, to expressions of deep remorse. Often they had to experience the humiliation of public exposure of their shameful pasts. Others said that they would probably repeat what they had done in similar circumstances (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 84).

The Commission feels that these multifaceted approaches taken by perpetrators made a contribution to a better understanding of the causes, nature, and extent of the conflict (South African Truth and Reconciliation Commission, 2003, Volume 6), which it must have, to a degree. Empirical research, however, suggests that 65% of amnesty applicants showed no or only superficial remorse (Phakathi & van der Merwe, 2007), and other studies have also shown that a tiny minority of victims sensed any remorse from perpetrators (Byrne, 2004). This left many survivors feeling that they had given of themselves emotionally in their testimony and had participated in a process about which some were ambivalent because of amnesty, with little reciprocation from perpetrators.

In summary, the outcomes of the social contract between the victim and TRC were highly variable and unclear throughout. Victims' input into the process was the difficult emotional process of giving testimony in person; their outcomes included limited reparations and sometimes healing and truth. Mostly though healing and truth was not forthcoming (see Chaps. 4 and 8). Perpetrators' input included giving testimony to the Commission, which was invariably difficult, although many also had lawyers to rely on in this process. The outcomes were either amnesty or not, with either decision not inflicting further sanction. As was noted in Chap. 2, if all the duplicate and withdrawn applications, and those refused on technical grounds, are taken out of the picture, 78% of amnesty applications were granted (Foster et al., 2005). Perpetrators' experience of the process might have been tempered by some level of social shaming. But it would be difficult to sustain an argument that at the distributive level there was much equity between victims' and perpetrators' inputs and outputs in the process.

Procedural Justice

As was noted above, procedures or processes can influence how people understand how just a specific process was, irrespective of its outcome. Various factors, however, can influence judgements of procedural justice. For example, giving victims "voice" (that is, giving them space to put their opinion or view across) positively influences whether a person considers a process to have been procedurally just irrespective of the outcome (Backer, 2005a, 2006b; Folger, 1977; Lind & Tyler, 1988; Lind, Kanfer, & Earley, 1990; MacCoun, 2005; Shapiro, 2001). Other factors such as the consistency in processes (Singer, 1990) and information being presented sensitively (Greenberg, 1994) have also been shown to influence how fair individuals feel a process is. Subjective feelings of procedural justice are threatened if relevant information is withheld, if pressure is exerted, or if a party is not free to refuse to enter the contract (Montada, 2003).

In terms of “voice”, no doubt the TRC gave victims space to recount their experiences and even to challenge amnesty decisions. James L. Gibson in his survey work on the TRC found that perceptions of fairness of the TRC and its amnesty provisions among the public increased if they felt that victims had “voice” in the process (Gibson, 2002). As was noted in Chap. 4, many victims valued the space to recount their suffering, even if the impact was short lived. It has been found that survivors found the process procedurally fair when they had enough time to tell their story (Phakathi & van der Merwe, 2007). But what we also know is that “the voice” of survivors was also constrained and influenced by external pressures throughout.

Victims had “no voice” about the original amnesty decision that defined the parameters of the TRC and when they opposed this they were strongly condemned (see Chap. 5 and the discussion of the AZAPO et al. Constitutional Court challenge to the TRC). Second, the process of giving a statement was limited by virtue of the statement protocol and the fact that the TRC could not cover all violations (see Chap. 4). And finally, the dominant discourse of reconciliation and forgiveness created some limits for victims. Richard A. Wilson found present throughout the TRC process, a shift in discourse away from retribution and towards a view that justice emanated through truth and reparations (Wilson, 2001). His interviews with the TRC statement takers found that the TRC’s message on reconciliation was integrated into victims’ statements as they took down oral testimony (Wilson). Wilson quotes an interview with the head statement taker, a pastor who used to work for the South African Council of Churches, who was responsible for training and overseeing other statement takers. Reflecting on his TRC work, the co-ordinator commented:

For me it’s a ministry here - a continuation of my past work as a reverend...Reconciliation is a divine principle. I must counsel people and encourage them to see that we are for reconciliation and not revenge. Reconciliation, not prosecution, is the ultimate objective (Interview with Richard A. Wilson cited in Wilson, 2001, p. 133).

The focus on reconciliation as flowing from reparations and truth stifled calls for retributive justice. It is for this reason that James Statman argues that expressions of anger or revenge if presented at all to the TRC had to be accompanied by bracketing statements like “I wish I wasn’t so angry” (Statman, 2000). The focus on reconciliation might also account for why in van der Merwe’s research, quoted earlier, reparations and truth were the terms most often used by survivors in their testimony (van der Merwe, 2007).

Having said that, research has found that the TRC in public hearings did not guide or impose forgiveness or reconciliation for the most part, although it positively reinforced those who did mention forgiveness (Chapman, 2007b). This suggests that a focus on forgiveness and reconciliation came through in a wider ethos and discourse surrounding the process, rather than through direct prompting at least in the hearings (this issue is revisited in Chap. 8). Another option, consistent with arguments above, is that statement takers introduced such a focus at the statement-taking stage.

In addition, what could be termed “the quality of the voice” also varied, especially in the amnesty hearings. What I mean by this is that although victims were allowed to contest amnesties and make submissions to the Committee (a decision not legislated at the outset), differing amounts of legal support were offered to them as

compared with perpetrators. Victims had to rely on the Commission's legal assistance budget. This budget was small, meaning that they often received poorer quality legal defence than amnesty applicants. Those employed by the state (at the time of offence) and liberation forces received legal aid and could afford private representation (Pigou, 2003; Sarkin, 2007). Former members of MK and security forces got up to \$500 a day for legal representation; for victims this was closer to \$100 a day (Pigou, 2002b). Victim participation in the amnesty hearings was also haphazard. It has been argued that not enough was done to find survivors and offer them the opportunity to attend hearings, a process which was also constrained by the limited time given before hearings (Sarkin). Jeremy Sarkin, therefore, concludes that victim participation in amnesty hearings was minimal (Sarkin). Seldom were survivors' needs, views and concerns considered in the amnesty process, with the notable exception being when they supported a call for amnesty (Sarkin). Thus, it can be concluded that for victims, judgements of procedural fairness would probably vary relative to different experiences (for example, if they gave input in amnesty hearings or not, and the quality of this input) and the degree to which they felt the pressure to comply with the reconciliation ethos of the Commission. Judgements would have also been affected by whether they received truth through the process.

Interactional Justice

Being treated with dignity and respect in social relationships has also been called interactional justice; that is, the quality of the interpersonal treatment received during procedures (Bies & Moag, 1986; Shapiro, 2001; Shapiro & Brett, 1993). Some argue that the quality of treatment received by others or third parties is a part of procedural justice (Tyler, 2004). Being treated with respect and dignity can have a great impact on individuals' feelings of procedural justice being done (Miller, 2001; Shapiro & Brett).

For some victims, it could have been empowering to be considered integral to future stability and part of a group of individuals playing a key role in shaping the future. Drawing on social identity theory (Hogg, 2006; Tajfel & Turner, 2004; Tajfel, 1978), many victims or survivors would have possibly identified with the group (victims or victims of apartheid violence largely), receiving positive affirmation of group identity and values. Social identity theory also tells us that people use groups as sources of information about themselves and it is expected that people who feel more proud and more respected will report higher levels of self-esteem (Tyler, DeGoey, & Smith, 1996). Fair procedures communicate "pride and respect to group members, which in turn increase self-esteem, suggesting one reason why procedural justice is related to self-esteem" (Tyler et al., p. 914).

Some victims had difficult experiences at the Commission hearings. For example, I recall watching the testimony of Luthando Dyasophu on 25 July 1996 in Soweto, a former MK operative who experienced violations at the hands of other MK soldiers because he was a suspected *askari* (turncoat). Mr. Dyasophu became irritated

during the hearing because he was pressured to finish his story because other testimony givers were waiting. He commented: "...I am really disappointed to find that, because I am talking here about death...Why should I be curtailed, why, why, people, why people, should you give me time". He was later told by one of the Commissioners to take "time to cool off" and come back later if he wanted, leaving Mr. Dyasophu frustrated and annoyed.

Although such incidents happened, they were the exception. To this end, it is possible to hypothesise that the social status afforded to those giving testimony could have been psychologically helpful and enhanced feelings of procedural justice, and vice versa. As was noted in Chap. 4, when victims were treated with sensitivity and respect in the hearings or by the Commission, they experienced this as helpful and contributing to the re-establishment of their dignity (Phakathi & van der Merwe, 2007). Arguably, interactional justice, given the general empathy of most Commissioners' interaction with those testifying, is likely to have been high.

Restorative Justice

An entire set of justifications, correct or otherwise, was built up over time about why the denial of justice through the courts was necessary in South Africa. In the ensuing debate, justice as a concept was reframed as a form of restorative justice. Hugo van der Merwe argues that the Commission promoted restorative justice of this kind as a morally superior approach to retributive justice (van der Merwe, 2007). This is captured in the words of Archbishop Tutu when he says:

We contend that there is another kind of justice – restorative justice – which was characteristic of traditional African jurisprudence. Here, the central concern is not retribution or punishment. In the spirit of *ubuntu*, the central concern is the healing of breaches, the redressing of imbalances, the restoration of broken relationships and a search to rehabilitate both the victim and the perpetrator who should be given the opportunity to be reintegrated into the community which he has injured by his offence. Thus, we would claim that justice – restorative justice – is being served when efforts are made to work for healing, for forgiving and for reconciliation (Tutu, 1999, pp. 51–52).

At a broad level, it is possible to argue that the spirit of the TRC was restorative in nature and was about creating a new reconciliatory ethos in the country, and a spirit of generosity. It moved the society away from a "preoccupation with lawbreaking, guilt, and punishment" (Zehr, 2004, p. 306) towards thinking about social restoration. The endeavour was forward looking (Llewellyn, 2007) and about creating a new dispensation founded on new values. In addition, if we accept that restorative justice is not about satisfying victims' needs but transforming attitudes towards how justice is done (Bennett, 2007), then the TRC made a significant contribution to alternative understandings of justice as a concept. In addition all involved in the process were treated with dignity, including perpetrators, which is a key principle of restorative justice. The Commission did not attend to victims' needs at the expense of fair and respectful treatment of perpetrators (Llewellyn).

However, I would assert that the claims that the process embodied restorative justice in practice are wholly erroneous; that is, perpetrators and victims were largely dealt with separately; victims had little say over what happened to perpetrators; and perpetrators were not expected to engage in any form of restitution. The separation of the different parts of the TRC (e.g. amnesty and human rights violations process) has been highlighted by restorative justice experts as counter to some of its central tenets (Llewellyn, 2007). In addition, the lack of accountability from perpetrators, including the potential for prosecution, also runs counter to many restorative justice principles (Llewellyn). The central obligation in restorative justice is to put right the wrongs (Zehr, 2002). The idea of setting past injustice right might have been broadly present in the overall aim of the TRC, but in individual cases was largely, although not exclusively it should be added, absent. There were examples in the TRC process of some form of restitution taking place, but these were a tiny minority. The TRC points out for example:

A few amnesty applicants did seem sensitive to this need for restitution. Colonel Eugene de Kock devoted the royalties from the sale of his autobiography to a trust fund for victims. Mr Sakkie van Zyl saw his participation in the clearing of landmines in Angola as a form of restitution. Mr Brian Gcina Mkhize risked his own life by co-operating with the authorities to expose clandestine operations in KwaZulu-Natal during the years of conflict (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 402).

But the TRC also acknowledges that restorative justice was undermined by the lack of accountability of perpetrators and because they did not take “responsibility for some form of restitution” (South African Truth and Reconciliation Commission, 1998, Volume 1, p. 130). Furthermore, the limited reparations process could not be defined as a form of adequate social restitution. A challenge still remains “to involve much larger numbers of those who received amnesty and other perpetrators of gross human rights violations in the process of restitution” (South African Truth and Reconciliation Commission, Volume 5, p. 402), not to mention, at a wider level, apartheid beneficiaries as whole (e.g. white-owned business). Thus, the TRC aspired to restorative justice in spirit and spoke the language of restorative justice, and contributed to restoration of relationships in some cases. However, in practice the TRC did not fulfil the criteria for being a restorative justice process in its overall operations.

Doing Justice in South Africa: An Assessment

Although there is no doubt that survivors who experienced the TRC as a just process and agreed with amnesty, the TRC was perceived by most victims as perpetrator friendly, certainly the majority with whom I worked feel this way. Many victims continue to feel that the TRC was “on the side of the perpetrators” (Picker, 2005, p. 7). Other research has confirmed that although “voice” increased feelings of fairness among survivors, this was undermined because victims did not get what they wanted; remorse on the part of perpetrators, full truth, adequate reparations, or prosecutions (Phakathi & van der Merwe, 2007). Negative perceptions were

exacerbated by the poor administrative treatment of victims outlined in Chap. 4 with regard to follow-up and ongoing support.

The TRC itself notes that given the amnesty compromise it is “understandable and even unavoidable” that it would be perceived as perpetrator friendly, but they argue that this does not mean that they were insensitive to victims (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 84). David Backer also found a paradox in his research; namely, some victims actually felt a greater sense of injustice by their exposure to the TRC process. He explains this as being linked to a cycle of increased expectations leading to greater disappointment (Backer, 2005b, 2006b).

It can be argued that the South African TRC provided little justice in the eyes of most victims, individually or as a group. One could argue, perhaps, that the TRC provided a broad framework for a restorative justice process for the country as a whole, but at an individual level, except for some powerful exceptions, the process was not restorative for most victims. The legacy it leaves, one could hypothesise, is one in which doubts remain about its ability to deliver distributive justice between victim and perpetrator. It is reasonable to assume that in many cases this would have contributed to a level of “inequity distress”.

Overall the Commission fared relatively well on interactional justice (probably more so with victims than with perpetrators), and experiences were probably variable on procedural justice for victims, although arguably high on this for amnesty applicants. However, the key question is whether this will be enough to stem calls for justice in the future, especially if poverty and social exclusion remain unchecked.

On the positive side, however, comments David Backer, it is likely that if additional procedures were executed properly; that is, adequate support, follow up and reparations, it is likely that victims would have evaluated the TRC more positively (Backer, 2005b). Equally, Gibson’s research suggests that the general population see the value of apology and amnesty, reparations and voice as forms of restorative and procedural justice (Gibson, 2002). What this tells us is that not only could the South African TRC have been improved significantly (for example, by providing adequate reparations and followup) leading to more favourable perceptions of justice by survivors, but it offers direction for what other truth commission processes might focus on to improve perceptions of fairness by victims.

Conclusion

The South African case highlights several lessons about doing justice in a society in transition where there has been mass violence and atrocity. First, the analysis of the South African case puts an onus on truth commissions to pay careful attention to distributive, procedural, interactional and restorative justice in their operations and, specifically, to how these relate to other measures such as truth and reparations.

Second, what we also know from the literature and from experience is that justice does not necessarily equate with healing, but it is important to victims and integrally

linked to psychological restoration. There are many ways to conceptualise justice, but when victims talk of justice they generally, at least from my experience, mean some form of punishment for a wrongdoing and accountability. At a minimum, accountability means taking responsibility for what one did, understanding the full consequences of one's actions, and taking steps to make things right (Zehr, 2003). Exemplary trials, it is argued, send the strongest message possible that serious crimes will not be tolerated (Orentlicher, 1991). As outlined in Chap. 2, extreme political traumatising implies that political violence not only creates physical and psychological wounds, but also undermines relationships and an individual's sense of being, meaning and place within society. Doing justice and accounting for past crimes indicate to survivors how seriously a society and those that wronged them take their plight, and whether they and others will be protected in the future and are valued citizens. Justice and the powerful messages it conveys, therefore, help address extreme political traumatising in the way it was conceptualised in Chap. 2.

Third, what we also know from many transitional societies is that delivering complete justice is often constrained by many factors. We cannot pretend that distasteful choices might not have to be made to further peace (Grono & O'Brien, 2008). But we also know that despite survivors' overwhelming desire for justice, they, like the general population, can comprehend that building peace or the practicalities of doing justice such as convicting hundreds of offenders might mean that complete justice is not possible. Unlike politicians and the public, however, it is understandably more difficult for victims to deal with such situations because they have experienced violence first hand, and as was argued in Chap. 5, foregoing justice can be experienced as a betrayal of loved ones lost in the conflict. Survey data would suggest that the public, many of whom might understand and support the need for pragmatic political decisions such as amnesty, also know that not doing justice or granting amnesty is unfair to victims and survivors.

Thus we can talk of a gap between the micro imperative to do justice and the macro inevitability of incomplete justice in transitional societies. But what characterises this gap? There is a difference in magnitude between victims' and perpetrators' experiences of this gap. Victims feel this gap more acutely. Roy F. Baumeister talks of a "magnitude gap", arguing that what the perpetrator gains by violence is always less than the victim loses in value; for example, what a perpetrator gains from a murder can never equate with what the victim loses (Baumeister, 1997, 2005). Besides this, however, if we accept that most people see the denial of justice to victims as unfair and that victims experience it in that way, the micro-macro gap is characterised by an ethical gap; that is, a challenge to how we understand what is politically necessary and what is morally right or obligated.

So how can this ethical gap be narrowed? First, the issue of victims' rights needs to become central to transitional justice. Most texts on transitional justice begin with a discussion of how to deal with the past from the question of constraint (for example, inadequate resources to prosecute or the threat of prosecutions to stability), rather than moving from a rights-based position. There is a well-known legal debate about the right to truth and justice (Hayner, 2001; Joinet, 1996; Kritz, 1997; LaRue, 1998; Linden, 1994; McEvoy, 2006; Naqvi, 2006; Orentlicher, 2004, 2005; Seils, 2002),

and although the right to truth specifically is often interpreted broadly and erratically (Freeman, 2006), victims' rights still need to be centred in the transitional justice debate.

A rights-based approach to the needs of victims remains underdeveloped morally, ethically, legally and, more critically, in practice, in the transitional justice field. The South African TRC mirrored one of the core weaknesses present in most criminal justice systems; that is, as was argued above, the relationship between the perpetrator and the State (and its proxy the TRC) was more developed than that between the State and victim. For example, rights to reparations and truth were not clearly delineated for victims, although the status of perpetrators once amnesty was granted was unequivocal and their rights were automatically protected in legislation (for example, their right to defence, protection against self-incrimination) in a way that victims' rights were not.

Discussions on victims' rights in transitional justice could find expression in the form of a Charter of Victim Rights in transitional justice processes, building on existing declarations and procedures – such as Rules of Procedure and Evidence and the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power. The International Criminal Court has innovative provisions in its Statute and Rules of Procedure, including “informing victims of decisions that concern them; victims' participation in proceedings as well as legal aid for their representation; measures for victims' protection, support and assistance; and the ability to claim reparation” (Goetz, 2008, p. 66). Questions remain about how the provisions will be interpreted and implemented (Goetz). Furthermore, new charters are, of course, not sufficient in themselves and can often be forced from the top down rather than being developed with or by victims. It is the process around their development, positioning victims' rights at the core of the transitional justice debate, and enforcing rights in practice that are critical. To do this, however, requires a paradigm shift in which victims' rights start to determine the transitional justice agenda rather than victims' rights being seen as an obstacle to pragmatic political change.

Second, we need to see the denial of complete justice, no matter what the cause, as ethically and morally problematic. According to Gutmann and Thompson, victims' demands for justice require a moral response that is more specific than that justice was sacrificed for democracy (Gutmann & Thompson, 2000). Wilhelm Verwoerd makes a sophisticated defence of amnesty in South Africa and grapples with the existential meaning of amnesty beyond stock phrases such as “amnesty was needed for peace” (Verwoerd, 2007). He questions the victim–perpetrator dichotomy, beckons us to all recognise “the little perpetrator” in each of us, and calls for attempts to balance recognising the humanity of perpetrators without downplaying the horrific, and without undermining the vindication of victims (Verwoerd).

With Verwoerd I share the view that creating a nuanced picture of the past and fostering a common humanity does not necessarily run counter to establishing a basic set of moral principles concerning human rights violations nor does it mean that we have to forgo accountability and justice. For example, contrary to popular belief, most restorative justice work, even if there is some shared blame, happens within a legal or disciplinary context of wrongdoing (Zehr, 2004). A clearly identified

wrong committed by an identifiable offender is normally the starting point of restorative justice processes at least in the criminal justice arena (Bennett, 2007; Zehr). I have been criticised for calling amnesty in South Africa “an evil compromise” (Graybill, 2002, p. 178). I believe that my choice of words was perhaps not ideal because the word “evil” can limit the sense of complexity of the issue. However, despite my support for the South African amnesty process at the time, I still believe the amnesty was a hugely problematic compromise, and if not “evil”, that it was certainly damaging and flawed in multiple ways. Amnesty in South Africa has been reshaped as a national founding myth, a morally correct decision, and those wanting justice are largely seen as anti-reconciliation. This has resulted in parts of the debate around amnesty and how we do justice for past wrongs being closed down. There should have been a continuous process of exploring the ethical complexity of amnesty rather than a social and political process that tried to put it beyond question.

Third, it is not the responsibility of victims to tread softly around peace processes or deliver the answer to the dilemmas of the ethical gap as I called it. It is not the responsibility of survivors to argue for anything other than a principled approach to justice. It is politicians and those in positions of power who have to find a way to build peace while delivering justice. One way to do this is to place victims more centrally in the process and ensure their participation in both designing and implementing programmes of transitional justice (Orentlicher, 2007). However, this does not mean that victims have to agree to political compromises. If justice is not delivered, social space has to be created for anger to be expressed rather than for individuals opposing processes such as amnesty being expected to fall in line with so-called national priorities of peace.

Despite the fears it evokes, it is neither realistic nor desirable, to seek, from an individual psychological perspective, the elimination of rage from politics (Wineman, 2003). Victims’ anger is justified if their rights are denied. The onus is on the society to find ways to deal with it, not just on the victims to learn to cope with it. Trying to sweep away the past with rhetoric about peace and stability is counter-productive in the long term, and will more than likely delay survivors’ attempts to grapple with the enormity of their loss rather than fostering psychological well-being, and in some cases could even lead to further cycles of violence and recrimination. At a wider social level it is important to remember, as Graeme Simpson notes, that there is both negative and positive peace (Galtung, 1969) in transitional justice contexts (Simpson, 2008). A peace fashioned out of short-term expediency could become a negative peace that fails to deal with the underlying causes of conflict and lays the ground for a re-emergence of conflict later on.

