Reconciliation and Political Legitimacy: The Old Australia and the New South Africa

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In both Australia and South Africa a state-sponsored discourse of reconciliation has been deployed as a tool of national integration and state building. This usage has tended to encourage a politics of selective memory that runs contrary to the spirit of reconciliation as recognition of different views of the nation. This article seeks to recover (and promote) a more positive concept of reconciliation by treating it as a discursive, democratic space in which different versions of the national story can be acknowledged and negotiated. The cases of Australia and South Africa are used in a mutually illuminating way to explore what “telling the truth” about the past might mean and how such “truth-telling” might help restore legitimacy to liberal states confronted with a “broken moral order”.

“We can no longer devise ways out of the new reality: the moment of our accountability to history has arrived”

“Talking is the tool of reconciliation”

I: Divided Memories

In recent years (and for historically specific reasons in each case), struggles have broken out in nominally postcolonial states like Australia and South Africa over the national heritage. In both cases, the conventional and generally triumphalist story of the nation has been thrown into question by the emergence of alternative (and far less celebratory) perspectives on history. Post-Mabo Australia and post-apartheid South Africa can be seen to be analogous to the extent that the hegemony the ruling (white) culture once exercised over the past has now given way to a process of disruption and pluralisation in which different versions of the national story — invasion vs. settlement, development vs. exploitation — struggle for recognition. This decolonisation of the past has provoked something of a crisis of identity for Australians and South Africans alike. Unable to hold the different story lines together in the same narrative, they have found it increasingly difficult to mould and fire a coherent sense of self. As Henry Reynolds has written in the Australian context: “can historians reconcile two histories, two stories, two nations?” See H. Reynolds, “Historians and Indigenous Australians”, Occasional Paper, Australian Academy of the Humanities, No. 21 (1999), p. 57; and J. Stratton, Race Daze: Australia in Identity Crisis (Amandale, 1998), esp., pp. 105-133. For a more general treatment of this question see S. Saggar, “Whose History? Historical Narratives in Multiracial Societies”, in B. Brivati, J. Buxton and A. Seldon, eds, The Contemporary History Handbook (Manchester, 1996).
described as the problem of “divided memories” — the breakdown of national unity that occurs “when sizeable groups within the same state simultaneously attribute different meaning to the same history”.  

The prevailing view (exemplified here by Adam) that divided memories represent a “problem” rather than a moment of liberation reflects a certain investment within liberal thought in creating continuity between state and nation. Historically speaking, concerns about disintegration, which are never far from the surface of liberal thinking, have tended to manifest themselves in the desire to establish congruence between political boundaries and national ones. While various forms of ethnic and religious pluralism can be tolerated, national diversity is deemed to overstretch the elasticity of the communal bond. The tendency in liberal thought towards the psychologisation of the nation is both an index of this assumed relation between state and nation and a means of policing transgressions against it. By treating the nation-state as an analogue of the human psyche, liberalism makes divisions and fragmentations tantamount to a form of psychosis that requires remedial treatment. Within the terms of this metaphor, a single state comprised of two or more nations becomes a “perpetually irritated anomaly” that must be resolved through one of two means. Either the state tears apart along the seams marked out by the struggle for national self-determination or it forges a new identity by mobilising strategies of assimilation.

It is this structuring of the “problem of the nation” which lies behind the anxiety of many (usually conservative) intellectuals and politicians in the face of emergent national divisions in contemporary liberal states. Although it is theoretically possible for nationalist movements to be accommodated through constitutional reform (as exemplified by the Canadian case), the devastating implosions of the post-Cold War period have ensured that the question of secession is now overwhelming viewed in terms of state failure and the threat of Balkanisation. The disintegration of Yugoslavia has even come to function as something of a cautionary tale — a story of barbarism and violence that can be invoked in all contexts to justify regressive forms of national integration. Needless to say, such claims represent an unfortunate (and generally politically motivated) overstatement of the centrifugal forces at work in most contemporary postcolonial liberal states. Without wishing to diminish the tragedy of the “blood and belonging” conflicts that have horrified the international community in recent years, it is unreasonable to assume that they are a genuine possibility everywhere. Not all states are in danger of collapsing into a Hobbesian state of nature.

