

be taken into account when planning for the commission, said Legal Resources Centre attorney Steve Kahanovitz. For years the old state had turned a deaf ear to families as they searched at police stations and hospitals for missing relatives. Now there was a chance for a new relationship between citizens and state.

"Two commissioners plus staff should come to citizens in places like KwaNdebele and Springbok – and just listen. The new state must say it is acknowledging and recording violations that citizens have been through," Kahanovitz said.

Judge Richard Goldstone said South Africa had a legal and moral obligation to investigate gross human rights abuses. The international human rights movement had fought for the eradication of apartheid and South Africa had a moral duty to repay its dues. The public also had a right to information from its civil servants, he said.

Several speakers alluded to groups who

could be expected to resist entering the dialogue about a truth commission. Philosophy professor Willie Esterhuyse from the University of Stellenbosch said opinions he had canvassed from white Afrikaners had revealed "reaction ranging from a reflective acceptance to ridicule, rejection and outright resistance".

Many Afrikaners felt the commission would jeopardise reconciliation by turning into a witch-hunt and by "opening a wound that has not been stitched long". Others felt that the abuses of the state and the liberation movements cancelled each other out.

Noting that there were a number of constituencies who were unsure about the need for and wisdom of a truth commission, Idasa executive director Wilmot James called for a "campaign of persuasion" to highlight the compelling reasons for establishing a commission and to engage South African society in a dialogue about the subject.

Referring to the potential pitfalls, University

of Cape Town deputy vice-chancellor Mamphele Ramphela warned that the past could be dealt with only imperfectly and that the process would be fraught with complexities and dangers. "The options we face as a society are not whether or not we excise the abscess; it is how we do so without endangering the life of our brand-new democracy," she said. "Too much enthusiasm may lead to serious difficulties and prolong, if not completely derail, the healing process we so desperately yearn for."

But according to Andre Odendaal, director of the Mayibuye Centre for History and Culture in South Africa, the challenge of dealing with the past must be taken up because it is "crucial to the whole process of reconstruction in South Africa".

"It is really about healing a traumatised nation and restoring to it its memory. There is a need to confront the past if we wish to build secure foundations for the future." ■

Commission 'could be political weapon'

By Shireen Badat

POLICE fear that a truth commission will be used as a political instrument by the present South African government to "punish its former adversaries", representatives of the South African Police Services (SAPS) told "The South African Conference on Truth and Reconciliation".

They voiced disapproval for the idea of a truth commission but added that if it was set up they would take part. There was a need for people applying for amnesty to "come clean", they acknowledged.

A police statement read to the conference said: "Such a commission will be nothing other than an organised witch-hunt which will anew divide a society in which many amnesties have already been granted.

"A general, all-embracing and full public inquiry into the 'truth' of past occurrences is not required [by the interim Constitution]. The interim Constitution has closed 'the book of the past' and a merciless reopening of it would be in conflict with the spirit and ambit of the Constitution ... It would be unconstitutional and would undermine the concept of a government of national unity."

Police said few perpetrators would come forward to acknowledge their part in human



DOUBTFUL: Colonel I Davidson (left) and Colonel C Sonnekus at the conference.

rights violations if they believed their deeds would not be uncovered in any other way. "This situation will lead to a piecemeal investigation by the commission and many victims and their families will be disillusioned and angered if their expectations are not met."

They added that public hearings could result in "damage caused by false allegations" and threats to the "safety and well-being of perpetrators and their families".

Police questioned the focus to date on the

stories of the victims of apartheid. "What about the victims of the limpet mines in Wimpy bars, the Heidelberg Tavern, the Church Street bomb, attacks in churches and shopping centres and many more?" they asked.

Judge Richard Goldstone and Justice Minister Dullah Omar replied to some of the points made by the police. Goldstone disputed the claim that most perpetrators would not come forward. He told of a security policeman who had given evidence under oath to the Goldstone Commission and had expected this information to be made public immediately.

"He wanted to tell his story and exculpate to an extent his own personal involvement," Goldstone said. "There are many members of the security police who stand to benefit from the truth becoming public rather than being kept secret. The longer it is kept secret, the longer the security forces become tarnished with the same brush."

Omar denied that a truth commission would be unconstitutional and said that every clause of the Bill of Rights would be respected in the course of its work. The commission would not have the power to institute judicial proceedings. If it appeared that a person could be charged, then the matter would be forwarded to the attorney-general. ■