Finally, the ethical gap outlined above can be best narrowed by ensuring that there is accountability and that justice is continually sought to the highest degree possible. Accountability requires, as was noted above, taking responsibility, understanding the consequences of actions, and making restitution (Zehr, 2003). Restorative justice is not merely about meeting victims’ needs (in this case for justice); it is also about asking what the perpetrator or society owes (Bennett, 2007). This requires that perpetrators acknowledge their wrongdoing and take responsibility

for its consequences. It also entails a rigorous and systematic pursuit of reparations and restitution. Being unable to hold public office or perpetrators being forced to pay compensation (if they have the means) are common requests from victims. A minimalist view is that perpetrators should not benefit from their actions. Maggie Friedman, partner of murdered anti-apartheid activist David Webster and founder member of Khulumani, captured the minimalist view of accountability in her testimony to the TRC:

And should any of the perpetrators come forward to confess their part in all these crimes, this is on a more general note, and their crimes fall within the criteria for amnesty, as an essential to the process of reconciliation, they should not be prosecuted but neither should they benefit from their deeds, and the receipts of State Pensions derived from employment in State Service, which involves the commission of the crime, should be denied to the perpetrators in the interests of reconciliation. It would be more appropriate to channel such funds into a fund for victims. For reconciliation there needs to be an even hand of justice, otherwise this process is going to leave a great deal of bitterness (TRC Hearing, 3 May 1996, Johannesburg).

In addition, accountability and justice need to be framed as a wide and long-term process. There are always a number of judicial and non-judicial accountability mechanisms available in any given context (Simpson, 2008). Truth commissions, for example, do not necessarily have to be surrogates for criminal justice processes; they can work with the criminal justice system in a complementary way by recommending prosecutions (Freeman, 2006). More broadly, justice works best when it is a companion of other processes such as social reconstruction (Stover & Weinstein, 2004), social repair (Fletcher & Weinstein, 2002), truth-telling and recovery and reparations. Traditional mechanisms can also be useful as long as they are not an excuse for ongoing impunity (Orentlicher, 2005).

In Simpson's view, we also need to consider the sequencing and timing of different initiatives as a strategy for each context (Simpson, 2008). Justice should be framed as a continuous process, not as a once-off endeavour defined or constrained by a specific historical moment. Diane Orentlicher uses the examples of Argentina and Chile, which show that although it was difficult to mount prosecutions or sustain them following transition in the 1980s and early 1990s, respectively, since then greater political space and the passage of time have meant that new trials have begun (Orentlicher, 2007). Using this paradigm, the greatest injustice of the South African process does not reside in the decision to grant amnesty in the heat of negotiation, but in the failure to prosecute those who did not apply for amnesty and the failure to continue the process of truth recovery in a context where it is eminently more possible.

In conclusion, none of the four directions forward I propose above will alone deal with the thorny question of doing justice in transitional societies or entirely address the issue of the ethical gap between political necessity and moral obligation. But a more meticulous and multifaceted way of thinking about justice that moves beyond reducing it to the limits of pragmatic politics is needed. Empowerment of survivors, so critical to individual healing, needs to be promoted in as many ways as possible. At a psychological level, survivors need to feel their plight is taken

seriously and that the society is not attempting to curtail their desire for justice for expedient reasons. Thus, any society grappling with mass injustice should seek to open as much social and psychological space as possible and set down as many clear moral markers as achievable. This can be done by centralising victims' rights in transitional justice; labelling compromises such as amnesty as morally problematic and sustaining a discussion on its ethical implications; not expecting survivors to restrain their calls for justice and providing space for them to voice their anger; and by focusing on multiple methods of accountability and reframing justice as an ongoing long-term process. It is only through doing this that an adequate context can be created in which victims can undertake the difficult intra-psychic work of coming to terms with the injustices they suffered.

Chapter 8

Assessing Truth and Reconciliation

The word 'Truth' makes me uncomfortable. The word 'truth' still trips my tongue. 'Your voice tightens up when you approach the word "truth",' the technical assistant says irritated. 'Repeat it twenty times so that you become familiar with it. Truth is mos jou job!' ['Truth is your job, after all!'] I hesitate at the word, I am not used to using it. Even when I type it, it ends up as either turth or trth. I have never bedded that word in a poem. I prefer the word 'lie'. The moment the lie raises its head, I smell blood. Because it is there...where the truth is closest

Antjie Krog, poet and journalist
(Krog,1998, p. 36)

Introduction

This chapter assesses the South African TRC from a wider perspective than a mental health one. Attempting to evaluate a process such as the TRC is a difficult and complex task, however. First, some of the benefits and costs of the process may only be seen in decades to come, and second, the exact aim of the TRC was, and remains, unclear, and understandings of what it was aiming to achieve vary between different roleplayers, as this chapter will show.

According to the TRC Act, the TRC was specifically meant to “promote national unity and reconciliation”. To achieve this, it had to carry out interrelated tasks including allowing victims to tell their stories, investigating violations, granting amnesty, making reparations, documenting violations and apportioning responsibility, as well as making a set of recommendations aimed at preventing future abuses. In this chapter, the TRC is assessed on four dimensions: how it documented the past atrocities and its truth-recovery process; whether it uncovered the truth; its approach to its mandate and whether it promoted national unity and reconciliation.

Documenting the Past and the Truth-Recovery Process

The public hearing process and acknowledgement by proxy of past crimes was the TRC's greatest success. The brutal horrors of apartheid found their way, via the media, into the living rooms of most South Africans. The TRC Special Report, a news programme that reported on the TRC, had a 1.1-million strong audience per week (Theissen, 1999, 2007). This means that some 10% out of 11.4 million adults with private access to TV were watching the show regularly. It was one of the top ten programmes in the country, according to its viewing figures (Theissen, 1999, 2007). In the first months of the TRC process, white South Africans switched to the Special Report nearly as often as the English news bulletin at 8 P.M. (Theissen, 1999). The TRC Special Report remained popular for the first 2 years of the Commission, particularly with black South Africans (Theissen, 2007). Radio figures, although not available, would have arguably been higher as it is a more popular medium.

The wide scale coverage meant that people had to "engage" with the "faces on TV" of victims and perpetrators. In effect it meant that, no matter whether one felt those giving testimony were exaggerating their hardships or revealing essential truths, one had to have an opinion about the matter, at least during the TRC's first 2 years of operations. In the early days of the Commission, this meant that from townships to suburban cocktail parties, views on the testimonies were discussed among South Africans. This was, whether it made an individual impact on South Africans or not, a marked shift in public discourse. The past was at the very least being discussed rather than hidden under a veil of state secrecy and denial.

Interest waned as the TRC process unfolded, however. The viewing figures of the TRC Special Report, for example, dropped to an average of about 510,000 viewers after the programme was finally moved to the 6 P.M. slot on SABC1 at the end of 1997 (Theissen, 1999). The number of white viewers dropped off over the later years and months of the TRC. Gunnar Theissen argues that this was because whites became increasingly uncomfortable with hearings (Theissen, 2007), although the drop in numbers might also have been because of a kind of fatigue with too much of the same for too long. When the amnesty hearings process was winding up between 2000 and 2003, the TRC was a tangential news event for most in the country.

The publicity generated by the TRC and the telling of stories to the nation was what survivors, including those who were ambivalent about other successes of the TRC, felt was most useful about the process (Hamber, Nageng, & O'Malley, 2000; van der Merwe, Dewhirst, & Hamber, 1999). The power of having a denied truth recognised must be appreciated (Hayner, 2001), and because of the TRC it has become increasingly difficult for anyone to deny the impact of apartheid violence. The TRC also created, at least during its lifetime, a legitimate social space for the voices of victims to be heard, as well as opening public debate about the needs and concerns of victims. Arguably, the public process of the TRC also gave rise, at the very least, to some challenging social narratives.

For example, in Chap. 3, I mentioned the case of Sylvia Dlomo-Jele and the death of her son Sicelo, a prominent student activist. I worked closely with Sylvia

and she was one of the driving forces behind establishing the Khulumani Victim Support Group. She firmly believed, as did most of us who knew her and the case, that the police were responsible for her son's assassination. Her son had been routinely harassed and threatened by the police. Through the TRC it transpired, however, that her son, who was also an underground ANC operative, was shot dead by his own Umkhonto we Sizwe (MK) unit, the then military wing of the ANC (South African Truth and Reconciliation Commission, 2002, Volume 7, p. 97). The members of his unit suspected Sicelo of being an informer. Four members of the MK Unit were granted amnesty for murdering him. The commander of the MK unit was a captain in the new integrated South African National Defence Force (SANDF) at the time of the TRC hearing. The Commission concluded there was "no evidence that the deceased was an informer" (paragraph 13) but the key question was "whether the applicants bona fide believed that the deceased was a police informer" (South African Truth and Reconciliation Commission Amnesty Committee, 2000, paragraph 1). The Commission felt that they did believe this and that their act had a political objective.

Whether these allegations, which have never been proved, were right or wrong, the news was shattering for Sylvia personally and may even have hastened her death. Those in her son's MK unit were well known to her and she had housed them at times when they were on the run. However, as much as it pains me to write this, in this case, the TRC did its job and uncovered the truth. The personal price of this truth was high. The family of Sicelo remains steadfast that only selective truths were disclosed to the Commission (Pigou, 2002a). Further, whether amnesty should have been granted is questionable as there were "countless inconsistencies, contradictions and improbabilities in the applicants' versions" (Pigou, 2002b, p. 113). However, the broad lessons from this case were invaluable even if hard to take. The case brought home to me what amnesty was truly about. It also highlighted what the truth could mean; that is, it could be both beneficial and personally destructive at the same time. In addition, it was one of those cases that helped create what I would term a "grey" picture of the past.

There were many cases of this kind. For example, in the apartheid years it was common to hear about MK activists who had killed themselves in military operations. It turned out through the TRC that some of these deaths were the result of state entrapment. For example, in June 1985 in the East Rand townships of Duduza, Tsakane and Kwa-Thema, a group of youths were infiltrated by policeman Joe Mamasela, who masqueraded as an MK operative. Mamasela showed the young men how to detonate hand grenades and then supplied them with timing devices reduced to 0 s. The result was that on 25 June 1985, eight youths blew themselves up and seven were injured. Fifteen Security Branch operatives, including the head of the Security Branch and other senior personnel, applied for and were granted amnesty for the operation. Mamasela never applied for amnesty (South African Truth and Reconciliation Commission, 1998, Volume 2, pp. 259–261 and Volume 3, pp. 628–631).

The state also carried out what were called "false flag operations". For example, evidence was presented to the Commission that certain sections of the security

police undertook illegal acts such as sabotage and arson to give credibility to their agents; they also blamed MK activists for bomb blasts they themselves had planted, falsely detaining ANC members sometimes for their “alleged” involvement (South African Truth and Reconciliation Commission, 1998, Volume 6, p. 257). On other occasions, security police would also spread rumours about certain individuals being *askaris* (turncoats or spies), which often meant that the falsely accused were brutally killed by ANC members or local communities.

The cases presented above, and that of Sicelo, brought home how “dirty” the war was in South Africa. These cases also challenged the comfortable picture some had of the different political groups or factions that they supported; that is, that those they supported were all good and that their enemies were consistently evil. This, at least anecdotally, fits with Gibson’s view that one of the successes of the TRC was that it demonstrated violations on all sides, making it easier to “reconcile with bad that is not entirely evil” (Gibson, 2004b, p. 147). However, some argue that this was a “thin” way of looking at truth because there was no consensus in the end between different racial groups about apartheid and its legacy (van der Merwe & Chapman, 2007, p. 261). I agree that hearing competing or alternative accounts does not amount to truth, but at a social level there must be some value in complex stories occasionally surfacing – the effects may be transitory on the general public at times but instructive nonetheless. The cases also stand in the historical record forever.

To this end, it is also important to acknowledge the TRC Final Report’s contribution to creating a record of the human rights violations that took place in South Africa. The TRC Final Report is strong on labelling responsibility for past actions. Despite limitations in how it approached the issue of structural violence and the detail it produced in its report (discussed below), the TRC Final Report attempts to put the cases in its report into a framework of a denial of fundamental human rights – such as socio-economic equality, decent education, and adequate health care – all as direct policies of extreme racism and apartheid. It clearly says that human rights violations committed by the state were systematic and widespread and not the result of rotten eggs or bad apples (South African Truth and Reconciliation Commission, 1998, Volume 1, pp. 111–112).

The TRC Final Report confirms apartheid as a crime against humanity and states that “the predominant portion of gross violations of human rights was committed by the former state through its security and law-enforcement agencies” (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 212). Although the Commission found the goals of the “liberation movements” to be more just than those of the apartheid state, their means of achieving these goals were found to be severely lacking in many instances – they were also found to have committed many gross violations of human rights. In addition, it found the Inkatha Freedom Party (IFP) to be accountable for 33% of all violations reported to the Commission and to be responsible for the highest percentage of non-state violations. The Commission criticises the “beneficiaries” of the apartheid system – specifically the church or faith groups, the media, the legal profession, the judiciary, the magistracy, the medical/health, educational and business sectors – for “acts of omission in that they failed to adhere or live up to the ethics of their profession and to accept codes of conduct...

they prospered from it [state system] by staying silent...by doing nothing or not enough, they contributed to the emergence of a culture of impunity” (South African Truth and Reconciliation Commission, Volume 5, p. 211).

This is not to say that the record the TRC finally produced is not contested or that it is complete. The TRC has been criticised for its individualised focus. Gross violations, argued Audrey Chapman and Patrick Ball, were documented in a decontextualised way and dealt with as a series of unrelated cases in the TRC Final Report (Chapman & Ball, 2007). These writers feel that perpetrators’ acts were individualised, treated as the consequence of personal decision, and not directly linked to institutional policy and decisions (Chapman & Ball). The televised aspect of the Commission also often resulted in simplified stories being told, as journalists placed individuals’ narratives and pain at the centre of them and stripped them of their historical and political complexity (Posel, 2004). The TRC Final Report reads, according to Deborah Posel, as a series of essential exemplars rather than a comprehensive record (Posel, 2002). These opinions contrast, at least to a degree, with the view of the TRC that it made a contribution to creating a record of human rights violations in its Final Report through its revelation of some challenging stories and cases.

This difference in view concerns two factors: first, the difference between the role of the TRC in public and what appears in its Final Report; and, second, what could be termed a difference in matter of degree, thoroughness and complexity. Concerning the TRC in the public realm, it is clear that the public perception of it was one of a series of individual violations. The public hearings did not overwhelmingly create a record of the wider apartheid context. Although not tested empirically, I feel confident that if you asked people what they remembered about the hearings it would largely be the horrors of individual testimony and not the wider systematic oppression of apartheid. The TRC process will, in years to come, be remembered for dramatic moments of confession and victim meeting perpetrator. That said, the view that no complexity was portrayed or that the hearings were simply digested as good television simplifies a process that inevitably challenged at least some narratives and beliefs.

In terms of the second point, I am in agreement with Chapman and Ball (2007), insofar as the Commission did not cover issues to the extent that it could have. But you cannot say that the TRC did not provide any context. I also feel that, although the TRC does not capture or explain the full context of the past, much of the past is nonetheless revealed in the victim and the amnesty transcripts. The testimonies are laden with truth about individuals and the apartheid system. They cannot escape, in Paul Strohm’s words, “marks of their own historicity” (Strohm, 1992, p. 3). Put another way, the historical context is present, if only in glimpses, throughout the testimonies. In other words the various stories of violations reveal fragments of the structural context in which violations took place, but this is more by accident than conscious design - a by-product of the stories rather than a strategic backdrop elucidated purposefully by the TRC and its statement gathering process.

At the same time, though, I fully agree that often the TRC Final Report reads as a poor summary of complex historical events. The TRC Final Report is accused of being a moral narrative about the wrongdoing of the political system rather a complex

historical text (Posel, 2002; Posel & Simpson, 2002). This concurs with my reading of the report. Researchers within the TRC admit that largely because of workload and differences of approach the Final Report lacks integration, flow or a coherent argument (Cherry, Daniel, & Fullard, 2002). Deborah Posel's detailed analysis of the TRC's Final Report is probably the most critical and thorough report; highlighting that from a historian's perspective, the report is neither complex nor extensive and has little explanatory or analytical power (Posel). Posel feels that not enough attention has been given to how the system of apartheid and violations linked to it were planned, what the different perspectives on apartheid were and what the underlying motives for the system and violations were (Posel). She is critical of the way racism is used as an explanatory variable in the report, without mention being made of the sources of racism or how other variables such as masculinity related to it (Posel). On the more forensic front, the TRC Final Report has been criticised for not identifying the intellectual authors of the apartheid system (Chapman & Ball, 2007; Foster, Haupt, & De Beer, 2005; Pigou, 2002a); and, as was mentioned in Chap. 2, much information remains hidden about South Africa's past in terms of who did what to whom and why (Amnesty International and Human Rights Watch, 2003; Bell & Ntsebeza, 2001; Pigou, 2001).

Chapman's analysis of the institutional hearings is also revealing. The institutional hearings (outlined in Chap. 2) were the Commission's attempt to provide a wider context to violations. However, although making a contribution to understanding the broader patterns of apartheid abuses and the system as a whole, they fell short of a detailed exploration (Chapman, 2007c). Preparation for the institutional hearings was inadequate, writes Audrey Chapman, and complicated processes like the role of the business community in apartheid South Africa were dealt with in 2–3 days, with those making submissions sometimes being given 15 min to talk (Chapman). The findings in the TRC Final Report mirrored this.

For example, in the TRC Final Report, 15 pages are devoted to the role of the legal community under apartheid, which is inevitably a poor summary of the issues because the transcript of the legal hearing is 650 pages long and the Commission received over 100 submissions (Chapman, 2007c). Attendance at hearings was also low and people from the different sectors (for example, media and business) seldom attended (Chapman). In general, hearing attendance for TRC hearings was sporadic. Sometimes local community halls were overflowing, but on other occasions observers of the hearings were remarkably sparse. For example, I remember attending some of the Soweto hearings focused on the 1976 uprisings, a seminal event in South African history. There could not have been, on one of the days I attended, more than 20 people in the audience.

How representative the statements of the TRC are has also been challenged. The TRC set a cut-off date of December 1997 for receiving statements. This meant that "hundreds of people have come forward to make statements" who had to be turned away (South African Truth and Reconciliation Commission, 2002, Volume 7, p. 2). In Volume Six of its report, as was mentioned in Chap. 2, it refers to 8,000 statements being collected after the Commission's cut-off date (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 575). It is not clear from

the report if these were added to the final total number of statements or not. Either way the point is that, as the TRC itself notes, “many people, through no fault of their own, were unable to make statements to the Commission” (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 576). There are many reasons for this, including the fact that some people learned too late about the process or the Commission, that others were unable to gain access to a statement taker, and that some statement takers promised to return to individuals to take their statements but did not (South African Truth and Reconciliation Commission, 2002, p. 2). Some statements were given to political parties but never forwarded to the Commission and some people were prevented from giving statements by their political parties (South African Truth and Reconciliation Commission, 2003, p. 575). The result of this is that some categories of statements remain under-represented, including those of victims of sexual violence and torture (South African Truth and Reconciliation Commission, 2002, Volume 7). Statements from whites and so-called coloureds in the Western Cape are also under-representative (Pigou, 2002a). Some important events received only a handful of statements, such as the 1976 Soweto uprisings and disturbances in the Vaal Triangle in the mid-1980s (Pigou). The under-representation of statements in some areas and about certain events had a knock-on effect in the final report with those issues in turn being dealt with in a cursory rather than detailed way at times.

Despite the failings outlined above, the modest claim could be made that the TRC process and report meant that previously hidden and silenced issues could now be debated, contextualised to some degree and dissected, as indeed has happened. The TRC remains a remarkable achievement (Posel, 2002) and its greatest achievement is that it happened at all (Simpson, 2002). According to researchers who worked on the TRC, it was only beginning its work and analysis when it submitted its final report (Cherry et al., 2002). Perhaps the central weakness of the process, then, is not so much the limited nature of the reports and hearings, but how they have been used, critiqued and discussed. The lack of focus on the TRC in South Africa today is the biggest disappointment in this regard.

Finding the Truth

For a minority of victims, suppressed truths about the past were uncovered by the TRC. It is difficult to put a figure on this and no systematic analysis has ever been carried out. It is estimated however that probably over 90% of people who appeared before the TRC were not provided with new or meaningful information (Pigou, 2002a). Priscilla Hayner notes in her review of the South African TRC that in relatively few cases conclusive facts were established or cases investigated thoroughly (Hayner, 2001). Sometimes, however, missing bodies were located, exhumed and respectfully buried. The Commission notes that in at least 50 cases it helped find the remains of missing individuals (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 365). For victims, the confessions of perpetrators

brought answers to unsolved political crimes – crimes that the courts might never have tried because of limited resources.

However, for most victims, the TRC began a process that was unable to complete. Many victims felt let down and no closer to the truth than before they told of their suffering. The limited amount of truth that flowed from the process created the sense that the TRC did “not finish its job” and left victims “hanging” (Picker, 2005, p. 8). One of the most difficult factors for survivors was expecting to hear new truths only for this not to happen (Byrne, 2004). For those who expected to find the bodies of their family members who had disappeared, the disappointment was bitter:

We prayed, we sang and they said we are going to start digging. As the tractor was digging there, nothing was coming out, I said to him, the person digging, “please dig a bit deeper,” still nothing came. I said “maybe dig in a row, in the same line that you showed us, maybe something will [come] out then” and still nothing came. They went to dig at another place, still nothing came out and until they said “you must stop, because you might have ended up digging the whole cemetery...” So nothing happened – our joy turned into tears, people started crying, falling, fainting. We went back [home] empty handed (Interview with survivor by Catherine Byrne cited in Byrne, 2004, p. 245).

Comprehensive truth recovery was never going to happen. The TRC had roughly 60 investigators to handle over 35,000 violations reported by the roughly 22,000 victims who gave testimony to the Commission, without counting the thousands of violations reported by perpetrators. However, questions have been asked about whether the Commission dug as deep as it could (Pigou, 2001). It has been found in interviews with TRC staff that they themselves feel, in retrospect, that more could have been done to uncover information and that there was insufficient time to investigate cases (Phakathi & van der Merwe, 2007). The Investigation Unit has been accused of carrying out insufficient investigations because of lack of resources, but also because of inexperienced staff, managerial and bureaucratic difficulties and leadership problems (Pigou, 2002a; Sarkin, 2007).

The Commission as a whole has also been accused of being fragmented. This was certainly my experience of working with the process. For example, some victims received letters saying that their cases, based on their testimony, were not political, when in fact someone had applied for amnesty for the case and their act had been deemed political by the Amnesty Committee. Dealing with the Commission became increasingly bureaucratic and it became harder rather than easier to get information about their case from the Commission over time. There was also poor communication between researchers and investigators and tension about the purpose of the information-gathering process (Cherry et al., 2002). There was also tension with external bodies such as the Attorney General’s Office, which meant limited information flow concerning cases which both bodies were investigating (Pigou, 2002a).