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6 Thus in her maiden speech to the Australian Parliament in 1996, Pauline Hanson invoked the case of Bosnia to demonstrate that: “A truly multicultural country can never be strong or united”. See House of Representatives, Official Hansard, Tuesday, 10 September 1996, p. 3862.
7 M. Ignatieff, Blood and Belonging: Journeys into the New Nationalism (London, 1994).
once splinters and cracks in the national imaginary begin to reach the level of public consciousness. At the very least, some account needs to be taken of the unique historical circumstances of each case.\(^8\)

By the same token, it would be foolish to regard the nation (as some multiculturalists tend to) as if it was nothing more than a mythological form shadowing the state that can be dismantled without any deleterious effects. While fears of disintegration are generally misplaced (even in exceptional cases like South Africa), the breakdown of national history has nevertheless become an increasingly pressing problem. At the very moment when state power has become a crucial commodity in resisting the disruptive effects of globalisation,\(^9\) challenges to the dominant holding narrative have made it more and more difficult to secure allegiance from citizens. What has become increasingly evident where the ghosts of the past have started to rattle their chains is the extent to which history, or rather the story of the nation, creates the background consensus against which political decisions are made and assessed for their legitimacy. As Michael Oakeshott has suggested: “Every society, by the underlinings it makes in the book of its history, constructs a legend of its own fortunes which it keeps up to date and in which is hidden its own understandings of its politics”.\(^{10}\) To challenge that book of history is thus not only to threaten an established sense of self, but to disrupt the underlying moral consensus that makes the smooth running of liberal democratic politics possible.

The origins of this problem can be traced back to the frequently unacknowledged connection between liberalism and nationalism. It is now widely argued that political liberalism is too institutionally thin to sustain levels of social integration on its own. Although the liberal state is customarily represented as a civic vision of the political community, it is nourished by cultural forms of identification that stand outside its own rational procedures.\(^{11}\) These pump blood into the empty veins of the polity and ensure allegiance to its formal institutions and abstract principles. At the time of their inception, liberal states were sustained in this regard by the afterglow of the Christian worldview. As the power of religion to underwrite social obedience waned, however, nationalism emerged as the pre-eminent means of sustaining allegiance to the state. At that point, as Eric Hobsbawm has suggested: “[t]he state not only made the nation, but


\(^{11}\) The connection between liberalism and nationalism is still subject to debate, but the recent explosion of interest in the idea of “liberal nationalism” suggests a widespread recognition that liberal polities are nourished by a national imaginary. This position is of course strengthened by the importance liberal states have attached to the notion of national reconciliation. See B. Yack, “Reconciling Liberalism and Nationalism”, *Political Theory*, Vol. 23, 1 (Feb 1995), pp. 166-182. For an opposing view see A. Mason, “Political Community, Liberal-Nationalism, and the Ethics of Assimilation”, *Ethics*, Vol. 109, 2 (Jan 1999), pp. 261-287.
needed to make the nation”.

In order to secure support, the state was forced to reach into the heart of its subjects, into the territory of their everyday life, and install a new civic religion. It is, of course, Rousseau who recognises this problem most clearly and recommends the creation of a corporate identity as a means of generating mutual trust and undergirding consent.

Since the nineteenth century, the burden of constructing a “corporate identity” within liberal states has been intimately tied up with the discipline of history. Given the liberal antipathy to exclusionary nationalism based upon racial or religious signifiers, history has become the principal means of constructing a shared set of core values or national traditions. Although ostensibly objective, these historical narratives have served to constitute, rather than simply describe, the national identity. Often constructed around genetic metaphors based upon the life-history of the individual — birth, growth, maturity — they selectively organise events in a relation of continuity with a contemporary subject, thereby creating the sense of a unified nation grounded in a shared past. The critical feature of all of these histories is the fact that there is frequently little to hold them together except the territory that they narrativise. Thus, even where there is no logical connection between the territorial state on the one hand and the identification of a nation on the other, the two things have tended to become inseparable. In the container of history, territory, nation and state come together as one.

