



COMMENT

Reconciliation must include truth

PRESIDENT Nelson Mandela's state of the nation speech understandably focused on the ANC's Reconstruction and Development Programme (RDP). However, in a very brief paragraph, he referred to the question of amnesty for political crimes. He said *inter alia* that "the nation must come to terms with its past in a spirit of openness and forgiveness and proceed to build the future on the basis of repairing and healing". He added: "The burden of the past lies heavily on us, including those responsible for inflicting injury and those who suffered."

The most important point he made was that amnesty must be linked with disclosure. In other words, the president has put it on record that reconciliation and dealing with the past must include truth. To put it another way, the government of national unity is committed to amnesty but not to amnesia.

It is this thought that was dominant in a recent conference entitled "Justice in Transition" organised by Idasa. It is this concept which is emphasised in Idasa's most recent publication entitled *Dealing with the Past: Truth and Reconciliation in South Africa*.

The clause in the interim Constitution dealing with national unity and reconciliation acknowledges that South Africa's past is characterised by "strife, conflicts, untold suffering and injustice", and commits the nation to "transcend the divisions and strife of the past which generated gross violations of human rights, the transgression of humanitarian principles in violent conflicts and a legacy of hatred, fear, guilt and revenge".

For the RDP to work, it will not only require very careful financial planning, efficiency and hard work, it will also require a stable society. For peace to be enduring, however, it must be based on truth. Reconciliation involves forgiveness, but in order to forgive, it must be known who to forgive and for what.

Furthermore, in our focus on amnesty we should never forget that a fundamental objective of the new dispensation should be the restoring of human and civil dignity to the thousands of victims who suffered under apartheid. To ignore the suffering of the victims and to focus only on the violators of human rights is to get it only half right, and the impression will be that the victims don't really matter.

Inevitably there are those who have sounded warnings about any attempt to deal with the past which involves public disclosure. One of the points that has been made by several commentators is that our democracy is so fragile and our unity so precarious that nothing should be done which could put these at risk.

Eduardo Galeano, referring to the transition towards democracy in Uruguay, writes as follows: "On the part of the government and important sectors of the population, there is a belief that democracy is a fragile old lady in a wheelchair. If she moves too much, she will collapse, and if you speak too loudly, she will have a heart attack. So democracy is something that shouldn't be touched. These ideas are actually the enemies of democracy because true democracy must move forward, deepen and develop."

Central to democracy is the rule of law and it is important that, in the process of dealing with their past, South Africans include the overhauling of the present security system so that the gross violations of human rights which were perpetrated by the old state can never reoccur. In a search for truth and a deepening of democracy, we will have to build up a political culture in which the rule of law is respected and observed, so that no individual or group can violate human rights with impunity.

In a new spirit of reconciliation South Africa has an enviable opportunity to work towards genuine healing, which involves dealing honestly, fearlessly and sensitively with past violations of human rights. It will be considerably easier to achieve a new beginning, in a spirit of unity and democracy, if thorough attention is given to the undemocratic and often inhuman practices of the past. In all the planning of new legislation, it is imperative that the widest consultation should take place and, above all, that the voice of the victims should be heard.

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Idasa's goals are:

- ▶ To promote the development of a democratic culture in South Africa
- ▶ To address fear, prejudice, anger and other obstacles in the transition to a non-racial democracy in South Africa
- ▶ To engage influential groups and individuals who may be outsiders to the transition process
- ▶ To provide, wherever possible, information on critical issues and to explore ways of addressing these
- ▶ To facilitate discussion of constitutional and developmental issues relevant to southern Africa
- ▶ To assist and encourage others to contribute to the attainment of these goals