The Commission possessed extensive search, seize and subpoena powers. These powers were much stronger than those of other truth commissions (South African Truth and Reconciliation Commission, 1998, Volume 1, p. 54). However, differences internal to the TRC (discussed later) often hindered whether or how these powers were used. Occasionally, the TRC pursued those that did not co-operate with it. For example, in one of the more high-profile events surrounding the TRC,

the Commission subpoenaed former Prime Minister, P.W. Botha, who refused to appear. On 21 August 1998, Mr. Botha was found guilty of failing to attend at the time and place specified in the subpoena and was sentenced to a fine of R10,000 (about US\$1,300 at the exchange rates of 28 May 2008) or 12 months' imprisonment (South African Truth and Reconciliation Commission, Volume 1, p. 197).

But on the whole, the TRC did not use its powers extensively. This is evident in the TRC's own admission that it should have, but failed to subpoena Chief Buthelezi, leader of the Inkatha Freedom Party, whose organisation was responsible for the highest percentage of non-state violations that came before the Commission as noted above. The Commission wrote:

Given its stance in regard to Mr PW Botha, the Commission is thus vulnerable to the charge of double standards. The only defence that can be offered is that the issue was intensely debated by the Commission, which ultimately succumbed to the fears of those who argued that Buthelezi's appearance would give him a platform from which to oppose the Commission and would stoke the flames of violence in KwaZulu-Natal, as indeed he himself promised. In retrospect, it was probably an incorrect decision (South African Truth and Reconciliation Commission, 1998, Volume 5, pp. 206–207).

This statement highlights the contested nature of the TRC's internal processes and the idea that "truths" that came out of the work of the Commission can be said to be less than complete in several areas. The TRC admits in its Final Report to have not dealt with the 1990–1994 violence in South Africa (discussed in Chap. 2) to the extent that it should have (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 206). It also highlights how fearful the TRC was of destabilising the situation in South Africa, and how this was interwoven at times with religion. Terry Bell captures this when he writes that certain obvious investigations were not followed up because of:

...time constraints and a fundamentally religious attitude towards reconciliation. It was summed up in the phrase 'we will have no witch hunts'. What this meant was the acceptance that the process concerned individual perpetrators and victims, with the perpetrators being given the opportunity of confession to clear their consciences (Bell & Ntsebeza, 2001, p. 205).

Bell's words capture the tension between those who favoured the voluntary participation of people before the Commission and those who favoured the use of subpoena powers to force testimony from alleged perpetrators. The differing approaches were often underpinned by divergent conceptualisations of reconciliation (discussed below); that is, those who saw reconciliation as being about voluntary remorse and admission of guilt and those who saw labelling of responsibility and being called to account as paramount.

Furthermore, because truth and justice were tied into each other in the process that set up the Commission it is difficult to separate the two when assessing the truth uncovered by the TRC. Truth was often spoken about by the TRC as a substitute for justice. The result of this was that the expectations of what truth would deliver increased. When the TRC delivered only a small proportion of the truth, disappointment was even harder to take for victims. My experience has been that, over the years, survivors and families of victims have evaluated the TRC increasingly negatively.

This disappointment is linked to their initial high expectations and the realisation that they will never be met.

Having said that, the TRC poses several evaluative challenges. Although in only a minority of cases the truth was revealed, would any other mechanism have revealed more truth? It is doubtful, for example, that a prosecutions model would have enabled as many victims to have discovered the truths that were revealed through the Commission. If we assume that 10% of victims received a new truth or meaningful information that they did not have before, the number of individuals in question is 2,000. There would never have been 2,000 prosecutions. Equally, however, the result of the Commission meant that a minority who could, perhaps, have taken their cases to the court were denied justice. Either way the result is less than definite. This point also assumes the option was either truth or justice. Arguably, despite the fact the TRC could have been more rigorous and hard hitting in its investigative process, the fault lies, as was argued in Chap. 7, not merely with what the TRC failed to uncover but also in the failure to complement the truth-recovery process with a more rigorous prosecutions process during and after the life of the TRC.

The Mandate: Too Narrow, Too Apolitical

The mandate of the South African TRC was fairly wide by the standards of other commissions. It focused on a spread of so-called “gross violations of human rights”; that is, killing, or the abduction, torture, or severe ill treatment of any person. Other commissions have been more restrictive; for example, the Chilean truth commission focused largely on disappearances. However, the remit of the TRC has become a point of heated debate in academic circles.

Essentially this debate focuses on criticisms that the TRC’s mandate was too narrow. These criticisms are often associated with Mahmood Mamdani (Mamdani, 1996, 1997, 2000) but similar points have been made by others (Hamber, 1998b; Posel, 2002; Simpson, 2002; Statman, 2000). These authors have argued that by focusing on gross violations, the TRC overlooked the structural oppression of apartheid, such as racial and economic exclusion. Despite the TRC’s focus on political violence, most victims who appeared before it were victimised not only because of their political affiliation and activities, but also because of their structural circumstances – including their gender, their poverty, their race, and their general social marginalisation (Hamber). The wider point that Mamdani championed was that the focus on gross violations drew attention away from those who supported, voted for, and funded the apartheid system. According to Mamdani, this meant the process became perpetrator focused, fuelling calls for criminal justice from individual victims (Mamdani, 1997). A more “beneficiary” focused approach would have placed more emphasis on the responsibility of wider society for the apartheid system and the violations that followed. This would have demanded a greater focus on social justice rather than a narrow focus on criminal justice.

This position places a strong emphasis on systematic acknowledgement and redress of apartheid by the beneficiaries of the system for reconciliation to take place. It also holds that the TRC did not make the link between the structural violations of apartheid such as systematic poverty or inequality in access to services and the direct human rights violations suffered by those who testified. Victimisation was defined as stemming from a direct act of political violence and those who suffered the ravages of apartheid through forced removals, pass laws, malnutrition or poor education were not asked to testify and neither were they directly categorised as victims.

The points made by Mamdani have relevance in the reconciliation debate; that is, focusing on individual victims and perpetrators increased the risk that reconciliation would be seen as an individual rather than a collective endeavour. In the same vein, reparations would be cast as being only about individuals and not include a focus on social restitution. Further, by focusing on the consequences and narrative of gross violations only, the broader context of victims' suffering would be under-emphasised. In line with some of the critiques of trauma raised in this book, an acontextual focus runs the risk of reducing violations to individual symptoms and not understanding suffering in a wider social context.

From a gender angle, the narrow interpretation of "gross violations of human rights" also meant that certain women were not always identified as victims (Goldblatt & Meintjies, 1997b). Women suffer extraordinarily in conflict, especially, but not only, from socio-economic hardships and structural violence. In terms of direct violence in South Africa, gender-specific violations such as assault and electric shocks on pregnant women, inadequate medical care leading to miscarriages, rape and flooding of fallopian tubes with water were used (Goldblatt, 2006). Nonetheless, it is often the violations against men that receive the most attention. This is in part because in most conflicts, and certainly in South Africa and Northern Ireland, a greater number of men experience so-called "direct violations", such as murder and torture. However, women's experience of oppression and violence were also depoliticised. The TRC was criticised for locating women in the private realm (Graybill, 2002). Many feminist writers have argued that activities that take place in the private sphere and resistance to dominance or oppression even within the home are indeed political. Unfortunately, one of the results of the privileging of direct violence in the TRC, and particularly men's experience of violence especially as soldiers and combatants, meant that when women were given the opportunity to tell their stories they often talked about violations to men related or linked to them in some way. An analysis of the South African TRC reveals that although many women and girls experienced various forms of extreme violence, including detention without trial, attempted murder and assaults – not to mention the massive structural violence against black women particularly, who remain the poorest out of any social category in the country – most testified about the experiences of male relatives (Gobodo-Madikizela & contributions by Fiona Ross and Elizabeth Mills, 2005; Goldblatt & Meintjies, 1997b; Ross, 2003). In other countries too, such as Peru, it has been found that in the truth commission that women downplayed their own suffering as victims, often only identifying themselves as the caretakers of other victims (Laplante, 2007).

Goldblatt and Meintjies blame the lack of focus on violations against women in part on the structure and focus of the TRC, stating that:

In the first week of the Truth Commission's hearings in the Eastern Cape, the widows of the 'Cradock Four' came to speak about their murdered husbands. They themselves had been harassed and arrested, yet their stories were not probed and were treated as incidental. Our society constantly diminishes women's role and women themselves then see their experiences as unimportant (Goldblatt & Meintjies, 1998, p. 37).

The result of all this was that violations against women, both public and private, were under-represented in the Commission's hearings and findings despite attempts to have hearings focused exclusively on women.

Thus, by focusing selectively on some of the horrors of the past, writes Colin Bundy, the TRC's hearings paradoxically diminished understanding of the full iniquity of the past (Bundy, 2000). Taken to its logical conclusion, this argument implies that through the failure of the TRC to address structural issues, it was inevitable that in the post-TRC period a lack of understanding of the inequalities of the past and their racial flavour would loom large – as indeed they do.

However, in assessing these arguments it is useful to draw a distinction between the way the TRC managed its public profile and what it finally concluded in its report, as well as to contextualise the lack of socio-economic delivery in South Africa within a wider frame than TRC's shortcomings. In its Final Report, the TRC is at pains to point out that "we cannot hope properly to understand the history of the period under review unless we give apartheid and racism their rightful place as the defining features of that period" (South African Truth and Reconciliation Commission, 1998, Volume 1, p. 15). In the institutional hearings, the focus on the business sector, for example, points out that inequality was a direct result of business collusion with apartheid policies and that "most businesses benefited from operating in a racially structured context" (South African Truth and Reconciliation Commission, Volume 5, p. 252). The Commission also notes that "reconciliation requires a commitment, especially by those who have benefited and continue to benefit from past discrimination, to the transformation of unjust inequalities and dehumanising poverty" (South African Truth and Reconciliation Commission, Volume 5, p. 435). The Commission recommends a wealth tax to redress imbalances created by apartheid.

On the basis of the TRC's Final Report, it is not correct to find the Commission totally lacking in its ability to acknowledge the structural underpinnings of the wider human rights violations committed. In fact, the institutional focus of the TRC, at first for a truth commission, can be seen as a serious advance in processes aimed at uncovering the full picture about past violations. However, as was argued earlier in this chapter, although the TRC Final Report and its work were not completely acontextual, they equally do not cover many issues in detail nor do they provide comprehensive explanations of the wider context of violations. Throughout the TRC Final Report, there are examples of a narrow focus on direct violations. For example, in discussing the statements from deponents who were largely farm labourers from the then Orange Free State, the Commission notes:

Many deponents...told the Commission that they had been victims of assault and attack, including social and economic deprivation, purely on the basis of race. The Commission was not always able to make a positive finding in respect of such cases, particularly when no clear-cut political motive was identifiable (South African Truth and Reconciliation Commission, 1998, Volume 3, p. 335).

It is comments of this type, which depoliticise the structural oppression of farm labour in South Africa in this case, that have fuelled the criticism that the TRC viewed its mandate too narrowly, defining violations as direct violence only. However, in the same way as it is simplistic to assume that truth would lead to reconciliation, or that revealing past atrocities would lead to healing, so too is it a mistake to assume that explaining the intricacies of apartheid as a structural violation through a process like a Commission would result in a definite change in socio-economic structure or deliver social justice.

The relationship between the different institutions, such as the TRC and the many others set up in post-apartheid South Africa that promoted or hindered transformation, is not that straightforward. In addition, the power of the TRC is not so extensive that one can assume a direct correlation between the TRC's lack of focus on structural violence and the perpetuation of structural violence in the new South Africa. Given the high profile of the TRC, it was hard to avoid the impression that the TRC was the central transformation process overshadowing other dimensions of the peace-building process (Rigby, 2001). But this is not the case.

It could be argued that the TRC was integral to helping define the discourse of the new South Africa through its limited focus in its hearings on the social injustices of the past. But the TRC's mandate was a product of a social process already in motion shortly after the first democratic election. The TRC was part of and one of the first symptoms of a depoliticising and liberalising process, not only a cause of it. Criticisms of the TRC's narrowly construed mandate tell us more about the serious need to redress ongoing socio-economic inequity, the threat of this to stability and the lack of transformation in the neo-liberal "new" South Africa than they do about the missed opportunities of the Commission to highlight structural violations. For example, it was the government that chose to ignore recommendations concerning a wealth tax not the TRC who failed to advocate for it.

However, intrinsic to the TRC was sufficient power to make deep incisions into past impunity and to hold people to account, as well as provide a detailed commentary on social justice in South Africa. In the final instance, a more contextual report, and a clearer focus on social justice throughout the process, would have made a powerful contribution to post-apartheid politics and discourse.

Promoting National Unity and Reconciliation

Whether or not the TRC promoted reconciliation is a difficult question to answer primarily, because it depends on how one conceptualises reconciliation. The TRC Act mandates the Commission to promote reconciliation but there were few signposts on

how to exactly do this. Goals such as national unity and reconciliation are steeped with flawed assumptions and multiple meanings. Similarly, reconciliation as an objective proved problematic. During the life of the Commission the term was never defined nor was a shared understanding ascertained. Others too have highlighted the contested nature of reconciliation as a concept in the Commission (Chapman, 2007b; Gibson, 2004a).

Different members of the Commission had different understandings of what reconciliation was and how it should be achieved. An illustrative example in the TRC legislation is where the TRC Act endorses the interim Constitution, stating that “in order to advance [such] reconciliation and reconstruction amnesty shall be granted”. Precisely how reconciliation was to flow from granting amnesty was left for the Commission to decipher and interpret, and it could be argued that this remains both confusing and confused to this day.

Approaches to Reconciliation

Most people would probably have agreed that reconciliation embodied coming together and mending past conflicts and that it concerned relationships between individuals or communities. Reconciliation is based on respect for our common humanity (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 435). Hugo van der Merwe’s groundbreaking research on the TRC revealed that there were different ideologies associated with reconciliation in South Africa (van der Merwe, 1999, 2000, 2002). Building directly on this, Hugo van der Merwe and I (Hamber & van der Merwe, 1998) summarised these ideologies as:

- A non-racial ideology of reconciliation, which focuses on dissolving racial identities through individuals, especially whites, confessing to their previous racist tendencies and committing to a new non-racial future.
- An intercommunal ideology of reconciliation, which focuses on greater co-operation and coexistence between communities by improving communication and understanding of different perspectives, cultures and histories.
- A religious ideology of reconciliation, which focuses on the rediscovering of a common humanity through moral reflection, repentance, confession, forgiveness and rebirth.
- A human-rights ideology of reconciliation, which focuses on ensuring co-existence through regulating social behaviour by the setting up of appropriate institutional safeguards, including truth recovery and the prosecuting of all human rights violations.
- A community-building ideology of reconciliation, which focuses on reconstructing interpersonal relationships which have broken down during the conflict through creating space for direct interventions such as conflict-resolution initiatives.

The TRC’s own comments on reconciliation (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 436) confirm that the Commission adopted a mixture of non-racial, inter-communal and religious understandings of reconciliation. For example the Commission itself notes:

The experiences of the Commission illustrated the particular difficulty of understanding the meaning of unity and reconciliation at a national level. They also highlighted the potentially dangerous confusion between a religious, indeed Christian, understanding of reconciliation, more typically applied to interpersonal relationships, and the more limited, political notion of reconciliation applicable to a democratic society (South African Truth and Reconciliation Commission, 1998, Volume 1, p. 108).

These underlying assumptions were also expressed in slogans used in the TRC's banners and media. For example, that truth was "The Road to Reconciliation" and "Let's speak out to each other. By telling the truth. By telling our stories of the past, so that we can walk the road of reconciliation." Archbishop Tutu, Chairperson of the TRC, routinely pushed a religious view of reconciliation that emphasised "healing through contrition, confession and forgiveness" (TRC Press Statement, 16 December 1995). Wilson argues that from the beginning of the TRC two competing visions for the process were present – the TRC as a legal process of truth recovery or as an instrument of moral and emotional catharsis (Wilson, 2001). This could be reframed, using the definitions outlined above, as those who saw the process as an exercise in a human-rights-based form of "reconciliation" compared with those holding more of a non-racial, intercommunal and religious understanding of reconciliation. However, although at a public level the Commission ascribed to the non-racial, intercommunal and religious understanding of reconciliation there were significant tensions within the Commission about its approach. There was ongoing friction throughout the process about how reconciliation should be construed and what the priority of the Commission's work should be, as well as the relationship of the different parts of its work to the overall objective of promoting reconciliation.

The differing ideologies of reconciliation in the Commission had important consequences for how the TRC dealt with alleged perpetrators and how penetrating it chose its recommendations to be. Its findings on the apartheid state and various key roleplayers are damning, but this was not matched – partly because of the dominance of the non-racial, intercommunal and religious understandings of reconciliation in the TRC – by an unequivocal commitment to continuing the search for truth and justice, certainly not by the new government. This may have significantly damaged the prospects for entrenching a human rights culture and signalling the end of impunity, as will be discussed in Chap. 9.

Reconciliation also became associated with interpersonal reconciliation. Archbishop Tutu specifically often equated reconciliation with interpersonal forgiveness (Chapman, 2007b), even though reconciliation and forgiveness are not the same thing (I discuss this in Hamber, 2007a). However, no doubt some acts of individual reconciliation took place. As the Commission notes in its Final Report:

Clearly, everyone who came before the Commission did not experience healing and reconciliation. However, extracts from testimonies before the Commission illustrate the varying ways and degrees in which people have been helped by the Commission to restore their human dignity and to make peace with their troubled past. They include cases where an astonishing willingness to forgive was displayed, where those responsible for violations apologised and committed themselves to a process of restitution, and where the building or rebuilding of relationships was initiated (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 350).

In Volume Five of its report (South African Truth and Reconciliation Commission, 1998, Volume 5, pp. 350–435), the TRC highlights numerous examples of what it calls “reconciliation”, as I noted in Chap. 7. These included cases such as individuals who had been labelled as spies being found to have been wrongly accused, resulting in their families being welcomed back into communities; perpetrators expressing remorse; perpetrators apologising and institutions making apologetic statements for the way they treated individuals in the past; individuals talking about welcoming perpetrators back to communities rather than having them prosecuted; and where victims and perpetrators came together to reconcile.

For example, 15 years after he was blinded in the Church Street bomb incident in Pretoria, Mr. Neville Clarence, a former South African Air Force captain, shook hands with Mr. Aboobaker Ismail, former head of MK special operations who planned the bomb attack (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 392). Other cases involved what the TRC called “reconciliation without forgiveness”; that is, a level of coexistence. The TRC quotes the case of Maki Skosana who was burned to death with a tyre around her neck filled with petrol (“necklacing”) by a group of individuals in her community for being suspected of being involved as an informer in the killing of several youths when booby-trapped hand grenades blew up in their hands (the case was discussed earlier). Maki Skosana was set up by the police. Her sister, Ms. Evelina Puleng Moloko, spoke of how she still sees those who were convicted of the killing and later released. She works at a crèche, and two of the killers of her sister bring their children to crèche. Nonetheless, Ms. Moloko feels “Everything is just as usual” (South African Truth and Reconciliation Commission, Volume 5, p. 401).

At a broad level it is fair to say, at least at this stage, South Africans coexist despite all the horrors of the past; even if relationships between different groups are often tense and have flared up at times. Hugo van der Merwe has shown that community tensions remain high even in areas where the TRC operated and truth was revealed, such as in Duduza, which is the site of the booby-trapped grenade operation and where Maki Skosana was killed (van der Merwe, 1998, 1999).

However, when it comes to individuals who have directly harmed one another, despite the powerful examples cited by the TRC, the process of interpersonal reconciliation remains challenging. Most victims with whom I worked felt that reconciliation was conditional on factors such as truth, apology, or restitution from the perpetrator. As was discussed in Chap. 4, one of the most distressing aspects for survivors and families of victims was the lack of follow up by the TRC and its failure to deliver truth and adequate reparations to victims within a context where amnesties were granted to perpetrators. The qualified approach to reconciliation by survivors in South Africa, in many senses mirrors the work on interpersonal forgiveness, especially in the political arena where forgiveness is generally seen as conditional. As a minimum it appears that some form of apology or public recognition of wrongdoing is needed for forgiveness even to be contemplated (Kadima Kadiangandu, Gauche, Vinsonneau, & Mullet, 2007; Kadima Kadiangandu & Mullet, 2007; Mellor, Bretherton, & Firth, 2007; Shriver, 2001).

My own experience of working closely with victims who appeared before the South African TRC was also that victims seldom mentioned forgiveness. In Northern

Ireland, research demonstrates that attitudes to intergroup forgiveness are mixed (Cairns, Mallet, Lewis, & Wilson, 2003; Ferguson et al., 2007). My work in Northern Ireland has also shown that forgiveness does not feature as a precondition of reconciliation, even for those from a religious background (Hamber & Kelly, 2008).

Recent research has confirmed that forgiveness was not a major component of victim testimonies and that victims were generally not inclined to forgive perpetrators (Chapman, 2007d). Empirical research based on an analysis of victim transcripts has shown that 14% of testimonies, as a weighted percentage of 429 testimonies randomly sampled, included a discussion of the topic of forgiveness by victims and that only 2% of victims who testified said they were ready to forgive (Chapman, 2007a). Furthermore, research suggests that one of the most psychologically challenging components of the Commission for victims was then they came into contact with perpetrators, especially through the amnesty hearings (Phakathi & van der Merwe, 2007). Amnesty hearings often created anger, depression and anxiety (Phakathi & van der Merwe). However, where victims met perpetrators in safe and mediated settings, contact was experienced as broadly positive (Picker, 2005).

Nonetheless, we should not forget that the TRC was not about forgiveness, despite all that has been written about the Commission and forgiveness. Nowhere in its mandate is the word mentioned, rather it was an ideological imposition from some Commissioners, and perhaps some in the press and others, ranging from religious leaders to academics, who had a specific view of how relationships could be mended. This is not to say that victims had no role in the prominence of forgiveness in the TRC process. A small minority of victims sought forgiveness as a way of freeing themselves from a life of hatred and the clutches of perpetrators (Gobodo-Madikizela, 2006). And importantly, where forgiveness happened during the TRC process, this should not merely be dismissed; it was, albeit present in a few cases, a positive by-product when it happened.

Promoting Reconciliation

Assessing whether the TRC promoted reconciliation is a complicated task because some contend that “one may forgive and not reconcile, but one never truly reconciles without some form of forgiving taking place” (Enright, 2001, p. 31). Others share this view that forgiveness is the necessary forerunner to reconciliation (McLernon, Cairns, Lewis, & Hewstone, 2003). However, it appears that those focusing on the political aspects of social transformation see the reconciliation and forgiveness debate differently, suggesting that reconciliation does not have forgiveness as a prerequisite (Huyse, 2003). Even the TRC Final Report notes that “reconciliation does not necessarily involve forgiveness” (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 435).