It should come as no surprise, therefore, that the emergence of serious disagreements about the past has generated legitimacy problems (crisis may be too strong a word) in liberal settler states. Because the political process is nourished by the national imaginary, the erosion of historical consensus undermines authority and blurs the distinction between liberal politics and naked assertions of power. Without a shared horizon of understanding based upon a common conception of the national past, politics (at least for the colonists) is no longer free, in William Connolly’s arresting metaphor, to “dance lightly on the surface of life.” Fundamental questions about values start to interrupt the procedural regularities of the liberal state and raise questions about their legitimacy. This is particularly true where the “new history” casts a shadow over the moral foundation of the political order by drawing attention to injustices of dispossession by which it was constituted and through which it is

17 As Heather Deegan has pointed out in her *South Africa Reborn*: “The question of institutional legitimacy is a recurring theme within transitional democratic societies”. While it might be stretching the point to suggest that Australia now fits within that category, Mabo clearly raised similar questions about institutional legitimacy to those confronted in South Africa. See H. Deegan, *South Africa Reborn: Building a New Democracy* (London, 1999); B. Attwood, “Mabo, Australia and the End of History”, p. 108, and P. Patton, “Sovereignty, Law, and Difference in Australia: After the Mabo Case”, *Alternatives*, Vol. 21, 2 (1996), p. 163.
sustained. In these instances, the theoretical distinction between politics and violence traditionally invoked to demonstrate the superiority of the liberal state over rival political formations may no longer be readily apparent.18

Recreating a sense of legitimacy by dealing with the past has thus become, albeit to different degrees, an increasingly pressing problem for postcolonial liberal states like Australia and South Africa. In the former, where demographic factors and the underlying resilience of the constitutional order have tended to insulate the state from wholesale delegitimation, demands have tended to be restricted to a renewal (as opposed to a reconstruction) or the moral foundations of the political order. Attempts to supply the perceived deficit in legitimacy have focused upon the kind of minimal political restructuring embodied in proposals for the recognition of traditional land ownership, an apology and compensation for the “Stolen Generations”, a treaty with the Indigenous peoples and a new preamble to the constitution that acknowledges their prior occupation. In South Africa, by contrast, where the apartheid regime was utterly discredited both domestically and internationally, it was necessary to recreate the moral foundations of the state from the ground up. Recurrent references in the historical literature to “the new South Africa” make it abundantly apparent that it now perceives itself (and wants to be perceived by others) as a nation born again.19 There is little doubt that the new constitution of 1996 was intended to mark a decisive break from (and clear disavowal of) the apartheid era. In both instances, however, reinvesting legitimacy in the state has become inseparable from managing the legacies of the past.20

II: Truth and Reconciliation

It is in this context of recuperating a “broken moral order” that the concept of reconciliation is most often invoked and most clearly in need of interrogation. The discourse of reconciliation can be mobilised as a political strategy where the traditional liberal responses to a nationally divided polity — secession or assimilation — are either inappropriate or impractical. It tends to be used to facilitate integration in those instances where a perpetrating and a victimised community are forced to coexist or, in the words of Breyten Breytenbach, accept “the obligation to live together in full knowledge of the past with at least a semblance of decency and tolerance and order”.21 Despite their clear differences, both Australia and South Africa currently fit within this category of the divided polity that is seeking resolution through a material and symbolic renewal of the moral foundation of the state. Both have taken recourse to a state-instituted discourse of reconciliation in order to “provide a vocabulary in which citizens imagine and debate the terms of their political association”.22 Although not entirely without precedent, this turn towards a language of reconciliation represents

20 As Desmond Tutu wrote, “there was in fact hardly any controversy about whether we should deal effectively with our past if we were going to be making the transition to a new dispensation. No the debate was not on whether but on how we might deal with this only too real past”. See D. Tutu, No Future Without Forgiveness (London, 1999), p.24.
something of a novel experiment for liberalism. As a complex and on-going negotiation between identity and difference, order and justice, it suggests a new approach to the problem of the nation that is likely to carry significance beyond the immediate occasions of its appearance.

Any attempt to recuperate the concept of reconciliation must, however, be differentiated from the prevailing tendency to define it in terms of the national interest. The intention in doing so is not to deny that reconciliation has a practical and symbolic role to play in the process of re-legitimating the state. It is rather to suggest that any attempt to reduce it to a tool of national unity is only likely to add to the insults of colonialism by encouraging a kind of collective amnesia. Since the exigencies of nation building usually demand that the pragmatic commitment to order overrides the moral commitment to justice, the wounds of the past are more likely to be ignored than confronted. Indeed, as Habermas noted in the context of the post-war German debate, where the overriding concern is national cohesion, “the crass demand for reconciliation” necessitates “the promotion of forgetfulness”. Instead of reconciliation providing the means by which a perpetrating community can come to terms with its past, it encourages a politics of selective memory in which the more odious aspects of the national heritage are confined to the dustbin of history. As Ernst Renan noted in this famous essay of 1887: “What is a nation?”, there is a very real sense in which nation building requires “getting one’s history wrong”.

To admit that reconciliation can operate as an instrument of colonial power is not, however, the same thing as saying that it must do so. To the extent that the concept points, by its very nature, to an historical injustice, it can never be totalised by a purely functionalist demand for order. Even where the term is invoked solely out of an interest in fostering national integration, its connection with justice will inevitably spill over and disrupt the pragmatic objectives for which it has been deployed. Every appeal for healing contains an implicit reference to the wound that makes it necessary. This is the inescapable circularity in the concept of reconciliation that must railroad all attempts to deploy it as a means of burying the past once and for all. From the perspective of a critical theory, therefore, the objective should not be to abandon the notion of reconciliation altogether, but to realise its immanent potential as a means of realigning power relations between the coloniser and the colonised. Provided the objective is that of restoring legitimacy (rather than that of restoring order), the possibility of grounding the state upon dialogically constructed forms of consensus rather than ideologically veiled modes of coercion remains open. The crucial question is, what kind of “reconciliation” might deliver such an outcome?

In order to pursue this line of inquiry it is necessary to examine the idea around which the whole discourse of reconciliation customarily pivots: telling the truth about

23 In Australia, John Howard has been quite explicit in declaring reconciliation to be “in the national interest” revealing the extent to which the concept has become over-determined by the idea of nation building. See J. Howard, “Practical Reconciliation” in Grattan, Reconciliation, p. 89. See also, L. M. Eades, The End of Apartheid in South Africa (Westport, Connecticut, 1999), p. 102.


the past. In both Australia and South Africa, the process of reconciliation is invariably framed in terms of accountability to history, a duty to expose the darker chapters of the national story. That which was unconsciously repressed or consciously hidden must now be brought into the light, however difficult and painful the process proves to be. Needless to say the motivation here is not the antiquarian desire to tell the truth about the past “for the sake of the past”. The past that is at stake in the discourse of reconciliation is not a dead past, but a past that continues to shadow and stalk the present — whether as “seeping wound”, “repressed memory” or “haunting ghost”. We need not attend to the array of medical, psychological and literary metaphors used to evoke this “presentness of the past”, other than to note the common message that runs through them: unless we confront the past and recognise the injustices that have been committed there can be no way forward, for there will be no recognition of the need for reconciliation at all.

Precisely what telling the truth about the past means and how it relates to the process of reconciliation is not, however, as straightforward as it is sometimes portrayed. Even a cursory acquaintance with the reconciliation literature is enough to demonstrate that a variety of different conceptions of truth-telling are simultaneously at work, all of which contain within them a rather different sense of what reconciliation might entail. In the interests of moral and political clarification, therefore, some effort needs to be made to disentangle the different discursive frameworks that are currently being mobilised and assess their implications. In what follows I will draw upon examples from Australia and South Africa to elaborate three different modes of truth-telling: firstly, an historical/juridical mode, where truth is constituted through certain academic or forensic standards; secondly, a confessional mode, where truth is constituted through a Christian “wrestle of conscience”; and finally, a discursive mode, where truth is constituted through public discussion and debate. The purpose here is not to classify the reconciliation process in each country as belonging within one category or another — both are clearly too diverse for that. It is rather to draw out certain themes for the purpose of analytic exploration. In the end I hope to demonstrate that it is the third, discursive mode that is likely to prove the most productive for the purposes of reconciliation.

The Australian case provides an exemplary instance of what can happen to the cause of reconciliation where recourse is taken to a historical/juridical model of truth telling. What Bill Stanner once referred to as the “Great Australian Silence” — the relegation of the Aborigines to a melancholy footnote in the nationalist histories of the 1950s and 1960s — was finally broken in the 1970s by a group of revisionist historians who exposed the darker side of the Australian story. Through the ground-breaking work of Charles Rowley, Henry Reynolds and Bill Stanner himself, a counter history of...
invasion and resistance began to emerge in which due attention was given to the
violence done to the Indigenous people in the foundation of the Australian state. It
was not until the Australian High Court handed down its judgement in Mabo, however,
that this “new history” of dispossession escaped the confines of the academy and
erupted onto the public stage. Since then, issues relating to the Indigenous people of
Australia have invariably become embroiled in a heated debate about nationhood. As
Robert Manne has suggested, recent controversies over Aboriginal deaths in custody,
the “Stolen Generations” (which raised the question of genocide in Australia), and
the perpetration of frontier massacres, are really only so many manifestations of a “larger
culture war” — a war over the meaning of dispossession and ultimately (or so I would
suggest) the legitimacy of the Australian state.