James L. Gibson defines reconciliation as being made up of interracial understanding, political tolerance, respect for human rights and support for political institutions by individuals in a society (Gibson, 2004a, 2004b, 2004c). Using these variables, he found, utilizing data from a representative sample of South Africans

collected in 2000/2001, a moderate level of reconciliation in South Africa; that is among 44% of the population as a whole (Gibson, 2004a, 2004b, 2004c). Gibson argues that the TRC helped create a common understanding of apartheid and thereby helped to foster reconciliation among different racial backgrounds or, put another way, the truth-finding process contributed to at least some form of reconciliation for some groups (Gibson, 2004b, 2004c). Of course, the question in all this concerns attribution: are any changes in relationships between different groups attributable to the TRC or did the TRC merely contribute towards these? One of the criticisms raised of Gibson's work, which he himself acknowledges, is whether respondents in his survey would have had the same views about his dimensions of reconciliation (e.g. political tolerance, respect for human rights) with or without the TRC (Backer, 2006a).

Research on whether the TRC changed the attitudes of different groups is inconclusive and some argue that it is even too early to say if the TRC impacted upon them (Theissen, 2007). The question of attribution is again an issue. What we do know, however, from survey data, is that more than half of all South Africans have sensed an improvement in race relations since 1994 (IJR, 2007). Most, however, remain cautious in their assessment, but the majority of respondents to the Reconciliation Barometer Survey share a positive outlook about continuing improvements in race relations (IJR). However, although there are slight improvements, inter-racial contact remains low (IJR). Twenty-six percent of respondents to the Reconciliation Barometer Survey said they never talked to somebody from a different race on an ordinary day, while 48% indicated that they never socialise with other groups (IJR). However, making this point assumes a particular understanding of reconciliation; that is that contact is necessary for reconciliation and that it is more than co-existence.

I regularly get asked if the TRC changed white people's views. When asked this question, I often respond by saying that in the white community a typical response to the TRC, besides those who simply rejected it, was "I did not know it was so bad until the TRC". In fact focus group data reveals that many whites do hold this position and say they were shocked about the extent and nature of atrocity in the country (Gibson, 2004b). These are curious responses because on one level they smack of denial. One could argue that whites had a moral responsibility to know what the system they supported was doing. However, it also contains some tacit acceptance that the situation was appalling and wrong, which, as modest an achievement this is, is an advancement on the position where most whites unequivocally supported the system.

Recent survey data indicates that 68% of whites agree that apartheid was a "crime against humanity" and 56% of whites agree that in the past the state committed horrific atrocities against those struggling against apartheid (IJR, 2007). An optimistic view is that at least the majority feel this way, which is presumably more than did so during the apartheid system. The pessimistic view is that white views are 22% and 18% lower than the national average on the questions concerning the agreement about apartheid being a crime against humanity and the apartheid state committing atrocities, respectively (IJR). A further worrying finding is that there is a generational difference in perceptions. Half of those aged younger than

35 agreed with the statement that atrocities occurred under apartheid, compared with almost 60% for those above this age (IJR). This is a damning indictment on the degree to which the TRC and its central message of the atrocities committed in the past reached the younger generation, and possibly points to how little the TRC material has been used as part of public education since the Commission closed its doors. One of the failures of the TRC, at least at this stage, is that a popular and accessible version of the report is yet to be published despite the TRC claims that one has in fact been produced (South African Truth and Reconciliation Commission, 2003, Volume 6, p. 576).

To answer the macro question concerning whether or not the TRC promoted reconciliation, the theoretical model developed by Gráinne Kelly and myself can provide some modest direction (Hamber & Kelly, 2004, 2005a, 2005b, 2008). As part of a research project we undertook in 2003 in Northern Ireland, we decided to construct a working definition of reconciliation to test with community respondents. Using various sources (ADM/CPA, 2003; Assefa, 2001; Bloomfield, Barnes, & Huyse, 2003; Hamber, 2002; Hamber & van der Merwe, 1998; Lederach, 1997; Porter, 2003; Rigby, 2001; van der Merwe, 1999, 2000) and our own experience we developed what has now become known in Northern Ireland as the Five Strand Reconciliation Model. The definition was never intended to be a definitive statement on what reconciliation is or could be, but as a useful, though imperfect tool, which could provoke a deeper discussion with the many sectors that were the targets of our research.

The Five Strand Reconciliation Model sees reconciliation starting from the premise that to build peace relationships requires attention. Reconciliation is the process of addressing conflictual and fractured relationships and this includes a range of activities. It is a voluntary act that cannot be imposed (Bloomfield et al., 2003). A reconciliation process generally involves five interwoven and related strands:

1. *Developing a shared vision.* This entails individuals across the society and at all levels, articulating a common vision of an interdependent, just, equitable and diverse society even if they have different opinions, goals or political beliefs.
2. *Acknowledging and dealing with the past.* This entails acknowledging the hurt, losses, truths and suffering of the past, as well as establishing mechanisms to provide for justice, healing, truth, restitution or reparations and restoration, including apologies if necessary and steps aimed at redress. In addition, individuals and institutions need to acknowledge their own role in the conflicts of the past, accepting and learning from it in a constructive way to guarantee non-repetition.
3. *Building positive relationships.* This entails actively building or renewing relationships between individuals, groups or individuals and the state, as well as addressing issues of trust, prejudice and intolerance between groups and individuals. This results in accepting commonalities and differences, and embracing and engaging with those who are different from us.
4. *Significant cultural and attitudinal change.* This entails changing how people relate to, and their attitudes towards, one another. Attention needs to be given to developing a culture of respect for human rights and human difference, creating

a context where each citizen becomes an active participant in society and feels a sense of belonging. The result is that a culture of suspicion, fear, mistrust and violence is broken down and opportunities and space opened where people can hear and be heard.

5. *Substantial social, economic and political change (equity and equality)*. This entails identifying, reconstructing or addressing, and ultimately transforming the social, economic and political structures that caused or contributed to conflict and estrangement. The result is socio-economic and political equality.

Two additional points remain crucial to the holistic understanding of the working definition. Reconciliation, for Kelly and myself, is the *process* of addressing these five strands, and not solely about the *outcome* of doing so. Reconciliation processes, by their nature, contain paradoxes and tensions, not least because the social, interpersonal and political context is in constant flux. It is neither neat, easy, nor necessarily a linear process. John Paul Lederach notes that aspects of reconciliation can stand in tension with one another – such as articulating a long-term, interdependent future on the one hand and the need for justice on the other (Lederach, 1997). Using another example, the need to foster economic change to ensure equality may require a change in resource allocations within a country, such as resources moving from the wealthy to the poor, but it may also demand the building of positive relationships between the same groups at the same time. We believe, therefore, that reconciliation is both about addressing the five strands outlined, and simultaneously about the process of trying to address the complex paradoxes and tensions between them. Reconciliation can be measured not as an outcome but as the capacity to manage the tensions inherent in the process.

In fact, how the tensions are managed, in many senses, embodies the reconciliation process. This moves away from reconciliation being understood as an outcome – meaning a mended relationship between individuals or groups or even states – but asks the more critical question about the ability of the relationship to manage tension and endure despite such tensions. This understanding of reconciliation is more realistic in societies coming out of conflict where tensions are unavoidable. For example, balancing the need for justice with the demands of a peace process to let political prisoners out of jail as was the case in Northern Ireland and South Africa. There is no easy way of dealing with such dilemmas and whatever option or approach is chosen will be fraught with challenges.

Second, reconciliation is a morally loaded concept and different people approach the concept from their own ideological perspective. An individual's understanding of reconciliation is informed by their basic beliefs about the world. Different ideologies of reconciliation can be identified, as was discussed earlier in this chapter. We need to be aware that individuals will interpret differently the dimensions of reconciliation even if they agree on the importance of the common strands. Trying to reconcile different ideological positions – say, with regard to what attitudes need to change – is precisely what the reconciliation endeavour is about.

So what does this mean for evaluating the reconciliation process in South Africa? At a macro level the five strands can be used as a diagnostic tool or a litmus

test for assessing the overall state of the reconciliation process in a given country. If one assesses the South African process between 1994 and 2008, one might conclude that the political leaders who negotiated the settlement presented a strong vision of the future (Strand 1) and there were attempts to deal with the past through mechanisms such as the TRC (Strand 2). However, direct relationship building programmes between black and white communities in South Africa particularly were limited (Strand 3), and there was a hope that political reconciliation and institutional reform would broadly lead to attitudinal change and usher in a new human rights culture (discussed in Chap. 9), but this has not completely been realised (Strand 4). However, it is the inequality between communities (Strand 5) that remains the biggest threat to lasting reconciliation. Thus, South Africa could be said to be strong on strands 1 and 2, mediocre to poor on strands 3 and 4, and particularly weak on Strand 5.

If we assessed the TRC as an entity within this model, we could conclude that its vision (Strand 1), although inclusive and broadly clear as a vehicle for aiding stable political transition, was also contested as outlined in this chapter. It obviously focused on dealing with the past and acknowledgement, although it was flawed in its pursuit of justice, truth and reparations (Strand 2). Questions concerning justice and limited reparations will continue to cloud victims' views about whether the TRC properly dealt with the past, and acknowledgement from perpetrators was partial. When it comes to actively building relationships and changing attitudes (Strands 3 and 4), again the process made attempts at doing these but they remain a challenge. For example, the TRC very much constructed its public image as being about interracial reconciliation and changing attitudes between individuals directly involved in conflict. In terms of the former, a central weakness of this process was the Commission's own admission that it did not focus sufficiently on intercommunity conflict. Divisions within communities, and not merely between black and white South Africans, will remain a challenge in the future. For Strand 5, which essentially focuses on issues of equity and equality, like the macro assessment outlined above, this remains the weakest link in the TRC process. As has been argued, the focus on direct violations and the limited focus on structural questions could in years to come end up undermining how many people view the TRC and the project it was engaged in.

This type of analysis is less than perfect, but it provides some framework for beginning to think about how the TRC promoted reconciliation. A final word, however, goes to Gráinne Kelly and my assertion that reconciliation is measured not so much in the ability to deliver the strands outlined above in isolation to one another but in relation to one another. In many senses, the period of 1994 to around 2004 was characterised by a reconciliatory approach that broadly managed to keep the tensions in check; for example, the need to forgo justice and build a common vision at the same time. The TRC, and those in charge of it, despite all the criticisms raised in this chapter and their differing approaches, managed to steer through a complex set of demands. Using the notion of reconciliation as one of the management of tensions, the TRC, despite all its flaws, fared fairly well. However, since 2004 this has been steadily unravelling. This is, of course, not the fault of the TRC but has to do with issues such as the complex relationship between growing multifaceted inequality (see Chap. 2); the shifts in economic and political power; and the demands of a

contemporary South Africa, such as crime, economic challenges and regional instability. As the political system has bedded down, and the social and political reach of the new ruling party has extended, it has become increasingly difficult to manage the tensions within the proposed reconciliation model such as building a common vision, building relationships across the society, and ensuring social justice simultaneously.

Conclusion

Although this chapter has dealt with certain processes and practices of the TRC critically, it is important to see these within the entire process of the Commission. The South Africa TRC was a bold attempt, first and foremost, to uncover the truth about what happened in South Africa's past, and in the minority of cases the truth was uncovered. There were, despite a limited amount of truth coming out, some phenomenal investigative successes and windows into the past have been opened (Pigou, 2001). It is undeniable that South Africa is more democratic and participative than before. The TRC played a part in this by smoothing the transition and managing the complex issue of the past through one institution. Each individual act of coming together between victim and perpetrator no matter how limited, or the few genuine acts of repentance seen during the process, cannot be scoffed at in a deeply divided society. They are "beacons of hope", as Archbishop Tutu likes to say (Tutu, 1999).

The TRC began the process of labelling individuals who were responsible for past atrocities and outlining the causes of the conflict and the wider context, although this process was incomplete, thin on analysis at times and, unfortunately, ongoing dialogue about the strengths and flaws of the TRC's analysis have not continued at a public level. The Commission also taught some hard lessons about the complexity of dealing with a conflict-ridden past and the necessity of not avoiding "pain or reality" within the new dispensation (Krog, 1998, p. 449). It aided, as Richard A. Wilson and I have argued elsewhere, in setting some acceptable limits around the narrative of what happened to whom and so reduced the range of acceptable historical revisionism (Hamber & Wilson, 2002).

Several of the TRC's recommendations or, more specifically, their calls for ongoing social, economic and political reform in South Africa are also instructive. The South African government now and into the future would do well to keep measuring its progress against many of the TRC's recommendations for the constant monitoring of the abuse of power and the degree to which equality in South Africa is being achieved and racism tackled. Several other institutions, including the media, the health sector, judiciary, and the business community are also implored to ensure the development of a more robust human rights culture within their structures, while ensuring South Africa becomes a more economically equal society. The beneficiaries of apartheid were pushed by the Commission to engage in social reparations. This has not fully happened. Many of the high ranking security personal and apartheid government officials, as was mentioned, also failed to come forward and many truths remain hidden. The liberation movement was urged to apologise to and assist

those it tortured and maimed, particularly those from within its own ranks and in cases where it failed to live up to its own standards. These issues have never been fully addressed.

Furthermore, despite the criticisms raised above about the lack of prosecutions in the current South Africa for those who did not apply for amnesty, the future is also unknown. If countries such as Argentina and Chile are anything to go by, as social and political contexts shift, further prosecutions could still happen. But, broadly, the question of individual justice and, probably more so, social justice, will remain pressing issues into the future. In fact, survey data reveals that the majority of South Africans now see “inequality, and not race, as the most significant line of division that runs through our society” (IJR, 2007, p. 1). At the same time, year-on-year survey data reveals a substantial decrease in the ratings of government performance and confidence (IJR). The steps the TRC and the government could have taken to attempt to, even partially, assist with the inequality issue have led to a growing lack of confidence in the government. These steps include the government reporting on progress about implementing the TRC’s recommendations; prosecuting those who did not apply for amnesty; ensuring substantial reparations for victims; engaging apartheid beneficiaries more fully in the reconciliation process; finding ongoing ways of ensuring that truth and justice continue to be sought to the degree possible and, above all, dealing with the question of social justice and inequality that threatens the entire South African reconciliation enterprise.

The memory of the past continues on in the lives of perpetrators who walk free and those they victimised, as well as in the legacy of the inequality that is so tied to the historical memory of human rights violations in South Africa. As long as these conditions remain, the drive for truth and justice by victims and those who continue to feel marginalised in the new South Africa will continue. South Africa may have suppressed this drive to some degree through its reconciliation project and its flagship truth commission. However, what is still undone may manifest at some point in the future in the form of vehement calls for prosecution of the apartheid generals or emerge in the form of misdirected anger and revenge. This may become more and more of a reality once the fears of a return to the conflicts of the past have faded and the necessity of compromise is long forgotten.

Chapter 9

Truth Telling and Violence Prevention

*Hurrah for revolution and more cannon-shot!
A beggar upon horseback lashes a beggar on foot.
Hurrah for the revolution and cannon come again!
The beggars have changed places, but the lash goes on.*

W.B. Yeats, *The Great Day*
(cited in Jeffares, 1990, p. 190)

Introduction

In May 2008, townships around South Africa exploded in what has been called xenophobic violence. Barbaric images of foreigners being burned alive and assaulted by xenophobic mobs were splashed across most international newspapers and TV. Scores of people were killed and thousands displaced as internal refugees. It was sobering, leaving me feeling powerless, distraught and deeply ashamed. I imagine most South Africans felt the same way. Xenophobic violence in South Africa is a stark reminder of how easily violence can still erupt despite all the efforts that have been put into building a new human rights culture in the country. Issues raised by the xenophobic violence seen in South Africa in 2008 lie at the heart of this chapter.

Specifically, this chapter considers whether the TRC changed or contributed to changing the moral fibre of South African society. This chapter, which is an expansion of earlier work (Hamber, 2006), posits two reasons that why the impact of truth-telling exercises on the prevention of future violence has been limited. First, truth commissions reinforce ‘artificial breaks’ in history and time rather than looking for the overlaps and continuities within an ever-changing context. Truth-telling processes seldom take account of the changing nature of violence. If we consider violence as having the ability to move across time periods and mutate into different forms, as will be discussed later in the chapter, we have to ask pressing questions about whether truth commissions can prevent future violence, and, if they can, how we can enhance their violence-prevention abilities. Second, there is a lack of understanding among policymakers and the architects of truth commissions about the impact of massive trauma. Truth commissions have been more preoccupied with

description, discussing the direct impact of violence on victims and looking for causal understandings about past violence, than with the meaning and context of what they uncover in the present. This, as will be discussed, has specific implications for how truth commissions make recommendations.

Nunca Más or Never Again

Dealing with the aftermath of large-scale political violence committed during wars and civil conflict demands strategies for social transformation. It is necessary to rebuild the shattered political, economic, and social relationships characteristic of prolonged strife and to support individuals whose lives have been affected by the conflict. Recently, processes such as truth commissions have been identified as helping in this task. Over the past two decades there have been several attempts to describe the main functions, mandates, and areas of focus of truth commissions (Freeman, 2006; Freeman & Hayner, 2003; Hayner, 2001; Search for Common Ground, 2002; US Institute for Peace, 2005). The goals of truth commissions are generally considered to include: contributing to accounting for past abuses of authority; promoting national reconciliation; and bolstering a new political order by legitimising new policies (US Institute for Peace, 2005). Priscilla Hayner argues that truth commissions have any or all of five basic aims: to discover, clarify, and formally acknowledge past abuses; to respond to specific needs of victims; to contribute to justice and accountability; to outline institutional responsibility and recommend reforms and to promote reconciliation and reduce conflict over the past (Hayner, 2001).

However, how these goals are to be achieved is not exactly clear. The cry of *Nunca Más* (Never Again), popularised in Brazil following a period of military rule (1964–1985) (Archdiocese of São Paulo, 1998; Weschler, 1998), and then by the Argentinean (1983–1985) (Argentine National Commission on the Disappeared, 1986) and Chilean (1990–1991) (Chilean National Commission on Truth and Reconciliation, 1993) truth commissions, has become a popular justification for such processes. However, the debate seldom moves beyond the level of assumption or rhetoric. For example, the South African TRC's goals of 'national unity' and 'reconciliation' were saturated with flawed assumptions and multiple meanings, as was discussed in Chap. 8. More recently, scholars have begun to question the impact of learning about and documenting past human rights violations via truth commissions and whether they do, in fact, assist in preventing future violence (Borer, 2006; Brahm, 2007; Mendeloff, 2004). This chapter contributes to this debate.

In Chap. 4, it was noted that assumptions were made with regard to the healing potential of the South African TRC. However, it is not alone in this regard, and in fact, in more recent commissions healing has been written into their mandate. In Sierra Leone the Commission's mandate included an aim 'to promote healing and reconciliation' (Sierra Leone Truth and Reconciliation Commission Act, Sec. 6(1), 2000). The East Timor commission was to be grounded in 'the desire to promote national reconciliation and healing' (United Nations Transitional Authority in East Timor, Regulation 2000/10 on the Establishment of Reception, Truth and Reconciliation

in East Timor, Sec. d). Whether truth commissions contribute to healing and reconciliation and whether they should be concerned with such issues was debated in Chap. 4. In Chap. 4, it was concluded that truth commissions have a healing potential when they deliver truth and offer adequate reparations, as well as a range of supports for victims during and after the process. However, as was also noted, truth commissions should not be set up with the main goal of being directly therapeutic to victims through their testimony-giving process alone; their goals are wider and their impact on healing inherently limited.

Thus, at their simplest and perhaps purest (yet most general) level, truth commissions are meant to uncover what happened in the past and create new ways of dealing with the present and future. They stand as beacons that mark out and begin processes where new social and legal norms are developed. Different disciplines hold distinctive assumptions about how this might occur. For some, mainly within the legal and human rights fraternity, by highlighting the gaps and abuses of the past, a truth commission can suggest both legislative reforms and the endorsing of international standards. Such suggestions could gradually entrench a respect for the rule of law, social and political institutions, and an alternative way of behaving underpinned by a respect for a newfound set of norms. For others, mainly from a religious perspective, as well as some politicians, it appears that the testimony of victims and the enlightenment of the public about the moral corruption of the past are assumed to have the most reformative power. Reconciliation is built when the society as a whole takes stock of the past and seeks new ways of existing in the future.

Ideas articulated in the ways outlined earlier, however, imply a fairly linear way of thinking about what truth commissions may or may not be able to do. It is these types of assumptions that dominate much of the field of transitional justice. Such untested assumptions are made not only by those who advocate truth commissions, however. Those who argue for prosecution as the only panacea to impunity – many of whom are opposed to truth commissions, especially if they are not tied to prosecutions – often make equally linear assumptions by assuming, for example, that the prosecution of offenders following a political conflict will result in rather than contribute to ending impunity.

Although there is no doubt that the prosecution of those responsible for human rights violations following political conflict is necessary, and something desired by many victims as was noted in Chap. 7, such an approach assumes that impunity rests in the hands of a few and is not socially rooted. This assumption has assisted in popularising truth commissions that claim to reach across society by highlighting the complicity of not only direct perpetrators but also of institutions and individuals that indirectly contributed to or allowed violations to take place.

In addition to the already noted assumptions, much confusion remains about which transitional justice approach is most useful in preventing future violence; that is, prosecutions, truth commissions, truth commissions that recommend prosecutions, or hybrid systems. The last can be seen in Sierra Leone where a truth commission and special court process for trying war crimes and genocide were being run simultaneously. This process was described by one of the Sierra Leone truth commissioners as ‘a laboratory’ (Schabas, 2003, p. 1065) to see how different processes complement each other.

The dilemma for a society in transition is that the development of both legal and social norms takes place in a context of extreme uncertainty as the ‘new rules’ of the society are in a state of flux, as mentioned in Chap. 2. A crisis in the legitimacy of the old rules and norms often precludes the ability of a successor regime to simply transpose the old onto the present. Truth commissions can offer some assistance insofar as they suggest reforms and legitimise new rules. However, in the absence of being able to simply draw on past (largely legal) norms, and due to shifts in the Western construction of victimisation (a point to which I will return later), it appears as if the moral has started to eclipse the legal as the vehicle for embedding new social and even legal norms. It appears as if the popular assumption that ‘great suffering carries in its wake deep moral knowledge’ (Thomas, 1999, p. 204) has firmly taken root in transitional justice debates. Politicians and professionals now have a tendency to use testimony blindly, seeing it as healing and socially transformative, and possessing the ability to create ‘a cottage industry’ of ‘not forgetting’ (Weine, 2006, p. 46).

This is not to say that legal approaches should dominate how we attempt to politically and socially reconstruct society after conflict. After all, violence is first and foremost a social and political problem. However, to some degree truth commissions are almost imbued with a ‘magical’ power by those who advocate them most strongly. There is an expectation that the emotional testimony of victims and the uncovering of how past atrocities were committed and by whom will prevent impunity, transform social relations and the meaning of past violence, and affect how people will act in the future. This is at best only partially true.