Despite the importance of this debate for the future of the Australian res publica, it
has been conducted in such a way as to remove it from the political arena. By falling
back upon the idea that the “new history” is somehow methodologically suspect,
conservatives have forced the culture war into an academic register whither the public
cannot readily follow. In the debate about Aboriginal dispossession, it is questions
about the selection and validation of historical evidence that have now assumed the
greatest importance. Centre stage has been given over to old chestnuts about the
tension between the duty of historians as intellectuals to describe “what really
happened” and their duty as citizens to use the past to facilitate struggles for
emancipation in the present (as if the two things were readily separable). In this way,
the crucial issue of the responsibility of a political community for past wrongs has been
reduced to the rather more sterile one of the uses and abuses of history. Whatever
possibilities for political reinvention made available by the High Court’s refutation of
the doctrine of terra nullius have now become bogged down in an academic dispute
where claims of “black armband” history square off against claims of “historical
denialism”. Only recently stirred to reflection about the moral underpinnings of the
state apparatus, the deliberations of the Australia public have now been effectively
suffocated in the name of discovering “the truth”. A precisely analogous effect was created when the Howard government forced survivors of the “Stolen Generations” to press their claims for compensation in the courts. The 1997 report of the Human Rights and Equal Opportunities Commission dealing with the forced removal of Aboriginal children from their families, Bringing Them Home, recommended the establishment of a National Compensation Fund “so

Destruction of Aboriginal Society (Harmondsworth, 1972); and H. Reynolds, Aborigines and Settlers
(Melbourne, 1972).
30 Bain Attwood has shown the extent to which Mabo was instrumental in bringing this new history
into the public realm. See B. Attwood, “Mabo, Australia and the End of History”, in Attwood, In the
Age of Mabo, pp. 100-117.
32 As Jacques LeGoff has put it: “But this recruitment of the past for revolutionary and political ends
results in a confusion of the two attitudes a historian may take with respect to the past, and which he
must not confuse: his professional attitude as a historian and his political engagement as a man and as
33 The idea of “black armband” history was coined by Geoffrey Blainey in 1993, while the phrase
“historical denialism” belongs to Robert Manne. See Manne, “In Denial”, pp. 93, 97; and R. Hall,
people don’t have to go to court to be compensated for the wrongs done to them”.34 Despite support from the Federal Labor opposition for a parliamentary response,35 the government of the day shirked the issue of public responsibility. Although willing to acknowledge the “hurt and trauma” caused by the forced removal of Aboriginal children, the Prime Minister, John Howard, refused compensation on the grounds that “Australians of this generation should not be required to accept guilt and blame for past actions and policies over which they had no control”.36 This left indigenous people with little choice but to take recourse to the judicial apparatus and attempt to satisfy the exacting evidentiary tests appropriate to that forum. Unfortunately (if not surprisingly), however, the presiding judge in the principal test case, Cubillo and Gunner v. The Commonwealth, was unable to find in favour of the applicants. Although acknowledging the psychological damage that had resulted from their forced removal, he dismissed their claims for damages on a variety of legal grounds, one of the most crucial of which was a lack of supporting documentary evidence.37

This assault of “history” on “memory” has far reaching implications for the discourse of reconciliation.38 By pushing the issue of evidentiary standards, conservatives have succeeded in creating a climate of opinion in which even publicly acknowledged events like frontier massacres and the “Stolen Generations” can be legitimately drawn into question.39 What were once identified as blind spots in the traditional story of Australia are now themselves seen (at least in some quarters) as the product of a certain kind of myopia. One of the most noticeable effects of this development has been a re-invigoration of an older, unitary nationalism in which patriotism finds no cause to apologise for itself. Indeed, beneath the chorus of voices disclaiming the new “black armband history”, it is hard not to hear a nostalgia for the old Australia in which the “whispering in our hearts” was, if never entirely absent, at least comfortably contained within the dominant narrative of pioneering achievement.40 At best, this is a disturbing development. Not only is such nostalgia unlikely to create the sought-for unity, it leaves Australians in the paradoxical situation where the cause of reconciliation is universally embraced while the historical injustices that make it necessary in the first place remain subject to dispute.