Peter Novick, in reference to the Holocaust, is dubious of lessons being learned from that atrocity when, according to him, the typical ‘confrontation’ with the Holocaust is inclined towards the experience of the victims (Novick, 2001). There is identification with the victim, he argues, rather than the perpetrator, precluding people from thinking of themselves as potential victimisers. This over-identification with victims, he says, serves to devalue the notion of historical responsibility and the complicity of bystanders. He writes that there is:

an article of faith in these encounters [*i.e.*, *visiting museums, being taught about the event*] that one should identify with victims, thus acquiring the warm glow of virtue that such a vicarious identification brings...And it is accepted as a matter of faith, beyond discussion [that it] is going to be morally therapeutic, that multiplying such encounters will make one a better person (Novick, 2001, p. 13). [*italics author’s addition*]

Could this thinking be applied to truth commissions more generally? In other words, does learning lessons through the experience of the victim have less impact on future violence prevention than is assumed?

The Rise in Individualised Psychology

There is no doubt that, for many survivors, telling their story is vitally important in the process of coming to terms with what has happened. The reviews of the South African process presented in this book show that some, certainly not all, experienced

the South African TRC as psychologically restorative. Some theorists and mental health practitioners argue that survivors literally need to tell their stories to survive, that is, in each survivor there is an imperative need to tell and know one's buried truth to be able to live one's life (Laub, 1992). This chapter, in line with my arguments in Chap. 4, moves from the premise that there can be personal value in testimony for survivors of violence and families of victims (de la Rey & Owens, 1998; Felman & Laub, 1992; Weine, 2006) and that there may also be specific psychological value, under certain conditions, in giving such testimony through a truth commission. This chapter, however, is not concerned with the specifics of giving testimony and its therapeutic value (see Chap. 4), but rather how the process of testimony is used publicly and politically, and the relationship between private and public violence in truth commission processes. The critical questions about the centrality of testimony – or, more specifically, public testimony, as seems to be the current trend – are of specific concern here.

In the contemporary world, it appears that just as 'cruelty must be made visible to terrorize' (Humphrey, 2002, p. 91), public witnessing and testimony have become the assumed vehicle for reversing dehumanisation. Suffering, it appears, has to be witnessed in the postmodern world for its injustice and inherent destructiveness to be recognised by the general public. Only then can the verbalised horrors of violence be learned from and converted into active strategies for prevention. Truth commissions have become, or so one argument goes at the popular level, the ideal vehicle for doing this.

The development of this view cannot be detached from the growth of expressive, psychologically minded individualism (Summerfield, 2001). There has been a change in culture regarding our attitudes towards victimhood, particularly within the Western world, with the concept of 'victim' being embraced rather than shunned (Novick, 2001). It appears as if the cultural icon of the strong, silent hero has been replaced by the vulnerable antihero; sensitivity has replaced stoicism, and voicing pain and outrage is said to be 'empowering' as well as therapeutic (Novick, 2001). This is captured in an editorial appearing in the *American Journal of Psychiatry*, which comments that post-traumatic stress disorder is one of the few psychiatric diagnoses that anyone would like to have (cited in Summerfield, 2001).

It is the victims' suffering that is now at the core of how truth commissions operate, at least at public and populist levels. Michael Humphrey argues that the centerpiece of most recent truth commissions is individual suffering: the source of truth is largely stories of victims' suffering, the power of the words is empathetic and not legal, and this sharing of truth has a moral implication in that it is supposed to engender acknowledgment and collective responsibility (Humphrey, 2002). We are compelled by the victim 'speaking out' to take heed of moral warnings and this is supposed to lead to long-term violence prevention, as individuals and societies are alerted to the errors of their past ways and seek ways to correct them. As such, for Humphrey, testimony of suffering before tribunals and truth commissions is aimed at constructing the individual victim as the foundation for moral and social reconstruction (Humphrey, 2002). In the absence of legal precedent, and with normative behaviour eroded by years of conflict and violence, it appears as if 'morality' is gradually becoming the new foundation of a burgeoning rule of law in societies in transition.

South Africa is interesting to consider in this regard. Arguably, the South African transition takes place when the individualising shifts discussed earlier are at their pinnacle. The Commission literally captures this moment connecting the perceived power of individual testimony with an international desire to move beyond the horrors of the twentieth century towards creating a new global morality. The often idealised view of the South African TRC highlights the desire in international consciousness for a reclaiming of morality and humanism through connecting with individual stories of atrocity. At one level, this type of arguments provokes cynicism about what took place in South Africa; that is, were the victims' stories, couched in the language of reconciliation, simply used as a way of ending violence and cementing the political compromises that were essentially about an élite transfer of power? (This question is in part answered in Chaps. 2 and 8). Or were the shifts to democracy driven and then copper-fastened by a genuine generosity of spirit and realisation of the damage that different political protagonists did to one another that has changed the political landscape irrevocably? Whatever the verdict, victim testimony was at the heart of the process.

Thus, the personal and the experience of the individual victim of violence have, in contemporary society, become linked with the political. Stanley Cohen writes that in contemporary society the person is not only political but also the political is the person (Cohen, 1996). Political and social solutions to violence are sought through the experience of the individual, with the individual and the political realm almost becoming one. Before considering the impact of this in relation to the way trauma is understood, some points with regard to context will be made, particularly concerning the changing nature of violence in transition.

The Changing Nature of Violence in Transition

Truth commissions are often committed to uncovering the truth about the past so that 'it' will not happen again and a human rights culture can be embedded. However, exactly what 'it' means is generally not defined. If the 'it' means politically motivated human rights violations, truth commissions may have some preventive effect by highlighting in detail what transpired in the name of politics. If 'it' means human rights violations of all types, which one has to assume is part of entrenching a human rights culture, there is little evidence to date that the lessons of truth commissions generalise more widely to the post-conflict society.

High rates of violent crime are fairly common in societies recovering from political conflict (Call & Stanley, 2003). Shifts of this nature were discussed in Chap. 3 in relation to the Brazilian case and, more specifically, the fact that increases in crime led to tougher crime-fighting approaches that allowed the police to operate with a degree of authoritarianism similar to the authoritarianism of the dictatorship. In making this point, however, I am not simply implying that 'transition' equates with a rise in crime in some simplistic way. International comparisons that have led to this widely held assumption – that 'transition' causes crime – are often fraught with

methodological problems such as differing definitions of crime across contexts, and problems with crime statistics. I agree with Bill Dixon that ‘crime is not the unavoidable consequence of transition’ and that the process is inevitably more complicated than posing ‘elementary theories of cause and effect’ (Dixon, 2002, pp. 57–58). That said, there is undoubtedly a relationship between crime and transition, and one of the outcomes of transition could be an increase in some crime categories. In addition, shifts in patterns of violence are often observable and human rights violations, as mentioned in relation to Brazil, can continue in one way or another. This is also certainly the case in South Africa, Argentina and Chile for example (Hamber, 1998c; Pinheiro, 1994, 1996).

In these countries, increases and at times perceived increases in ‘ordinary’ crime following political change (see MacGinty, 2006, for a discussion about these shifts), and the perception of the post-conflict criminal justice system’s inability to effectively deal with particularly violent crime and criminals, have often resulted in challenges to new human rights discourses ushered in during transition. Frequently, it is the ideology of human rights that is mistakenly blamed for increases in crime. Human rights ideology is perceived by the public as being ‘soft’ on crime and criminals, thus contributing to an increase in crime. In South Africa, for example, there is a strong public sentiment that views the police as having their hands tied by human rights provisions (Bruce, Newham, & Masuku, 2007). This was captured in the 2000 Annual Report of the Independent Complaints Directorate (ICD), the statutory oversight body of the South African Police Service set up in post-apartheid South Africa. The Annual Report notes: ‘There seems to be a growing popular perception that the constitutional rights of criminals are being protected above those of their victims’. The result of this, argue Bruce and others, is that human rights abuses (police brutality) are often tolerated in the ‘new’ South Africa because the high-crime situation makes ‘members of the public regard themselves as under siege by criminals’ resulting in ‘public opinion and pressure on the police to “deliver results” in the fight against crime’ creating an environment that is ‘permissive of human-rights violations’ (Bruce, Newham, & Masuku, 2007, p. 115).

As a result of this, among other factors, police human rights abuses continue to be a significant problem in South Africa, including torture (Bruce, 2002; Bruce, Newham, & Masuku, 2007; Muntingh, 2008). The ICD recorded 4,172 deaths as a result of police action between 1997 and 2007, which is about 300 deaths per year for the last decade (Bruce, Newham, & Masuku, 2007). Although not all of these killings are illegal (e.g. legitimate action by police after being shot at, or police shooting civilians in cross-fire), they are a cause for concern with regard to the extensive use of violence by police. It is difficult to compare these figures to deaths during apartheid (Bruce, 2005), and the police certainly do not torture and abuse people with the same licence that was enjoyed during apartheid (Bruce, Newham, & Masuku, 2007). However, a comprehensive review of the South African Police Service since transition in South Africa concludes:

While acknowledging that the picture has changed dramatically since the apartheid era, the assessment identifies several areas of serious concern in relation to police conduct, including the use of lethal force, torture and police corruption, specifically the consistent corrupt abuse of black foreigners (Bruce, Newham, & Masuku, 2007, p. 7).

In other words, despite processes such as the TRC, which put police brutality under the microscope, police violence continues, even if it is seen as being about crime-fighting or preventing illegal immigration. But it is not only the police where authoritarianism lingers, the public also express strong anti-human rights sentiment on various issues. For example, despite bodies such as the TRC, a new Constitution and the Human Rights Commission, South Africans of all races still overwhelmingly support the death penalty; that is 50% of the population 'strongly agree' and a further 25% 'agree' that capital punishment should be imposed on someone convicted of murder (Rule, 2004). Most South Africans also think it is their constitutional right to carry a firearm, advocate tougher dealings with criminals and routinely call for vigilante action if the police do not act quickly following a criminal incident. The violent attacks on foreigners by members of the public in early 2008 mentioned at the introduction of this chapter are a further case in point. The culture of violence of the past is alive and well. Ramphele (2000), therefore, writes:

The same process that degraded the morality of the oppressors has had an impact on the oppressed. We tend to justify the acts of those who are oppressed. The survival culture during the struggle spawned a particular approach to life and undermines the building of a culture of rights *and* responsibilities. Unless we acknowledge the extent to which that past continues to shape the future, we will not be able to address the issue (Ramphele, 2000, p. 173).

The acceptance of violence as a legitimate way to solve problems, not to mention a general indifference to it, is evident throughout South Africa. For example, in December 2007, the South African police killed 11 gunmen who were apparently planning to rob a cash transit truck. The populist view was summed up by the *The Star* newspaper, which ran with a front page picture of a dead robber sprawled on the ground with the headline 'It was splendid work', a quote from a police official. In short, the killings received widespread support and the police were urged, in the words of a caller to a popular radio show, 'To gun them [criminals] down! More and more!' (Timberg, 2007). In 1998, 31% of all South Africans felt that the police had the right to use force to extract information from criminal suspects (Pigou, Valji, & Greenstein, 1998), with the perception that crime has continued to rise, such views are probably even more widespread. Human rights violations committed by the public, such as vigilantism against suspected criminals, are also widespread (Harris, 2001a). Xenophobia-related incidents have been reported continually from 1994 onwards, including: verbal attacks by politicians on refugees, asylum seekers and migrants; direct physical attacks, looting and evictions by the public; as well as refugees, asylum seekers and migrants being assaulted, robbed and unlawfully arrested and deported by officials and the police (Harris, 2001b, 2002; Human Rights Watch, 1998, 2007; Williams, 2008). This violence reached a tipping point in 2008, resulting in large-scale looting and killing of foreigners by the public in some townships (Mail and Guardian Online, 2008; The Times, 2008), as was noted.

However, it is not only xenophobic mobs and some elements within the police service that hold negative attitudes towards foreigners. Research has found that the majority of South Africans are suspicious of foreigners and scapegoat them for economic and other social woes. In a 2006 survey carried out by the Southern African Migration Project, more than two-thirds of South Africans felt that foreigners

used up resources (e.g. water, electricity and health care) that were meant for others (Williams, 2008). Just under half of respondents (49%) felt that foreigners brought diseases like HIV/AIDS to South Africa and two-thirds of respondents believed that foreigners, especially from other African countries, committed crimes (Williams, 2008). In other words, prejudiced attitudes still abound in South Africa. This is not to say that such prejudices are not common in other countries; however, what is concerning in South Africa is how readily these turn to violence.

In the private sphere, violence against women is occurring in astronomical proportions. South Africa has undertaken major transitional justice initiatives, as well as numerous policy and legislative interventions focused on addressing violence against women including progressive domestic violence legislation (Matthews & Abrahams, 2001), yet violence against women remains extremely high. South Africa has one of the highest rates of violence against women in the world for a country not at war (Wood & Jewkes, 2005). As was mentioned in Chap. 2, there are some 52,000 reported rapes a year, meaning the actual number of rapes is significantly higher. Domestic violence is more difficult to assess because it is not classified as a separate crime, but one study found that 50% of women in South Africa report experiencing domestic violence, whether physical, emotional or financial (Walker, 2005b). Another study reported that one in four women in South Africa have experienced physical violence from an intimate partner (Matthews & Abrahams, 2001). Levels of intimate femicide are also high. On average, four women are killed per day by an intimate partner in South Africa, or 8.8 per 100,000 women (Matthews et al., 2004).

Attitudes toward violence against women, especially among men, remain alarming. According to a survey of 2,059 men in the Southern Metropolitan Local Council Area of Johannesburg (an area that includes Soweto, various informal settlements, and the central business district), 31% of men believe that they have the right to be violent towards women (CIETafrica, 2000). Nine percent of women surveyed said they were drawn to sexually violent men (CIETafrica, 2000). Of the male sample, 20% said they had had sex with women without their consent, with 6% saying that they like jackrolling (a popular term for gang rape) or that it is a game (CIETafrica, 2000). A more recent countrywide survey found that 10% of South Africans feel that domestic violence against women could be justified (quoted in Sapa/AFP, 2007).

Notwithstanding the fact that attitudinal change is a long-term process, it is safe to argue that 14 years on from the democratic transition, the popular acceptance and understanding of the concept of human rights is largely in crisis in South Africa, and that violence prevention is a hope rather than a reality. For example, despite the TRC's efforts in its final report to highlight ongoing police abuses (South African Truth and Reconciliation Commission, 1998, Volume 5, p. 330), it appears that the general public considers violations committed by police under the apartheid system to be fundamentally different from those currently taking place. David Bruce and others argue that, because of the history of authoritarianism under the apartheid system, there is intolerance for human-rights abuses committed by police against political opponents, but a far greater acceptance of it at when it is targeted at

anti-social elements, migrants or criminals who affect the lives of ordinary citizens (Bruce, Newham, & Masuku, 2007).

These sorts of legacy issues were raised in the TRC. In one of the more atypical victim hearings, Krish Govender of the National Association of Democratic Lawyers (NADEL) gave testimony not as a victim as such but as someone who was involved in ‘the legal system which operated during the span of years under the purview of the Commission’ (Commissioner Boraine, TRC Hearings, 9 May 1996). In his testimony, Govender specifically raised questions concerning the ability of the Commission and the transformation process in South Africa to root out impunity noting:

I think the question that arises out of all this is what legacy have we inherited? I see it as a rotten legal order with morally-crippled participants – a future legal order that is riddled with villains of apartheid, which is being allowed to go, save for a few exceptions, unchecked, unchallenged and with impunity into the future to uphold truth and justice and the sanctity of the State in this new democracy. Without a form of redemption – I would use this word not as a person with any theological training, but I hope it will be understood in the context that I use it – that without a form of redemption I believe that this leaves us with a recipe for the continued undermining of the moral fibre of our society (Krish Govender, TRC Hearings, 9 May 1996).

One could argue that South Africa would be much worse off in relation to violent and prejudiced attitudes today had there been no truth commission. Arguably, the area the TRC focused on the least - intra-community violence in the townships (as noted in Chap. 8) – has been one of the first public areas where massive civil unrest re-emerged in the new South Africa as in, for example, the xenophobic violence that has taken on a hue of the 1990–1994 violence that the TRC failed to fully address. Truth commissions cannot be everything to all people. The success of such processes needs to be evaluated within the context of institutions such as the Human Rights Commission or the ICD, not to mention the context of the effectiveness of the criminal justice system more broadly and social, economic and political change more broadly still. But this chapter aims to explore whether truth commissions, notwithstanding the context in which they unfold, are fulfilling their full potential in terms of violence prevention and entrenching a human rights culture. To this end, I posit two reasons why the impact of truth-telling exercises on the prevention of future violence is currently limited, as outlined in the introduction to this chapter. First, truth commissions are often predicated on a distinction between what is considered a political past and a criminal present, or, what I term, ‘reinforcing artificial breaks in history’. Second, the way trauma is largely understood within truth commissions is limited and impacts on how legacies of violence are understood and the recommendations of truth commissions written. It is to these we now turn.

Artificial Breaks in History

The first reason why truth commissions are currently limited in their ability to prevent future violence is that they reinforce ‘artificial breaks’ in history and time rather than looking for the overlaps and continuities within an ever-changing society.

To expand: essentially, truth commissions examine a period of political violence, which 'begins' and 'ends' relative to dates specified in their mandate. Although it might be pragmatic and functional to make such delineations in a society in transition, they undermine, at least to some degree, the generalisability of lessons being learned between 'time periods'; that is, the generalisability of lessons learned from the time period in the past being investigated into the current context. The current context often seems remarkably different from the past, especially following the political change that generally occurs at the time a truth commission is operating.

In the South African case, the TRC process arguably unwittingly exacerbated this situation by having to delineate between political and criminal violence. Graeme Simpson observes the tendency in South Africa to draw a distinction between criminal and political violence in the vein discussed above and notes:

The distinction between political and criminal violence, which often provides the rationalisation for the impermeability of the boundaries between criminology and political science (and criminal and transitional justice), is itself largely illusory and premised upon versions of history that have purged a politically fraught past of its inherently criminal pathologies (Simpson, 2004, p. 4).

It may have been pragmatic and broadly possible in some cases to distinguish the political and the criminal, but it proved to be a very difficult distinction to make in a volatile and violent society (Hamber, 2006; Simpson, 2004). In South Africa, the boundaries between the political violence of the past, which in popular understanding took place between 1960 and 1994, and the so-called criminal violence the present that took place after 1994, were sharply drawn. This was reinforced by the very existence of the truth commission and its mandate. Although in reality the violence of the present continued on the structural backbone of the inequalities of the past, the violence of the present was separated out as a new phenomenon called simply 'criminal violence'.

The bulk of post-1994 violence is certainly characteristic of what is widely considered 'ordinary crime', such as house breaking and property crime albeit with a very violent edge in many cases, as opposed to ideologically and politically motivated violence between rival political factions or groups. Perhaps for this reason the difference between past and present violence has become the public focus rather than the continuities and structural underpinnings of the cause of both 'types' of violence. Graeme Simpson argues that portraying violence in South Africa's past as a simple political narrative cleanses both liberation and state violence of any 'ordinary' criminal activity. He writes, 'The prevalent violence of everyday social life finds little complex expression in this version of the past, which simply ignores the extent to which the apartheid system that criminalised politics simultaneously politicised crime' (Simpson, 2002, p. 245).

This is not to say that 'criminal' and 'political' violence are the same thing; nor is it to say that truth commissions should focus on all violence. Rather, the point is made that the consequences of constructing definitional distinctions between 'criminal' and 'political' violence should be given our attention. As such, one of the tasks of truth commissions should be to look for the links between 'criminal' and 'political' violence (Cohen, 1996), not to radically separate them or to make them one and the same.

The argument I make here draws on the work of Stanley Cohen (Cohen, 1996). His argument, however, is a complicated one and differs in some senses from what I have argued here. I have used his core principle that ‘crime’ and ‘politics’ should not be merged, but I have come at it from a very different perspective – which is that the terms used in connection with violence during the transition period have been dramatically separated and should be more closely scrutinised, with a view to finding the links between the concepts that the terms describe. Cohen comes to the same point from a different angle – namely, that there is a tendency in modern criminology and society to collapse terms such as ‘the politicization of street crime’ and ‘the criminalization of certain forms of political action’ (Cohen, 1997, p. 246). His conclusion is the same as mine, but his argument operates in a different context, albeit a significant one, where currently, the criminalization of politics in the so-called ‘war against terror’ waged by the United States and its allies has reached levels at which ‘crime’ and ‘politics’ are being merged for political reasons.

Truth commissions often seek to separate the adjectives ‘criminal’ and ‘political’ within defined historical time periods, while trying to criminalise certain political activities, such as war crimes and crimes against humanity. By dramatically separating the terms or mixing them together, say, through talk of ‘criminal’ political activities such as war crimes, it becomes difficult to understand how reforms recommended by truth commissions will prevent the authoritarian past from manifesting itself in future violence in new and transformed ways. If truth commissions are to do this, their language and approach will need to be as fluid as the ways violence mutates from one form to another, say – from ‘targeted assassination’ (political) to ‘vigilantism’ (criminal) or ‘inter-community ethnic conflict’ (political) to ‘mob violence against foreigners’ (criminal). The relationship between the violence of the past and the present will also require more nuanced and intricate explanation.

Take, for example, the issue of violence against women in post-apartheid South Africa. The statistics quoted above concerning violence against women in South Africa suggest that the TRC had little impact on the physical security of women, let alone their social and economic security. As was noted earlier, transitional justice mechanisms obviously cannot do everything and need to be evaluated with reference to other mechanisms such as wider social and political change. However, as Eilish Rooney notes, although transitional justice experts may not be in a position to influence directly what happens to women, they can shape the discourse that determines the potential for transitions to deliver benefits (Rooney, 2007). This leaves one asking whether transitional justice processes and truth commissions specifically, notwithstanding the context in which they unfold, are fulfilling their full potential in terms of preventing violence against women.

This question becomes vitally important to transitional justice studies when, as in the South African context, current gender violence is often explained as an extension of the past. It appears, writes Liz Walker, that violent masculinities of the anti-apartheid era have become even more violent in the present South Africa (Walker, 2005a). Thokozani Xaba, for example, argues that there was a ‘struggle masculinity’, meaning that young impoverished black men who were associated with the anti-apartheid struggle were endowed with respect and status as ‘young

lions' and 'liberators' within their communities (Xaba, 2001). Their violence was revered, and those in leadership positions were coveted by women, with many of these young men having multiple partners (Xaba, 2001). Struggle masculinity considered women fair game (Xaba, 2001) and rape was used at times as a way of 'disciplining' women (Goldblatt & Meintjies, 1997a; Simpson, 1992). But the 'struggle' version of masculinity is no longer considered acceptable in the new order, with the result that such men (and those that aspire to this type of masculinity, many of whom are unemployed) find themselves vilified and often on the wrong side of the law for the same reasons that they were considered heroes in the past (Simpson, 2001; Xaba, 2001). Demobilisation can often lead to a sense of emasculation and a resulting desire in some men, both ex-combatants and security forces, to reassert their power through violence (Gear, 2005). Men whose masculinity is threatened can feel forced to find ways of reasserting their manhood (Sideris, 2001).

Such an analysis on its own, however, is limited and can feed into a stereotyping of ex-combatants – already one of the scapegoats of the new South Africa (Cock, 2001; Gear, 2005) – and fail to consider their heterogeneous nature (Gear, 2005). Further, we cannot overestimate the marginalisation and extreme poverty of some ex-combatants in South Africa and around the world. Poverty and rising expectations have 'proved a tragic mixture of fostering violent masculinities' (Morrell, 2001a, p. 19). This stems from an historical context where violence and masculinity are interconnected and 'partly imprinted in social and economic conditions' (Reid & Walker, 2005, p. 7). Reviewing a range of literature that explores the link between poverty and masculinity, Jewkes concludes:

Violence against women is thus seen not just as an expression of male powerfulness and dominance over women, but also as being rooted in male vulnerability stemming from social expectations of manhood that are unattainable because of factors such as poverty experienced by men (Jewkes, 2002, p. 1424).

We need, therefore, to guard against a focus merely on the expressions of masculinity, however critical these are, that fail to address structural factors such as unemployment and appalling living conditions and the fact that such dispositions are not shared or typical of all ex-combatants, or all men for that matter. There is also no typical response to transition and most theorists and researchers argue that it is more accurate to talk of masculinities rather than masculinity (Brittan, 2005; Connell, 2005; MacInnes, 2005; Morrell, 2001a, 2001b; Whitehead & Barrett, 2005). However, the point at the core of Xaba's analysis is important: there is some continuity between the past and the present. This is not restricted to ex-combatants. South Africa's past is steeped in violence, in everyday life, on the sports field, as well as in the anti-apartheid struggle. Many whites sanctioned the use of violence by soldiers, the police or in violence against black workers. The result is that some masculinities are deeply enmeshed with violence. What this means is that although South Africa has advanced legislatively in terms of the protection of women's rights, and a minority of women have advanced economically, new insecurities have developed through the transition.

Research in South Africa has revealed trends in this direction. A number of the men interviewed in a recent study seemed to have the strong misapprehension that

there had been a dramatic change for women since 1994, in terms of general social and economic security (Hamber et al., 2006). In reality, 'more women than men continue to live in poverty, greater numbers of women are unemployed and have lower education status than men' (Walker, 2005a, p. 227). Women interviewed, meanwhile, linked men's perception that women are benefiting from the transition more than men are with the challenges to their manhood which men face, such as unemployment and violent behaviour in the home. This was exemplified by the comment of a male participant who directly linked violence against women (by other men, not himself) to the perceived threat of women to men:

So I think that's the reason why you'd find that incidents of violence against women ... not that they were not there in the past ... but right now they are so in the open because it's the only weakness that you can now use against women. You can't use financial resources against them because now they are pretty much earning more than us. So we can't use that, whereas in the past we've had that leverage of saying I am working alone, I don't need your money, but right now you can't say that ... they are looking for another weakness within a woman. And that weakness right now is sexual weakness. That we can always rape you, we can physically show you our strength.

Walker's research with men aged 22–35 in Alexandra township near Johannesburg elicited remarkably similar comments (Walker, 2005a). For example, some men felt that women were being disproportionately advantaged:

We are seen as the enemy now. Women are advancing in education, economically. Men feel threatened. I see a lot of women who have gained a lot of confidence in who they are. I know women who provide for themselves now and that threat is actually what maybe [is] evoking a lot of violence. It is that strength, it is that threat of knowing that I can no longer hold onto that same position I held, or my father or my brother held. I suppose you could say I feel weaker. I'm not saying the rape is a new thing but it's playing itself out in why men are being more violent (Interview by Liz Walker cited in Walker, 2005a).

These narratives point to a security–insecurity cycle: some of the advances in the security of women, in social, political and egalitarian terms, even if not completely realised, have led to other physical insecurities for them. This, of course, is not to say that there should be no such advances. Rather, it highlights the complex interplay between security, insecurity and masculinity, and its highly gendered nature, as well as how the past continues to play itself out in the present in the sphere of violence.

Transitional justice literature has been criticised for embracing a simplistic liberal notion of moving 'from' male-defined political violence 'to' a liberal democratic framework (Bell & O'Rourke, 2007). A binary view of transition fails to recognise the multiple layers of power that exist within society and the continuities between past and present. This is important when considering, for example, gender violence before, during and after conflict. More recent truth commissions have given space for women to talk of such violence publicly, but this may create a disconnect between what is defined as being about the transition and the 'everyday' violence women experience at home and in the community (Ní Aoláin & Turner, 2007). The end of 'political' violence and the start of political reform, including transitional justice mechanisms primarily concerned with civil and political rights, are insufficient in dealing with the harms suffered by many women before and after the

cessation of hostilities (Ní Aoláin & Turner, 2007). Neither do they address how violent masculinities perpetuate these harms (see Hamber, 2007c). This places an onus on transitional justice processes to move beyond concern only with the public realm, accountability processes, legal and institutional rebuilding, or formal equality to consider continued injustices in the private sphere (Nesiah, 2006; Ní Aoláin & Turner, 2007).

If a more fluid approach to the line between past and present is taken, and more detailed contextual explanations for violence are sought that also move beyond public violence, then one needs to think not only of the work of truth commissions within the parameters of the 'transitional' moment but also within the context of their impact on the popular discourse and attitudes over time. Amnesty in the South African case provides a good example of this. The dominant political argument at the time of transition was that amnesty was a political necessity for peace and for developing a new social order founded on human rights principles. The linking of amnesty into the South African TRC process has meant, according to Richard A. Wilson, that human rights discourse has become associated with the language of pragmatic political compromise rather than with the language of principle and accountability (Wilson, 2001). This association remains an obstacle to popular acceptance of human rights as a new ideology in South Africa and raises questions about the degree to which the TRC impacted upon a broad human rights culture in South Africa (Wilson, 2001).

The extensive nature of politicisation in South Africa has also ensured that a 'culture of violence' has bled into the social and civic arena of society. The structural violence effected by the state through inequalities in resources and life chances in the past, coupled with repression, politicised all forms of social existence (for example, housing, education, jobs, wages and the delivery of services) and has resulted in the socially sanctioned use of violence as a way to solve problems (cf. Simpson & Rauch, 1991). This manifested itself most dramatically in the 1990–1994 period during the extensive inter-community conflict that claimed some 15,000 lives as discussed in Chap. 8; violence for which to this day there has been only limited accountability. Violence as the preferred way of solving problems is continuing to play itself out in the post-apartheid era, as can be seen in the example of the violence against foreigners that erupted in 2008. This shares characteristics with the 1990–1994 violence, such as burning individuals, forcing people from one area in the township to the other and creating 'no go' zones. Given the burgeoning crime problem since 1994, the 'culture of violence' deeply embedded within the social fabric, and the artificial delineation between crime and politics in the past and present, it is not surprising that human rights culture and violence prevention remain underdeveloped in South Africa.

As such, a more nuanced understanding of the concept of impunity is needed. It is not sufficient simply to ask whether amnesty led to impunity or to assert that prosecution would have ended impunity. Rather, the lesson from South Africa is that more attention needs to be paid to how the consequences of different transitional justice mechanisms and amnesty play themselves out in the present context. To this end, the task of truth commissions should be about building the rule of law, not in

the legal sense with regard to preventing politically motivated violations of human rights or setting up efficient judicial procedures to punish crime. These legislated interventions are important, but do not facilitate the rebuilding of a destroyed criminal justice system in a real and practical sense, or do they target community and social reconstruction. Truth commissions could provide a moral frame in which such interventions might take place, but such interventions (for example, community development, prejudice reduction programmes and education) can only be developed from the grassroots upwards.

Limited Understandings of Trauma

The second reason that truth commissions are currently limited in their ability to prevent future violence is that most truth commissions are developed on the basis of a limited understanding of the impact of political violence, how this impact differs at the individual and political levels, and of the gaps between the two. The full impact of what has happened in the past for individuals and the society, as I outlined in Chap. 2 with regard to concepts such as extreme political traumatisation, is seldom adequately grasped. Truth commissions largely aim to present a coherent, broadly linear narrative of violence in which the causes of specific atrocities are explained and the extent and nature of the impact highlighted.

The reason that truth commissions are currently limited in their ability to prevent future violence is that they have, as mentioned in the introduction to this chapter, generally been more preoccupied with description and looking for causal links than focusing on the meaning and context of what they uncover in the past and present. Most institutional mechanisms such as truth commissions aimed at dealing with the legacies of political violence are built on a framework permeated with the 'modern'; that is, they are rational and pragmatic, assume social progression towards resolution or solution, and are outcomes driven. What we call politics, writes Jenny Edkins, takes place in the smooth, homogeneous linear time of narrative forms complete with origins and end points (Edkins, 2003). Modern politics of this sort and the work of truth commissions is mirrored in linear and simplistic understandings of violence and trauma that are built on the back of a one-dimensional view of the impact of violence.

There is a tendency to seek linear narratives about the past or, as Edkins writes, 'a coherent story that promotes a clear moral message' (Edkins, 2003, p. 175). In doing this, there is a risk that the testimony of survivors can be appropriated into projects of state building (Edkins, 2003). The victims can end up reproducing their victimhood as a social benefit as mentioned earlier, and in Chap. 5 (René Gerard, 1987 cited in Humphrey, 2002), even if the process has some individual benefit for them. In line with what was argued earlier, 'their person' becomes the political. If this is the case, the opportunity of learning from the past can be decreased because, despite the noble tendency to want to highlight lessons from the past, the real lessons of extreme violence can be masked by the desire to find a coherent narrative or use the story of the victim to legitimise a new ideology such as the need for a human rights culture in the present.

In Chap. 2, it was argued that trauma should not only be understood as being about damage to individuals but also about the destruction of the social fabric, community and relationships. If we do not adopt this wider view of political trauma we can end up not fully appreciating the extensive impact of extreme violence, resulting in a failure to understand the gaps and overlaps between the social, psychological and political, both in the past and the present. In short, the lessons of the past lie not only in the processed moral ‘lessons’ we try to ascribe to victims’ testimony but also in the social destruction which extreme political traumatising brings. Such traumatising destroys relationships, a sense of place, being and moral reality, as well as entrenching violence in institutions, daily practice and the minds of those most affected and responsible for its perpetration; this is the legacy of extreme political traumatising.

Important lessons can be drawn from victim testimony, as well as from investigations into how political violence operated, but the reliance of truth commissions on individual victims’ testimonies and narratives as a source for wider societal transformation requires more careful consideration. Social transformation is dependent on a range of political, social and economic factors, many of which are beyond the direct remit of a truth commission. But future commissions would do well to consider how their work may enhance broader transformation through their lifetime, not only in their recommendations. In addition, when they tell the story of the past, this should not only focus on what the perceived impact of violations was on individuals but should elucidate what the consequences of such violations might be. By this I mean the legacy of extreme political traumatising that I referred to earlier; that is, not only the physical consequences of violence for victims but also how a culture of violence and community destruction flows from extreme political traumatising and generally leaves a legacy where violence is often the first resort when societies are confronted with social and political problems.

In addition, truth commissions need to consider the meaning and context of their recommendations at the time of their publication and beyond. This is important because often a truth commission’s recommendations are produced several years after a change in governance. By the time the TRC’s recommendations were issued in South Africa in 1998, the nature and type of violence which the South African TRC was initially set up to address had changed and mutated into what was largely seen as criminal violence. Thus, what was required was a more subtle set of recommendations that were not geared only towards historical violations but which took account of whatever new violations (e.g. xenophobia, police brutality against criminal suspects) might transpire.

The recommendations of the South African TRC are interesting in this regard. At one level they implicitly talk about current problems overlapping with past and present issues. For example, the Commission recommended an investigation into whether a criminal compensation scheme was needed (presumably for victims of ‘ordinary’ crime), as well as recommending that a parliamentary committee review and investigate the state of the private security industry, with the aim of increasing controls on the industry and ensuring an industry-wide code of conduct. These companies deal with so-called ‘ordinary’ crime in the present. However, exactly how or why recommendations of this nature were made is neither fully explained, nor is

the connection between the TRC's focus on 'political' violence and these recommendations. One view in this regard is that many owners and managers of private security companies have military, intelligence and police backgrounds linking them therefore to political violence in the past (Institute for Security Studies, 1999).

The South African TRC did not restrict itself to recommendations concerning past violence, which is commendable. At the same time, however, the South African TRC did not bridge the gap sufficiently between the past and present in text, in public voice, or in practice. For example, although the Commission supports in its recommendations the ongoing work of the Human Rights Commission and the ICD, which is important, an overall strategy for dealing with the past over time that would utilise such institutions in a coordinated way was not envisioned at the TRC's inception. Neither does it appear that serious consideration was given to how the TRC could bolster the work of such institutions throughout its life and not simply through referencing them in its final report.

Thus, we can see that a danger exists when understandings of 'violence' remain static at an institutional level while the nature of violence is changing rapidly. The result can be that violence in the present only ever gets understood as broadly being symptomatic of a specific historical (political) time period but not as integrally linked to it or continuing from it in a different form. A more dynamic understanding of violence and how it develops over time is needed, as well as an understanding of traumatisation that recognises legacy issues, such as a culture of violence that can result from it. This needs to be integrated into the process surrounding the establishment of truth commissions, discussions about the way they will function and how they should make their recommendations.

Conclusion

The intention of highlighting the issues above and others in this chapter is to deepen debate about what truth commissions are and how (or perhaps whether) they can prevent future violence and build a more effective human rights culture. The argument presented should not be confused with the simple argument that we can never understand the past in the present. Although we can only 'represent' what has taken place following mass atrocity in the present, this should not preclude attempts to do so. Furthermore, understanding trauma 'can help us to articulate what is deeply wrong with the current society' (Wineman, 2003, p. 20). We cannot excuse ourselves from further enquiry into events by acknowledging that there is something unimaginable or unsayable about them (Edkins, 2003). It is within a complex and ambivalent space, while struggling to reconcile the individual and collective ways of dealing with the aftermath of large-scale violence and dealing with the complexity of the causes of violence over time, and the meaning of (criminal) violence in the present, that the debate about how to develop appropriate mechanisms for dealing with the past and preventing future human rights violations needs to take place.

It could be argued that erroneous assumptions ('revealing is healing' or 'never again') develop because a genuine appreciation of the profoundly complex relationships

between individual and social impacts of large-scale atrocity is seldom articulated or understood. If the impact of large-scale political violence both in the past and present is not understood or fully grasped, this brings into question how institutional mechanisms, based on fairly loose assumptions or a limited understanding of the complex impact of mass violence, can be used to adequately prevent violence from recurring as or mutating into criminal violence in the current context. To truly understand the impact of large-scale political violence, and find ways of preventing it in the future, the analysis needs to be grounded in the inner psychic processes of individuals, as well as the social and cultural contexts of large-scale violence and trauma (Suarez-Orozco, 1991). This context is often one where legacies of authoritarianism and cultures of violence continue. In societies in transition, there is a cultural lag and attitudes formed and entrenched during authoritarian rule generally linger in the new dispensation (Theissen, 2007). This means that stock recommendations such as ‘we need to educate children about the past to prevent future violence’ or ‘we need to reform the police to prevent them from committing further violations’ are insufficient. A much closer scrutiny of how these processes actually work or are intended to work, within contexts where there is a nascent human rights culture at best, is needed. A key task of theorists and activists is to continue to look for continuity with the past to assist in finding new ways to challenge human rights violations in the present that might take on different forms from those that occurred in the past.

If we understand victims’ suffering and the violations they experience only in the broad matrix of causality about the political picture of the past, the meaning and context of the event in the present could be under-emphasised, not only for the victim but also for the society more broadly. Failing to understand the meaning of the event in the context of the present can limit societies’ ability to develop dynamic ways of preventing the ongoing and changing manifestations of violence, or utilising the recommendations and role of truth commissions effectively. At a pragmatic level, the recommendations of truth recovery bodies need to be contextualised within the contemporary challenges facing a society; for example, high crime rates or changing demographics.

Truth commissions are currently better at describing what happened (for example, quantifying human rights violations or getting a victim to convey a narrative of events) than dealing with the meaning and context of such events in the present in a dynamic way. Although truth commissions may strive for this, perhaps it is only once the debate moves from the realm of description and assumption into the realm of meaning and context that truth commissions will fulfil their potential as mechanisms for violence prevention and entrenching a human rights culture within an unfolding social and political context where past and present are intricately linked. It is only if we start to think about processes such as truth commissions at this deeper level that we will be able to grasp how to deal with the changing nature of violence as it inevitably transforms and mutates over time. This not only poses a challenge to policymakers and transitional justice scholars but also to mental health workers working in transitional contexts, because they too can fail to fully grasp the place of context within their work. The work of mental health workers in transitional contexts is the focus of the final chapter of this book.

Chapter 10

Transforming Transitional Societies

One cannot do psychology today...without trying to make a contribution toward changing all those conditions that dehumanize the majority of the population, alienating their consciousness and blocking the development of their historical identity.

Ignacio Martín-Baró, Psychologist
(Martín-Baró, 1996a, pp. 41–42)

Introduction

I mentioned in Chap. 4 a conversation I had with one of the TRC Commissioners who commented to me that offering psychological support to victims was not in the written mandate of the Commission, so there was no onus on the TRC to offer such support. I do not think this was a sentiment shared by many other Commissioners, but the anecdote reflects a reality, which is that mental health is still marginalised as a discipline. However, I do not lay the blame for this solely at the door of others. I contend, perhaps controversially in mental health circles, that this is also because understandings of mental health are often acontextual and do not take politics adequately into account.

For example, looking at the professional makeup of the TRC Committees, it is obvious that the Human Rights Violations Committee was dominated by lawyers, the Amnesty Committee by judges and the Reparations and Rehabilitation Committee (hereafter the R&R Committee) by psychologists, doctors and social workers. I maintain, possibly contentiously, that some individuals were ‘placed’ in the R&R Committee for three reasons. First, the R&R Committee was seen as the least important of the three Committees by the TRC leadership; second, the Human Rights Violations Committee was seen as the political and legal engine of the Commission and mental health workers were perceived as being the least politically experienced; and, third, the mental health contribution to the TRC was understood within fairly narrow parameters. It was felt that the TRC as a whole would contribute to the wellbeing of victims by giving them an opportunity to tell their stories. The role of mental health

workers was to advise on the testimony process and its potential mental health impacts but was primarily to assess the damage of trauma on victims. Mental health workers, however, were perceived as not sufficiently skilled to deal with the social and political fallout of public testimony and the TRC process as a whole.

I make these points not as an accusation against the TRC leadership, or to judge any member of the R&R Committee, but rather because it points to the place of mental health in many societies, as well as the skills most mental health workers are perceived to possess. This points, at least in part, to the gap between politics and psychology, and the individual focus of a psychology profession that struggles to relate to context. The lack of contextual focus in turn has consequences for how we conceptualise the role of psychology in social processes such as truth commissions or political transitions more broadly. This chapter addresses this issue, based on the lessons emanating from this book, and in so doing asks what the role of mental health professionals in political processes should be. To address this, the chapter will briefly outline some of the key points made in this book concerning the nature of dealing with political violence from a psychological perspective. It will specifically discuss how we can conceptualise and think about extreme political traumatisation in societies in transition, and how social context relates to healing. Thereafter, the chapter will consider the place for psychology and mental health support in societies in transition.

Political Violence and Professional Boundaries

The previous chapter argued for greater scrutiny of how we unpack, analyse, represent, learn from and deal with the suffering of victims and try to learn from past violations, both within and outside of truth commissions. Suffering is a core consequence of mass atrocity and it requires attention in its own right, no matter the complications that result or how difficult it might be to consider the individual impact of violence within a collective or political process. I have argued throughout this book, and especially in Chaps. 2 and 9, that there is a limited understanding of the extensive impact of political violence on individuals and society. Transitional societies add additional complications because they invariably result in political compromises and pose challenges for survivors and families of victims with regard to the delivery of reparations, truth and justice. The lack of delivery of reparations, truth and justice is generally happening in a context where a society is trying to deal with social breakdown, poverty, the politics of making peace and the after-effects of extreme political traumatisation.

In Chap. 2, I described extreme political traumatisation as a social, political and psychological process characterised by social, cultural and community destruction caused by structural violence, direct violence, discursive distortion and the destruction of social ties and relationships. These can result in an individual's sense of reality, social meaning and belonging being undermined, meaning that individual healing is an inescapably prolonged and enigmatic process. Coming to terms

psychologically with extreme political traumatisation demands a focus on the social and community environment, because destruction of the social context is integrally linked to the nature of extreme political traumatisation.

On the positive side, societies in transition are generally engaging in social reconstruction, peace building and political reconciliation processes. The challenge of this, however, is that the personal healing process can stand at odds with social demands to bury the past. Policymakers, transitional justice practitioners and mental health workers working in and around such processes can find themselves negotiating the tensions between individual needs and political demands for progress. Put another way, they can find themselves between victim groups demanding justice, on the one hand, and, on the other, politicians advocating political amnesia about the past and wanting to get on with so-called 'normal' politics. Truth commissions, if they happen at all, can find themselves at the core of this debate as was the case in South Africa.

When faced with the type of complexity outlined earlier, it is often easier for transitional justice practitioners, mental health workers and scholars to retreat into the safety of their own academic disciplines. Lawyers, on reading the points I make in this book about the complexity of trauma, might feel it is safer to stick to law; that is, to deal with the legal issues such as the truth and compensation components of Commissions or prosecutions. Psychologists and mental health workers, in turn, might focus on assisting victims through counselling, giving emotional support or facilitating testimony and might prefer to avoid thinking about how this relates to political or legal issues.

However, a central tenet of this book is that the process of dealing with the past, especially once we include survivors and families of victims as part of the process, means that the attainment of social and legal satisfaction through justice, reparations and uncovering the truth, and individual psychological resolution of past atrocity, are inextricably interrelated. The question that the remainder of this book addresses is what this interrelationship means for mental health professionals, peace psychologists and all transitional justice practitioners who are trying to deal with the relationship between social context and healing.

Social Context and Healing

There is no doubt that testimony can be personally helpful for many victims, and it is a valuable exercise to paint a picture of past violations from testimony. Testimony in the clinical setting has been found to be of benefit to survivors (see Weine, 2006 for a review of this). Stevan Weine found in his work with Bosnian refugees that, if undertaken under certain conditions such as safety and trust, testimony can be a useful tool for alleviating suffering, especially for those reluctant to use mainstream psychological services (Weine, 2006). Testimony can change the meanings people attach to political violence (Weine, 2006), creating new frameworks of understanding that facilitate greater psychological reintegration following trauma. But testimony

and psychological support services, as I have attempted to show throughout this book, are not enough for individual healing in every case. In addition, as was argued in Chap. 9, we cannot assume that mechanisms such as truth commissions or trials will result in violence prevention in a complex social world, or that exposing human rights violations through a truth commission will result in lessons being learned and society being transformed.