The underlying problem I am alluding to here does not actually lie with either the academy or the judiciary. In an age where organised lying remains an ever-present threat to politics, these institutions can and do serve, in the words of Hannah Arendt, as vital “refuges of truth”.41 The importance of a discourse of reconciliation would hardly

36 J. Howard, “Practical Reconciliation”, in Grattan, Reconciliation, p. 90.
38 I invoke this distinction somewhat ironically out of an appreciation that most contemporary historians have a much more sophisticated view of the relationship between history and memory.
have emerged were it not for the painstaking research undertaken by historians into
colonial race relations and the willingness of members of the judiciary to move against
established legal “fictions” (as was the case in Mabo). The issue is not one of denying
the politically relevant functions performed by institutions outside the political realm,
still less that of stifling debate within those institutions. It is rather one of setting the
appropriate boundaries around their sphere of operation. To confine the debate about
dispossession to the universities and the courts is to continue a certain technocratic
dominance of public life and to alleviate citizens of their obligations for judgement.
Although it is precisely in their capacity as beneficiaries of an historical injustice that
members of the Australian polity have been called upon to act, they have been
couraged to abrogate responsibility on the basis that they lack the necessary expert
knowledge to form an opinion. As a consequence, the urgent need “to acknowledge
what happened and seek to understand the significance of past events for our life in
common” remains unfulfilled.

In contrast to the Australian experience, the reconciliation process in South Africa
has been enacted squarely within the public realm. The guiding principle behind the
centre-piece of the process, the South African Truth and Reconciliation Commission
(TRC), was the need for public and official exposure of the truth about the apartheid
past. Among other things, it was hoped the hearings of the Commission (which were
publicly broadcast and available on the internet) would create a situation in which no
South African could claim they “did not know”. This is not to suggest that the same
sort of problems that have hampered the reconciliation process in Australia did not
beset the TRC. As various commentators have pointed out, the status of the TRC, as an
essentially public and democratic enterprise, was compromised by having to serve
simultaneously as a “psychologically sensitive mechanism for story telling and
healing” and a quasi-juridical enterprise for dealing with gross violations of human
rights. Such ambiguities notwithstanding, the TRC did create the possibility for South
Africans to conduct a public conversation about the past. Where appropriate,
perpetrators of human rights violations were offered amnesty in exchange for “full
disclosure” of their misdeeds, while survivors were afforded “full public
acknowledgment” by having their stories widely reported in the electronic and print
media.

The democratic credentials of the TRC were seriously undermined, however, by the
dominance of a confessional mode of truth telling in which fidelity to conscience
served as the guide to faithful testimony. Partly because of the dominance of religious
personalities and partly because of a general liberal-Christian perspective, the TRC
failed to constitute itself within a secular democratic vocabulary. With the passing of
time it became increasingly evident that the moral authority exercised by Archbishop
Desmond Tutu as Chairperson only encouraged a certain spiritualisation of the process

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43 C. Villa-Vicencio, “Getting on with Life: A Move Towards Reconciliation”, in Villa-Vicencio and
44 C. Bundy, “The Beast of the Past: History and the TRC”, in W. James and L. Van De Vijver, eds,
Forward, p. x.
46 For a discussion of this notion of confessional truth and its limitations see F. Van Zyl Slabbert,
“Truth Without Reconciliation, Reconciliation Without Truth”, in James and Van De Vijver, After the
TRC, p. 65.
of reconciliation. Convinced that there could be no future without forgiveness, Tutu saw the TRC as an opportunity for perpetrators to repent their sins and survivors to redeem them (as well as purify their own instinct for revenge) through the gift of grace. As a consequence, the entire proceedings of the Commission became framed within the Christian ethical economy of sin, guilt, confession, and redemption. Rather than a politico-economic system of domination, the apartheid era was seen as a moral stain upon the nation (an original sin) that needed to be cleansed through the redemptive power of forgiveness. In this way, the TRC turned into a kind of national purification ritual with the Commissioners assuming the role of secular divinities providing absolution for sins.

Even considered on its own terms, this confessional model had some obvious weaknesses. Although the TRC did deliver some spectacular moments of spiritual resolution — the repentances of Eugene de Kock and Dirk Coetzee, both of whom served as commander of the special Vlakplaas police unit, were widely hailed as illustration of the power of confession to redeem “prime evil” — the question of right authority proved difficult to dislodge. Survivors and the families of those who fell victim to the abuses of apartheid questioned the capacity of a public Commission to forgive crimes that they themselves frequently regarded as unforgivable. For some, in fact, the tendency of the TRC to “dictate forgiveness” amounted to a further assault upon the dignity of those who had suffered under the apartheid regime. To a large extent such failings were reflective of the role the TRC was forced to play in the “negotiated revolution” to democratic politics. Given that the brief handed the TRC was structured by this political bargain, however, there is cause to wonder whether the language of forgiveness endorsed by Tutu was the most appropriate for the circumstances.

Certainly the limitations of the confessional model of truth telling as a basis for reconciliation were acutely exposed where individuals refused to show remorse or indeed admit that they had done anything wrong. While the ethical economy of the confession could work where perpetrators were willing to recognise their guilt and seek forgiveness, it proved entirely inadequate where no sin was admitted. As Frederik Van Zyl Slabbert astutely remarked: “what do you do when people do not want to confess?” Unless survivors were willing to embrace the kind of unconditional forgiveness that Jacques Derrida has recently elaborated, a forgiveness that works independently of any admission of guilt or contractual obligation for penance, the

47 As Njabulo Ndebele has written “the more I read the Commission’s Report, the more I became convinced that the predominance of religious connotation in the public discourse of reconciliation resulted from a tendency for many of us to focus on the Chairperson of the Commission as a man of God.” N. Ndebele, “Of Lions and Rabbits: Thoughts on Democracy and Reconciliation”, in James and Van De Vijver, After the TRC, p. 152.

48 As Heribert Adam has suggested, “the TRC thinking unfortunately slips frequently into the theological discourse of atonement and repentance”. See Adam, “The Presence of the Past”, p. 145.

49 See Adam, “Divided Memories”, pp. 102-103.

50 As Charles Villa-Vicencio put it, “It is, at the same time, never the right of the state, any body or any individual to demand that any victim forgive or be reconciled to a person responsible for his or her wrongs”. See C. Villa-Vicencio, “Getting on with Life: A Move Towards Reconciliation”, in Villa-Vicencio and Werwoerd, Looking Back, Reaching Forward, p. 207.


52 See Villa-Vicencio, “Getting on with Life”, p. 201.

process of reconciliation inevitably ground to a halt.\footnote{See J. Derrida, \textit{On Cosmopolitanism and Forgiveness}, pp. 27-60} If it is possible to judge anything from the bitter after-taste left by the TRC (both the African National Congress and the National Party have subsequently distanced themselves from it), it is probably that such unconditional forgiveness is beyond the bounds of human relations. Perhaps we should take instruction, as Tutu suggests, from the fact that “Jesus did not wait until those who were nailing Him on the cross had asked for forgiveness”.\footnote{Tutu, \textit{No Future Without Forgiveness}, p. 220.} But experience tells us that attempts to live up to such a divine standard are more likely to breed resentment than reconciliation.

As a means of creating a sense of collective responsibility from the crimes of the past, the confessional mode of truth telling adopted by the TRC must also be regarded as a dismal failure. By transferring what is essentially a private relationship between penitent and God into the public realm, the Commission forced the reconciliation process within the confines of the life history of the individual. The issue of collective responsibility for the apartheid past was thereby forced to take a back seat to questions of personal culpability and guilt. This made it possible to demonise particular individuals on both sides of the struggle while overlooking the broader context of apartheid in which their actions took place.\footnote{As Heribert Adam suggested: “the South African TRC hardly focused on the apartheid system per se but on the atrocities committed to keep minority rule in power”, Adam, “The Presence of the Past”, p. 142.} Under these conditions, a general abrogation of responsibility on the part of the perpetrating community became relatively easy. As the traditional Christian “wrestle with conscience” was dramatised for popular consumption, public action degenerated into public spectacle and responsible citizens were allowed to drift back into their more familiar role as consumers.\footnote{See C. Villa-Vicencio, “Restorative Justice: Dealing with the Past Differently”, in Villa-Vicencio and Verwoerd, \textit{Looking Back, Reaching Forward}, p. 74.} From this perspective, it is hard not to see the celebrated cases of Eugene de Kock and Dirk Coetzee as a refiguration of the Christian bargain in which collective sins are cleansed through an expiatory sacrifice.\footnote{As Desmond Tutu has suggestively remarked: “True reconciliation is not cheap. It cost God the death of His only begotten son”. See Tutu, \textit{No Future Without Forgiveness}, p. 218.}