Importantly, I have also argued in this book that there is a difference between the individual process of healing and what can be termed ‘collective healing’ (cf. also Swartz, 1998). The healing of an individual and the so-called ‘healing of a nation’ are not the same thing, as was argued in Chap. 5. The pseudo-psychological construction of national healing and the argument that nations have collective psyches are questionable, if not downright fallacious (cf. Hamber & Wilson, 2002, 2003; Ignatieff, 1998; Swartz, 1998; Winslow, 1997).

Political processes, as was argued in Chaps. 4 and 5, are fundamentally different from the personal healing process: a country and its politicians may be ready to move on before victims have come to terms with the magnitude of their personal pain. So, when it comes to dealing with survivors the challenge is to ‘work with a spirit of humility about what we can offer and an acceptance that there is no quick fix or magic bullet that will rid people everywhere of the suffering brought about by violence’ (Bracken, 1998, p. 58). But because no quick fix exists especially for individuals who have suffered the ravages of violence, a gap between the individual (micro) and collective (macro) process of dealing with the past is generally present.

Transforming Transitional Societies

How I have come to understand the contribution of psychology and other mental health professions in transitional societies, and specifically in processes such as truth commissions, has been a long process for me. This concluding chapter, and the approach it advocates, has its foundations in my own journey from being a therapist through to being a practitioner whose work is now deeply rooted in the social context. This journey has entailed constantly developing knowledge gained through the experience of working with individuals in therapeutic and practical situations and trying to turn this into theory that could be applied to complex social problems. It has been a challenging and dynamic process and has meant abandoning some of the individualistic roots of my initial training.

It has also meant, for example, that my work has had to become truly interdisciplinary, embracing the fields of social psychology, psychoanalysis, criminology, political science, law and anthropology, resulting in the need to draw on an eclectic mix of theories, practices and research approaches. The importance of interdisciplinarity I would argue is the first lesson we need to consider when thinking about the role of mental health in societies in transition. Put another way, for various reasons, the TRC did not fully capitalise on creating a truly interdisciplinary approach to the complex issue of the past. Instead, as I briefly argued above and showed in

Chap. 4 in my reference to the retraining of statement takers, there was a tendency for disciplines such as law and psychology to be posed as opposites rather than as complementary. Transforming transitional societies demands genuine interdisciplinarity. To get to this point, a much greater appreciation of how different disciplines and different divisions within disciplines approach issues is needed. I hope that this book has made some contribution to elucidate a certain type of psychological analysis, which is also, of course, open to challenge and criticism.

As was briefly alluded above, my theoretical and practical approach to addressing the needs of victims of violence following political conflict has developed and changed significantly over the years. I was trained as a clinical psychologist and set out on my professional career with a theoretical framework largely dominated by an individualised view of trauma. This was permeated by concepts such as PTSD. However, my experience of working within highly charged political environments with survivors and families of victims has led me to conclude that healing is dependent upon and interrelated with the social context in a profound way. This is not a glib statement about how social conditions and politics affect us all; rather, as I will go on to argue, it is an ideological framework, a way of being, thinking and working. Furthermore, it is important to add that no matter what professionals think, survivors and families of victims, especially in the political context, are also active agents in the social world and in their own healing processes; they are not merely objects or victims of circumstance. They too shape the social world and this has an impact on their mental health, sometimes positively and sometimes not.

Approaches to Dealing with Extreme Political Traumatization

In analysing my own work over the years, I can see that I have started to reassess the importance and priority of different factors within the individual healing process. Later I outline what I call the conventional approach to dealing with the impact of the legacy of political violence on victims, and thereafter I outline what I consider to be a more appropriate model.

Conventional Model

A more conventional approach to dealing with the impact of the legacy of political violence on victims, or at least the area where the psychologist is thought to be able to make the most impact, sees the processes of facilitating testimony and offering support services such as counselling as the most necessary areas of work. This approach is in line with growing trends towards psychologists in post-war contexts offering crisis-intervention strategies and psychosocial services to survivors (Lykes, Terre Blanche, & Hamber, 2003). These are often construed fairly narrowly, with the main focus being on alleviating the symptoms of trauma.

In Chap. 4 of this book, for example, I outlined some of the policy suggestions I and others made regarding the support services likely to be required by victims engaging in the TRC; for example, training statement takers and briefers to carry out psychological support and referral to various therapies. Such support systems are necessary in dealing with victims of political violence and need to be put in place. In this regard, there is a vital role for culturally appropriate support services, traditional approaches to addressing conflict, and victim self-help support structures in transitional societies. Processes for the telling of stories in a safe and supportive environment are also needed. There is a common saying in South African townships: 'it is better to cough it out' when one has a problem than to keep the pain festering inside. Telling one's story has been consistently highlighted to me by survivors themselves as important for healing, which is borne out by other research findings (among others, Agger & Jensen, 1990; Caruth, 1995; Danieli, 1988; Eagle, 1998; Herman, 1992; Jelin, 1994, 1998; Laub, 1992; Saul, 1999; Weine, 2006). There is value in storytelling provided we do not, as has been noted in several chapters in this book, simply assume that revealing is healing. We need to pay careful attention to the context and timing of speaking out, as well as the role of the listener.

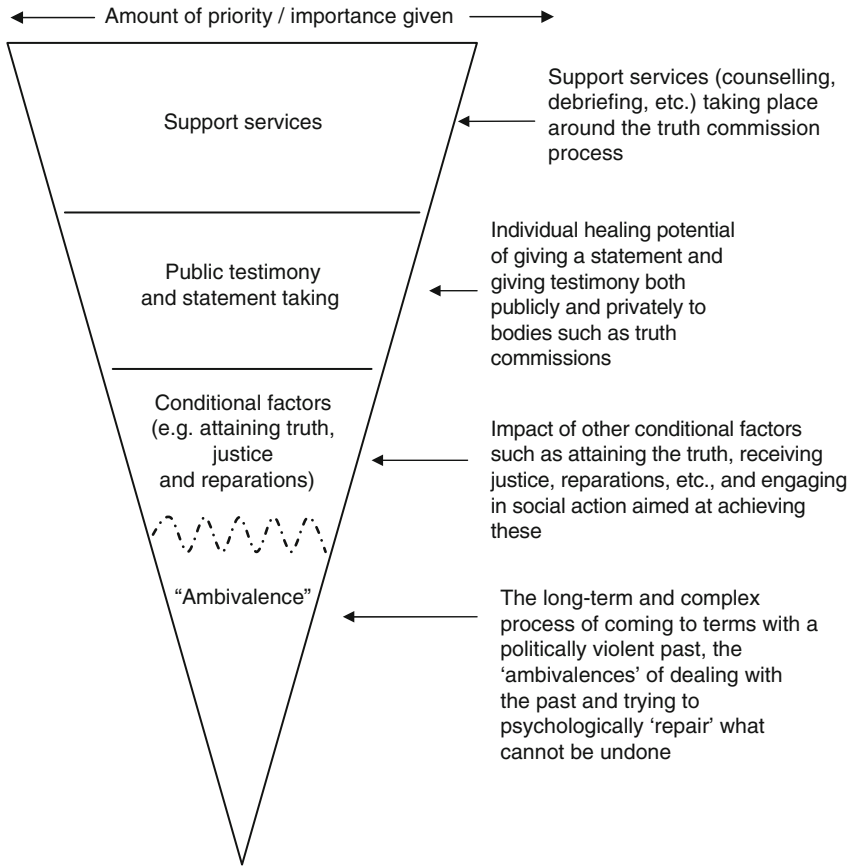
Thus, the more conventional way of thinking about assisting victims of political violence during a truth-recovery process from a psychological perspective essentially concerns offering psychological support services and facilitating testimony. This is graphically represented in Fig. 10.1 later.

However, as my work has developed, the level of importance or priority I would give to support services and facilitating testimony, as important as they are, has diminished. This book has shown that greater attention actually has to be given to what I call 'conditional factors'; that is, attaining the truth, receiving justice and reparation, and engaging in social action aimed at achieving these. The permeating impact of what I term 'ambivalence' is also key. I, therefore, propose the model below as a more appropriate way of conceptualising the importance of different types of work and approaches in dealing with extreme political trauma within the context of truth-recovery processes. I call this the 'context-driven model'. This model gives greater priority to 'conditional factors' and 'ambivalence', which I explain later. The context-driven model is represented in Fig. 10.2.

Context-Driven Model

Ambivalence

Truth commissions largely aim to present a coherent and broadly linear narrative of violence, where the causes of specific atrocities are explained and the extent and nature of the impact highlighted. However, as was argued in Chap. 2, the exact nature of massive trauma is difficult to pinpoint and its impact, at least from the perspective of the victim, is amorphous and literally precludes knowing, as Dori Laub has written (Laub, 1992, 2000; Laub & Lee, 2003). Within this complex context,



Some recognition of the importance of the overall context (i.e. the socio-economic and political situation and environment) on the process of healing, as well as the overall context's ability through processes such as truth commissions to create meaning and foster social change promoting psychological resolution.

Fig. 10.1 Conventional way of conceptualising assistance to victims of extreme political trauma-tisation engaged in truth-recovery processes

and as I have discussed throughout this book, one is at best attempting to 'repair the irreparable'. As such, one cannot talk about total recovery, or 'closure', as mentioned in Chap. 5. Although trauma survivors can return to a state of health, they cannot go back to where they began (Janoff-Bulman, 1992). As I have mentioned at several points in this book healing can only be 'good enough'; that is, victims feel subjectively satisfied that sufficient actions have been taken to make amends

Context-driven way of conceptualising assistance to victims of extreme political traumatisatation engaging in truth recovery processes

Dominant recognition of the importance of the overall context (i.e. the socio-economic and political situation and environment) on the process on healing, as well as the overall context’s ability through processes such as truth commissions to create meaning and foster social change that promotes psychological resolution

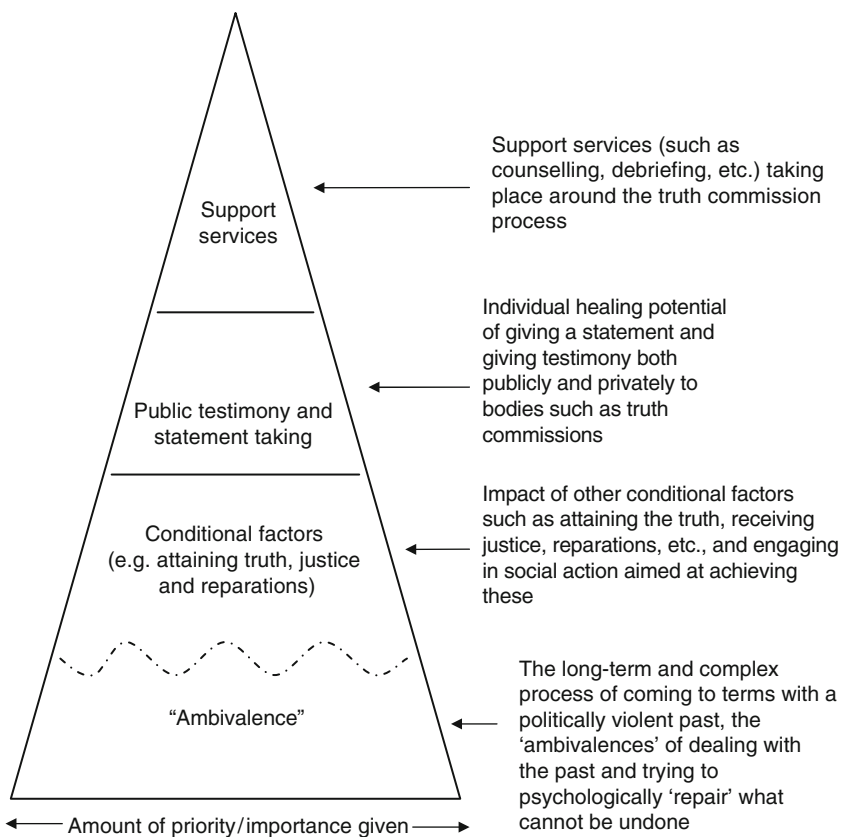


Fig. 10.2 Context-driven way of conceptualising assistance to victims of extreme political traumatisatation engaging in truth recovery processes

for their suffering and some psychological state is achieved in which some sort of mental resolution concerning past trauma is reached.

Therefore, given the gravity of extreme political traumatisatation, a degree of ‘unfinished business’ and ‘ambivalence’, which generally includes a sense of injustice, will always remain for the victim. Pauline Boss talks about trying to understand how people live with ambiguous loss (see Chap. 5 and Boss, 2004, 2006) rather than trying to get rid of it. When I talk of ambivalence I am talking about a

deep intrapsychic process but I also understand it in a much wider context. Obviously, with violations such as disappearance this may be worse, but extreme political traumatising leaves most if not all individuals in an ambivalent state.

As a result of ambivalence, there is a difficulty in describing the real impact of trauma, and the journey towards some form of resolution is an immensely difficult and complex one. Resolution is getting to a position of living with the impossibility of closure. This is, perhaps, in theoretical terms closest to what Melanie Klein calls the 'depressive position' (Klein, 1935, 1950); that is, in its simplest form, living with emotional pain and tolerating both positive and negative emotions simultaneously. Although this sounds, 'depressive', it can also be understood as a psychologically liberating place to be. Being able to deal with contradictory feelings is an emotionally powerful state of being.

However, my notion of ambivalence differs from Klein's. Unlike Klein I see the journey to ambivalence as not only an individual psychological one, but also as the one that can be profoundly shaped by social context. For example, in some African contexts, as was noted in Chap. 2, transforming the self is often linked to transforming structures because the self is a product of factors that are both internal and external and visible and invisible to the individual (Nwoye, 2006). One's sense of self might also be integrally tied to the notion of community. In line with the notion of extreme political traumatising, dealing with trauma requires social and not only psychological interventions, which all happen within the confines of the 'ambivalent' space I defined earlier.

What is more, societies in transition are themselves *de facto* in a state of flux. The type of social norms or community structures many need to feel secure or to assist in providing a safe framework in which to negotiate complex psychological processes are often destroyed in a transitional society that is setting out on a generally disorganised journey towards reconstruction. In some situations, the political structures that caused suffering in the first place can continue to exist or be in a state of transition themselves – state security structures or paramilitary groups, for example – making the possibility of non-repetition feel less certain.

There is an important role, I believe, in acknowledging the presence of ambivalence when considering how to deal with political violence in a society in transition. Recognising the complexity, longevity and the at best 'good enough' nature of the healing process would go a long way towards developing thinking about the limits and possibilities of processes such as truth commissions and their healing potential. Talking the language of ambivalence is also more realistic, providing survivors with a frame of reference that they can aspire to and that removes the pressure of forgiveness and closure. The language of ambivalence also makes it more difficult for politicians to demand premature closure for expedient reasons.

But at a wider social level this type of thinking poses a massive challenge. Government policy, for example, is often made with clear distinctions and impacts in mind. Ambivalence implies a radical departure from the input–output thinking that dominates most governments. Adopting the language of ambivalence in turn would rely on leaders who can 'hold' the transitional space. Such leaders know how to show enough vision to keep the society moving forward, but at the same time

express enough understanding and empathy in addressing the needs of survivors and families of victims, so that survivors feel they have a place in the new society and that their needs are truly understood.

If the political process swings too far either way, meaning that a society is too forward looking or too backward looking, the society can be thrown into crisis. Too many demands to move forward without acknowledging the ambivalent space of transition can leave survivors, and the general population, disconnected from their own country and their own psychological reality. I would argue that Thabo Mbeki's Presidency in South Africa fell into this trap in the last years of his office. He failed not only in delivering sufficient material progress but did not demonstrate sufficient understanding and empathy. His continual denialism – whether about HIV/AIDS, the Zimbabwe crisis, crime or the importance of reparations to TRC victims – treated the populace as uninformed and unable to deal with the reality all those challenges posed. Acknowledging the truth about the precarious and ambivalent nature of daily South African life would, as 'depressive' as it might sound on first reading, have given life to new ways of dealing with problems at a community level because people are often resilient and resourceful when faced with adversity.

The same thinking can be applied to working with survivors and families of victims in transitional societies; that is, hope and liberation comes when they realise the ambivalence implicit within what has happened to them and the power they have when they learn to live with it and use it for social or personal good. Survivors, as is well known in the mental health field, also need empathy or for people to understand where they are coming from, not sympathy – which can be disempowering and views survivors as damaged goods in need of help. In the final instance, hope does not come with false promises and expectations of a life where the past is forgotten or wished away on the backbone of unrealistic dreams, but rather in the realisation that despite the trauma inflicted an individual or a community can live with it and prosper. Getting to ambivalence, however, is a process. It is not something that can simply be imparted to the survivor. The role of the mental health practitioner is to 'accompany' – a term I will explain in more detail later – the survivor on this journey.

Conditional Factors

The integral importance of reparations, remorse, restitution, truth and acknowledgment to victims has been highlighted throughout this book. The centrality of justice to recovery, both in practice and desire, was discussed in Chap. 7. I have found that participation by victims and survivors in processes aimed at achieving such elusive goals as truth and justice is an important component of healing – many survivors want to feel they are taking some action, even if they know it will not deliver complete justice or absolute truth. This gives survivors some control over their environment, something which political trauma normally overrides.

Judith Herman recognises the importance of such social action in trauma recovery (Herman, 1992). She argues that public truth telling, for example, is the common

denominator of social action and that, by speaking the unspeakable in public, survivors hope they will help others and feel more connected with their own community (Herman, 1992). Herman talks of ‘survivor missions’, which she defines as the pursuit of justice and the realisation that holding the perpetrator to account is not only individually but also socially important (Herman, 1992). Others, too, have argued that there is constructive rage, which victims can use to overcome powerlessness whilst articulating what is wrong in society (Wineman, 2003). Over the years I have learned the importance of ‘survivor missions’ to victims, as well as active engagement in different processes. This can come in many different forms.

In Chap. 7, I spoke about Alan McBride who lost his wife in a bombing in Northern Ireland. His initial anger and protest aimed at the IRA, and then his involvement in leading a large victims’ organisation, and his well-known work as a peace activist who works political groupings across the political spectrum, including former paramilitaries, have all been part of his journey. Many in Khulumani have embarked on a similar process, where protest has been the first step on the way towards recovery. I recall when the group marched on my offices in the mid-1990s much to my surprise. Their complaint was that the TRC had not delivered for them and that it was my fault because I had introduced them to the Commission. I subsequently had to attend a heated meeting with group members in a local township trying to explain the situation. This event, and others, was instrumental in my understanding of two key issues.

First, I was, in the words of Wineman, a ‘proximate villain’ – someone known to the victim, often fellow activists, who are within reach, and who can be blamed for the intolerable pain and sense of injustice that survivors have experienced (Wineman, 2003). I was a safe pair of hands, who would not, unlike others, re-enact persecution. As an intermediary in the process between the individual and the political or collective level, my role in this case was to absorb the anger of survivors. In so doing, I was able to create a psychological bridge between their experiences and the wider political context where it was presumed, by virtue of my education and professional position, that I had more influence.

Second, the incident was the moment when I realised there was some value for the survivors in their activism and that such actions were laden with symbolic meaning. Protests aimed at the TRC and Ministry of Justice were frequent over the years and social action of this type, but now focused on a range of issues, continues to this day (e.g. Khulumani Support Group, 2006, 2007). The press has routinely been used to facilitate ‘speaking out’. Several films, documentaries, as well as radio and television programmes, have been used for this purpose. Other civic participation events have been used. These have included, for example, public healing ceremonies – ceremonies where all families have gathered to write about their loved ones on a large sheet. More recently, public commemorations, for example of the International Day of the Disappeared, focused on those who had gone ‘missing’ during the political conflict. Group members were also involved in a number of community theatre projects, and became involved in several notable plays (e.g. *The Story I am About to Tell*), which toured locally and internationally – these were another vehicle for regaining voice and participation in the community, wider society and beyond.

Through these activities, most of which came from and were shaped by survivors themselves, I merely watched as some individuals were transformed through their participation. There were individuals, for example, who joined the group as introverted and frequently ill, suffering from somatic complaints, who were slowly transformed into active, talkative and engaging members of the group who developed a wide range of social relationships and networks as they became increasingly active and valued members of their community and society once again. In this way, they moved beyond their victim identity through access to 'resources' that were not only merely individual and psychological in nature but also social, political and organisational (Wineman, 2003). Many psychosocial programmes in the development context have the same aim; that is to rebuild social fabric through networking and co-operation, while attempting to meet basic needs.

Social action and civic participation promote solidarity among survivors and increase levels of empowerment and mastery over the environment. This is consistent with the views expressed in some of the literature on dealing with traumatic violence. For example, Herman argues that some survivors feel called upon to engage in the wider world, and the recognition of a political and sometimes a religious dimension of their misfortune can transform the meaning of their personal tragedy (Herman, 1992). This becomes the basis of social action that does not compensate for the atrocity but can help transcend it (Herman, 1992).

This is not to say that the use of social action as a form of individual transformation is a straightforward process. Some individuals might choose other routes to address their suffering such as therapy, traditional practices, or local and community support. Survivor missions or socio-economic or reconstruction programmes can also become diversionary tactics psychologically speaking; that is, ways of not dealing with unresolved grief or suffering by becoming overly involved in an external social action such as lobbying for compensation or social justice (also discussed in Chap. 5). In addition, if we accept that reconnection is one of the important components that engaging in social processes can bring, we also need to guard against survivor support groups primarily becoming about reconnection with each other and not the wider society. I do not believe that contact with perpetrators is the pinnacle or principle aim of reconnection work for survivors but the danger always exists that survivor groups become narrow interest groups in which their disconnection from society is continually reinforced rather than overcome.

It is critically important to support victims, if they are ready, to be active agents within their environment, rather than seeing them merely as damaged individuals in need of psychological care. Many survivors are highly resilient and they often make this realisation themselves long before mental health workers do, setting up their own support groups or engaging in social action, which can range from protest through to establishing programmes aimed at preventing other victims from suffering in the way they did.

In summary, civic participation is one way in which survivors can attempt to narrow the gap between the tempo of the individual healing process and the unfolding political context, or at least influence the pace of the political process to some degree. Victims as active and vocal citizens with a legitimate and ongoing social

'voice' also can educate the society at large and policymakers to their real needs and the impact of extreme political traumatising and perhaps even highlight what might be necessary to prevent future violence. They can also become connectors between previously estranged groups and communities.

Herman sees social action as one of the later stages of trauma recovery (Herman, 1992). My work suggests, however, that resolving trauma does not fit into such a neatly staged approach. Many of the people with whom I worked only began their 'trauma work' when processes for social action started to unfold (e.g. the Khulumani group), or where a context was created where such issues could be talked about publicly, such as the TRC. Of course, many of these individuals may have already started individual trauma work prior to this type of engagement, but my experience suggests that those engaging in processes such as Khulumani were at a range of stages along the healing continuum and that they moved up and down it throughout the process. As mental health workers, we need to ensure that we do not stymie social action or efforts by survivors to gain mastery over what happened to them by seeing social action and attempts at mastery as either the outcome of a successful therapy process or a later stage in the evolution of coming to terms with trauma. For many survivors of political violence, social action is the door they first open into the world of psychological recovery.

A more conventional psychological approach to trauma typified by a PTSD model and various therapy modalities is for many survivors of political violence the wrong place to begin, especially in situations where the trauma was experienced many years earlier. Typically, in transitional societies, especially those where trauma has been ongoing for years or decades, much time has passed between the original trauma when survivors or families of victims appear before a body such as a truth commission. In addition, there have normally been multiple traumas within a context of extreme political traumatising. Very often, survivors are also families of victims and are themselves not direct survivors of violence. The Diagnostic and Statistical Manual (DSM-IV), which is used to diagnose PTSD, includes the death of a close relative or friend as a qualifying event, if the death was sudden and unexpected. My experience, however, is that many survivors and particularly families of victims in transitional societies are engaging in a complicated grieving process and seeking answers to questions such as why and who was responsible for the death, often decades after the fact, rather than dealing with the initial psychological impact of the loss. There concerns are more along the line of 'continuing bond' issues discussed in Chap. 5.

The fact that many survivors of political violence and the families of victims are in fact dealing with unresolved grief first and foremost accounts for the times I have been asked by survivors: 'What is this post-traumatic stress thing?' and 'Am I meant to have it?' It also helps to explain, as discussed in Chap. 3, why the psycho-education workshops I ran with survivors in South Africa were greeted with silence – survivors and families of victims did not recognise their current needs or psychological state in the profile of a 'typical' trauma survivor which I presented. This is not to say that some survivors do not have symptoms characteristic of PTSD, or that a minority require acute psychological support but, in

transitional societies, concerns with PTSD symptoms are seldom, at least from my experience of working with survivors in a range of projects in different countries, their primary preoccupation. If a broader concept of healing is used, in which the individual is not treated as separate from the social context, then the shift from 'victim' to 'survivor' concerns questions of social justice and delivering on the needs of survivors and families of victims for truth, justice and reparations. Meeting these needs requires a level of social and political engagement that moves beyond the walls of the therapy room.

Context

Issues of context – social, political and cultural – are primary, not secondary, factors in the psychological process of a victim's response to violence suffered (Bracken, 1998). This has been a core argument throughout this book and in the context-driven model context is included as a major, not a tangential, component of conceptualising assistance to victims of extreme political traumatising engaged in truth-recovery processes. The importance of context is threefold; that is: the ability of the context to create meaning through processes such as truth commissions; how the socio-economic and political and environment impacts on the traumatic process; and how social change can promote psychological resolution.

Creating and Reshaping Meaning

It is often the meaning of political violence within a social and political context that is paramount to survivors. In Chap. 3, I outlined some of the components of a model developed by those working with trauma in South Africa that defined my training and influenced my thinking (Eagle, 1998). This model emphasises the importance of the cognitive impact of trauma and of addressing some of the manifest symptoms of trauma through a variety of techniques. The architects of the model note that issues such as the social meaning of the event are important and specifically note that the derivation of meaning may also be more important in complex rather than simple trauma (Eagle, 1998). Most of the survivors trying to deal with political trauma whom I have worked with or been exposed to over the years certainly fall into the complex trauma category.

Truth commissions can be potentially helpful in this regard as they can create a broad and officially sanctioned matrix of meaning for political violence. Processes that develop around truth commissions, such as victim support groups, can also provide support, hope and communal meaning. These can be vital in the healing process following extreme political traumatising. At the same time, such processes cannot

be forced and an element of organic development is desirable. If the process is forced, the impact of the more underlying psychological issues can result in 'increased repression of affect and drives' (Eagle, 1998, p. 143). It is for this reason that such processes should be complemented by other individual and group-support strategies such as culturally specific therapy and appropriate conventional approaches to addressing violence and distress (see Huyse & Salter, 2008 for a discussion on this). This may be necessary in some cases, say, for those stuck in a complicated grieving process or in need of dealing with the cultural or spiritual dimensions they attach to their suffering, as discussed in Chap. 5.

But often, mental health professionals overemphasise the need for therapy and the importance of overt symptoms when dealing with victims of political violence. This can happen at the expense of understanding the importance to individuals of the meaning created through the social context at the time of the event and afterwards. Medicalised models give limited scope for including a focus on meaning and context (de Vries, 1996, also see Chap. 2). This focus can also further limit professionals' own horizons in terms of what support work they themselves feel they can engage in, such as supporting the development of victim support groups or campaigning activity. It can even result in a failure by mental health professionals to encourage or support victims to take part in social and political processes if they desire this. Mental health workers can become overly focused on their intervention, such as different types of therapy, rather than actively linking the survivor with different types of support and activities; for example, legal advice, education programmes, community storytelling and community development projects.

I have routinely found, as this book has stressed throughout, that in the contexts where survivors of political trauma are seeking some resolution to their past hurts, a gap between the individual and collective processes is generally present. For this reason, supporting victims, if they are ready to be active agents within their environment, is critically important. In so doing, one can empower them to change aspects of the healing process; that is, for example, attaining reparations or justice, and reconnecting with society and others. The meaning of extreme political traumatisation cannot be reworked and integrated psychologically in isolation of connection with others, society and community because extreme political traumatisation involves destroying meaning and relationship to community life in the first place. As I noted in Chap. 5, profound loss is not only about dislocation or mislocation within the individual psyche, but is also about the disconnection between inner and social reality (Klass, 2006). Activism aimed at achieving justice, truth or reparations, and arguably participation in processes such as truth commissions, as well as other initiatives from art projects to theatre work, can be about forging new connections and aligning inner reality with what is happening externally. Sometimes dialogue with different groups, and even perpetrators in some cases, might be necessary to create a wider context of understanding. It is though such activity that the development of new narratives, as well as the creation a meaning structure of atrocity, can take place.

Context and the Traumatic Process

The theory of Hans Keilson (Keilson, 1992) can be useful in thinking about how best to understand the relationship between the context and the traumatic process for survivors of political conflict. Keilson argues that the description of the changing traumatic situation should be the framework within which we understand any trauma and the best predictor of whether symptoms will indeed develop. Keilson shows, by focusing on Jewish Second World War orphans in the Netherlands, that their traumatisations differed relative to the different traumatic sequences to which they were exposed. This meant that some orphans who objectively may have had a terrible experience in the war, but a fairly satisfactory post-war situation such as being adopted by a caring family, might have been psychologically better off than those who had a relatively 'better' experience during the war but a worse post-war experience.

What Keilson's study shows us is that different sequences, or contexts and situations, can impact on the development of trauma in different ways. In other words, it is not only the physical or psychological stress which victims or survivors endured that is important, but also how this was mediated at different points over time. Simply put, Keilson's theory would suggest that having an objectively terrible traumatic incident happen to you is not the simple predictor of trauma and may not result in symptoms. Someone could suffer immeasurably, but be well supported emotionally and by their community, resulting in their being less traumatised. Another individual could cope fairly well after the incident and have objectively, and relatively speaking, a less traumatic history, but live in a hostile impoverished environment with no support. This can result in them being more traumatised than the person who experienced a greater traumatic incident.

To put this another way, if we apply Keilson's theory to say Vietnam veterans, we would have to ask what was the mediating variable in their current psychological state: the experiences of the war or the experiences of coming home to a hostile society? Obviously both, but mainstream traumatic stress models often excessively focus on the experiences of the war rather than other sequences like coming home and the experiences coming home brought with it.

Thinking of trauma sequentially means asking the question: How is dealing with trauma different during times of conflict, in transition, and during times of peace? In South Africa, this is a critical issue today. Negotiating one's apartheid experience of violence in a rapidly changing and modernising post-apartheid environment that is 'moving on' from the past poses challenges for the meaning survivors ascribe to their apartheid experiences. Take, for example, these words of a 52-year old former detainee in South Africa:

At this point in time I feel that I lost the battle because nothing has been done for me. Today we (former detainees) are inferior in the country they were fighting for. People who were detained and abused before are not recognised and no one cares for us (Former detainee in South Africa interviewed by Ashraf Kagee cited in Kagee, 2004, p. 629).

The sentiments expressed chime with those of many survivors of apartheid with whom I worked, where, as was quoted in Chap. 6, they still feel they are 'third class

citizens' despite the political changes that have taken place. It is why the discourse concerning reparations, for example, is important. The government undermining calls for reparations as 'money grabbing' are felt a deep intrapsychic level by survivors. Survivors' demands for truth, justice and reparations are used by them, at least in part, to gauge the reactions of society and those in power. The reactions send back powerful messages at a deep psychological level about survivors' personal value and sense of belonging in society. If we accept that extreme political traumatisation undermines the victim's sense of place and existence, among other things, then we can see how context, what is said in it and the actions carried out by those in power are integrally linked to the traumatic reactions that might follow both during conflict but importantly also afterwards.

In Northern Ireland, it has been found that since the 1994 ceasefires there has been an increase in referrals for conflict-related problems (Dillenburg, Fargas, & Akhonzada, 2007). There are several reasons for this: the political environment has changed, perhaps making it easier and safer to speak out; there are more services in place for victims; and perhaps because, as counterintuitive as it may seem, the conflict is over. Once the conflict is over individuals are left questioning the meaning of their suffering and what its significance is in a different context. The following extract from a radio show on 28 January 2008 between a reporter and Billy and Lilly McDowell, two survivors of the La Mon Hotel bombing by the IRA in 1978, is instructive. Twelve people were killed in the incident. The comments are made in the context of the survivors' request that Dr. Ian Paisley, leader of the Democratic Unionist Party (DUP) and now working in government with Sinn Féin which is closely linked with the IRA, stay away from the annual commemoration marking the 30th anniversary of the bombing. The survivors are seemingly, or had been, DUP supporters:

...for years we have been told by the Democratic Unionist Party that they wanted investigations carried out...to find out who was behind it. Since Paisley and McGuinness got together we haven't heard one thing about these inquiries...Personally when I see Paisley and McGuinness together and see them chuckling...and they are not a bit annoyed about being seen chuckling, in fact Paisley says he is happy to be called a chuckler. He says he has been called worse things. Aah...when people like ourselves sit and watch on the television that sort of thing going on, it would really make you sick. It would make your stomach turn. After all these promises about never sitting down...it really is annoying. And I would say I'm speaking for an awful lot of other victims who have been involved here...[*several lines cut for brevity*].

Reporter: Yeah, can I just ask you Lilly and...I'm mindful of the difficulties this question might present for you. But at a political level and at other levels people say you know things did happen in the past, terrible things were done in the past, but its time to move on.

Lilly McDowell: Well unfortunately we are watching it on the television all the time and on the news, and we just can't move on because it's imprinted in our heads what happened that night...

Reporter: You can't move on?

Lilly McDowell: We can't move on. We can't move on with these people.

Billy McDowell: Maybe in about 20 years time, when the likes of Ian Paisley, and Martin McGuinness and Gerry Adams etc. etc. Maybe when they have moved out of the set up then people will be able to move on. But when you are watching television every night and you see the behaviour of them it is very very hard for to move on as people say that we should do. These things make you very disappointed with the Democratic Unionist Party...

What is evident from this excerpt, and the earlier quote from a former detainee, is that for survivors a transition to peace brings its own challenges. In the first quote, the detainee feels that the lack of socio-economic change in the new South Africa and lack of positive change for detainees is emblematic of the fact that no one cares for them and that they are judged as 'inferior'. For the McDowells, the extract highlights that moving on for them is different from what moving on means for politicians. They feel distressed that the political party they support is not taking their needs on board, in this case their need for justice. We cannot understand these quotes outside of context and political change. In the cases referred above, the political changes at a macro level are ostensibly positive as peace agreements were forged in South Africa and Northern Ireland. But at the same time peace alters the meaning of suffering, as does the dire socio-economic context in the South African case. Thus, trauma is not only tied to specific historical incidents, but also continually reinterpreted across time and differently in different contexts.

Thinking of trauma in relation to the context, and sequentially across time as Keilson proposes, implies that there is no 'post' in thinking about trauma (Becker, 2001); there is no universal response to a traumatic situation; there is no logical presumption that everyone in a traumatic situation will experience trauma; and trauma can only be understood relative to and dependent upon the context in which it is experienced. If the theory of sequential traumatisation is right, we can expect people to experience different mental health impacts at different moments in time. In South Africa, victims will continually interpret the success of the TRC through their current context and their ongoing socio-economic marginalisation will invariably affect their mental health and how they ascribe meaning to their suffering. The old adage that time heals all wounds is simply not true. Sequential traumatisation or, more to the point, an unchanged or harmful social context accounts for why, as I mentioned in Chap. 8, victims evaluate the TRC more and more negatively over time and feel more distressed by their plight as time passes. In Northern Ireland we have seen, as mentioned earlier, people presenting with difficulties 30 years on, and others struggling to come to terms with peace. This is not simply about repressed traumas surfacing after an event but, rather, building on Keilson's theory, we need to understand trauma with reference to the particular context in which it manifests; that is, one cannot differentiate what is happening around the individual from how their traumatic situation is experienced, not only for them at an individual level but also more widely.

To approach the argument from another angle: there is a debate within the psychological literature concerning the concept of trauma and its relationship to time and sequence. Allan Young points out that making a diagnosis of PTSD 'presumes that time moves from the etiological event to the post-traumatic symptoms' (Young, 1995, p. 135). He argues that all that is visible in the present is the individual's psychological state, and time can only run backwards to the assumed traumatic incident. However, what diagnosticians do is use a range of technologies to try to get traumatic time to run *from* the etiological event *to* the so-called post-traumatic symptom – as such, a diagnosis such as post-traumatic stress disorder is essentially 'invented' (Young, 1995).

Medicalised and essentially linear understandings of trauma overemphasise the role played by the traumatic incident in the individual's current psychological state, rather than try to understand the context and subjective meaning of that psychological state. Interestingly, I would argue that truth commissions use a similar logic. Truth commissions apply the reverse logic of time loosely to so-called 'collective' states of psychological being. This is not only problematic because a nation does not exist as a unified psychological entity as I argued earlier, but also because truth commissions are drawing conclusions from a reversed concept of time.

The task of truth commissions is to largely interpret the testimony (the symptom) of victims in a causal way to the assumed root (past political violence) of the discomfort. This is done through a range of technologies such as research and investigation and, of course, the actual process of hearing testimony itself. Although this will inevitably highlight a link between the victim's current distress and a specific event, which is important, dangers nonetheless exist. First, one can end up over-emphasising the importance of the 'technology' used for finding the causal link, which in the case of this book might be testimony or truth commissions, rather than spending sufficient time explaining the causal context in a complex and detailed way across time and with reference to the present. Second, the focus could become one of categorisation and quantification of historical harm, or a relentless quest by psychologists to understand an individual's current psychological state with reference to a specific act of victimisation, as if all that has happened since has had no impact on the individual's current disposition. Doing this blinkers one to the fact that victimisation, and how it is understood by the survivor, is always being interpreted, reinterpreted and reshaped by the current context.

So what is the significance of this? Primarily, it has implications for how and where we target interventions aimed at dealing with trauma and this, in turn, is important for how we conceptualise the role of mental health workers, as well as politicians and anyone who can shape the social context during transition. It is to this I now turn.

Social Change and Psychological Health

Truth, justice, reparations and social change are integral to how we understand where and how we focus psychological interventions. Keilson's sequential traumatisation or contextual model implies that social context, or what he would call traumatic sequences over different time periods, shapes the traumatic outcome often more profoundly than the original violation. The corollary of this, stated plainly, is presumably that changing the social context influences the traumatic outcome. If this is correct then it implies a responsibility. If we have the wellbeing of survivors and families of victims at heart, we need to consider changes in the context *as a psychological intervention*, not merely a social or political concern. This implies ongoing responsibilities for those with a duty to care for individuals over the long term, but also all those who can change the context, such as politicians and transitional justice practitioners.

This is not a completely new finding because others too, most notably Ignacio Martín-Baró (Martín-Baró, 1996c), have argued that human beings can be transformed by changing their reality (Burton & Kagan, 2005). This not only means changing physical and social structures, but also involves changing mental structures through an active process of dialogue and ‘concientisation’ to decode the world and grasp the mechanisms of oppression and dehumanisation (Burton & Kagan, 2005; Martín-Baró, 1996c). This itself can lead to empowerment, active involvement in social processes such as groups like Khulumani, and even lead to reconnection and reconciliation between different groups. In transitional societies, steps towards reconciliation or dialogue often occur because eventually it becomes obvious that the co-operation of the ‘oppressor’ or those you stand in opposition to might be needed to alter social reality, or their engagement might be necessary to fully understand the meaning of the violence committed against you.

Thus, a responsibility exists for mental health workers, and arguably all transitional justice practitioners and those with the power to change social structures, to change the context in the present. But what does this mean for mental health workers practically? Does it mean abandoning psychology?

Conclusion

Psychologists cannot solve all the social and political problems in transitional societies, but we can ask ‘whether psychological knowledge will be placed in the service of constructing a new society’ (Martín-Baró, 1996a, p. 46). If we believe that psychological knowledge should be used to change society, first, we need to break down the boundaries between psychologist and those in other disciplines, from politicians to legal professionals, who might be able to lever social change in a different way. Other transitional justice practices also need to consider how psychological knowledge could enhance their understandings and approaches to social ills. This requires new partnerships and alliances.

Second, psychologists need to abandon the mantle of top-down therapeutic expert, and rather consider how the knowledge they have can be used to accompany others and support social processes. In doing this it is vital that professionals support structures already in place and natural support systems rather than seeking to control or displace them (Landau & Saul, 2004). One needs to walk alongside survivors and with them, assisting with the skills one has. Maritza Montero has spoken about this as working ‘along with the people, facilitating discussions, providing information, helping people to develop aspects concerning their self-esteem, their prejudices, and their stereotypes, and fostering democratic dialoguing, so multiple voices are heard’ and in so doing ‘rescuing their potential and resources for transformation’ (Montero, 2007, p. 525). Accompaniment from my experience can include engaging with survivors in social processes and programmes, dialogue, reconnection with others and processes of change from speaking out or public testimony to using one’s privileged position to impart information and knowledge

that can be used and appropriated to assist survivors to better advocate for social change. Such knowledge can include research findings, statistics, as well as psychological and even political insight. Drawing on the thoughts of Martín-Baró (Martín-Baró, 1996a), the process of accompaniment is how the psychologist can try to change the subjective processes that sustain victimhood.

Third, psychologists need to speak the truth about the society in which they live and the way it might, through structure, discourse and praxis, perpetuate or ignore survivors or create social conditions that prevent psychological recovery. In other words, there is an onus on psychologists, and all individuals invested in peace, to engage in the 'objective recognition of the main problems burdening' society (Martín-Baró, 1996a, p. 45). But psychologists also need to speak the truth with the survivors they come into contact with; this can focus on discussing the problems they see in society and how these might be dealt with not just emotionally but in the real world. This can also assist survivors to put their suffering in context and alter the meaning they attach to it. Psychologists should also focus on the reality of the emotional burdens survivors will have to carry. The frame of reference for this is, as was articulated earlier, the notion of ambivalence; that is, reaching a position where multiple competing priorities and the realities of emotional pain can be tolerated, not to disempower but to liberate. But, as was argued earlier, you cannot teach ambivalence. It is learned through re-engagement with the world and through the process of accompaniment, and often survivors' own resilience and actions. It may also require working with some survivors to assist them in overcoming their own resistances to ambivalence, because reaching this state implies giving up absolute positions, e.g. that getting justice will result in healing. Ultimately, the survivor needs to recognise, through experience, that healing often comes through engaging in the process of seeking justice, reparations and truth not necessarily, or only, through attaining them as outcomes.

As regards truth commissions, the mental health practitioner's role should not be restricted to assisting survivors with giving testimony or offering counselling. Psychology has much more to give in the shape of processes of accompaniment as outlined earlier. However, in the context of truth commissions much of this accompaniment might be geared towards the attainment of truth, justice and reparations. Transitional societies, however, also present the challenge of managing the gap between individual (micro) processes and political or collective (macro) changes. A bridge between the two is needed. This is where the work in and around processes that attempt to deliver truth, justice and reparation to survivors, undertaken by policymakers, survivors themselves and those working to assist or support them, such as mental health professionals, can be beneficial. To achieve this interaction, a relentless and ongoing process of attempting to understand and explain, especially to policymakers and politicians, the complex process of individual healing is required. Psychologists can make a contribution in this regard, as long as the information they impart to others is grounded in the experiences of survivors themselves. In addition, a continuing process of interrogating what healing strategies are prioritised and why they are prioritised within truth-recovery processes needs to be persistently undertaken by mental health professionals themselves. Survivors and families of victims also need to be supported in active civic engagement. It is tasks

such as these that will ultimately lead to narrowing the gap between individual healing processes and political developments.

In conclusion, we should never forget that there cannot be a medical solution to political trauma. We may be able to treat its effects therapeutically in some cases, but political trauma is always caused by a political and social context. If we want less trauma in the world, we need to not only assist those suffering but also prevent suffering in the first place. As Lynne Jones, consultant to Catholic Relief Services and Médecins Sans Frontières at the time, wrote in an article entitled *Letter from Sarajevo*:

Every day from my office window I watched students crossing the most dangerous street in the town, to reach the philosophy faculty, in full view and easy range of Serbian snipers. Were they exhibiting a courageous determination to continue normal life or unhealthy, life threatening denial? And the social workers with whom I worked repeatedly reminded me, as I sat in their crowded, shattered, and freezing offices in various parts of the city, that the majority of their psychological problems could be wiped out tomorrow if my own government would use its political and military muscle to lift the siege of the city. Indeed the most prominent psychological symptoms I encountered were exhaustion at the prospect of a third winter of war and bewilderment at the Western stereotype of Bosnians as Muslim fundamentalists (Jones, 1995).

To this end, the role of the mental health worker is not merely to assist the bereaved and injured, but also to be an advocate for change and to accompany survivors on their own transformative journeys – these are both preventative and restorative mental health strategies. Of course, individual psychological problems need to be addressed if they arise, and we cannot abandon all therapeutic interventions. Neither can we replace the individual reductionism so prevalent in psychology with social reductionism (Martín-Baró, 1996b). But as I reflect back on my journey, I am more certain than ever that we need to break free from the individualistic paradigm and to reshape psychological practice profoundly if we are to have any hope of effectively assisting individuals and transforming transitional societies.

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