The problem with both the models of truth telling outlined above is their tendency to conflate private and public moralities and thereby misconstrue the nature of the political community. If the discourse of reconciliation is fundamentally about a society coming to terms with its own past, then it must adopt a mode of truth telling that neither passes the power of judgement into the hands of a specialised class nor reduces it to questions of personal guilt. As Arendt and others have persuasively argued, political responsibility is distinct from personal responsibility in the sense that it is both vicarious and involuntary. “It is vicarious because a citizen may be held liable for things he or she did not do and it is involuntary because it results from his or her (typically not chosen) membership of a political community.”\footnote{Schaap, “Guilty Subjects”, p. 752.} Because the political community is extended in time, a thread that connects the past, present and future, it provides a “space of remembrance that outlasts the natural lives of its particular members”.\footnote{\textit{Ibid.}, p. 753.} It is entirely possible, therefore, for individuals to take responsibility for the past without assuming personal blame for everything that took place. Clearly this
does not relieve them of the burden of interrogating their own conscience, particularly where the injustices in question are within living memory. Ultimately, however, it is not as guilty individuals that the discourse of reconciliation must engage people, but as citizens interested in creating a just political order.

The only mode of truth telling that is consistent with this model of collective responsibility is a discursive one that emerges through public engagement with diverse others. Although it has not gained institutional dominance, such a model is not wholly foreign to the discourse of reconciliation as it has been practiced in Australia and South Africa. In the proceedings of the TRC, for instance, a clear distinction was drawn between the “forensic truth” that is established through rigorous procedures of verification and the “social truth” that is established through interaction, discussion and debate. The commissioners clearly understood that the testimony of participants did not need to be measured against rigorous forensic standards to be validated as “true stories” within a public discourse of reconciliation. To do so would in fact have only risked further assaults upon their dignity and compounded the injustices they already suffered. As judge Mahomed outlined in his summation:

All that often remains is the truth of wounded memories of loved ones sharing instinctive suspicions, deep and traumatising to the survivors but otherwise incapable of translating themselves into objective and corroborative evidence which could survive the rigours of the law.

What was crucial in the operation of the TRC (and the same point has been made with regards to the testimony of the “Stolen Generations” in Australia) was the social production of truth made possible by the creation of a public forum for “story-telling”.

III: Reconciliation Talk and the Postcolonial Nation

It will be immediately apparent that the discursive model of truth telling presupposes a political conversation (a dialectic of telling and listening) grounded in two central pre-requisites: reciprocity and openness. In order to understand how others have experienced history, it is first of all necessary to try to see through their eyes. If the existence of divided memories is suggestive of a social trauma, it also creates an opportunity to look upon the world from another perspective, to think outside the bounds of one’s own preconceived national identity. As the South African writer, Njabulo Ndebele, has suggested, one of the distinct advantages of a multicultural society (and perhaps one of its obligations) is that it “allows us the potential to locate ourselves within questions posed by others”. Clearly in the first instance the burden of responsibility for seeing differently rests with members of the dominant culture. In order to avoid repeating patterns of domination it is necessary to sustain an “initial suspicion against the perspective of the powerful”. In formal terms, however, the nature of the duty is the same in each case: both participants to the conversation must be willing to undertake an imaginative entry into another worldview — both must accept the obligation of democratic reciprocity.

61 See Tutu, No Future Without Forgiveness, p. 33.
63 As Robert Manne has suggested, “One of the great virtues of Bringing Them Home was that it gave the victims of child removal a public voice and allowed non-Indigenous Australians to listen to stories of cruelties they had never before understood”. See Manne, “In Denial”, p. 29.
Clearly such a process will falter where people are unwilling to risk their own standpoint, their own cherished conception of the national past. Unless all the participants to the conversation remain “open” or “receptive”, reconciliation talk can never proceed beyond a mere clash of opinions. And while a confrontation between competing versions of the national history may be preferable to the unchallenged dominance of one, it can never facilitate genuine understanding. What seems to be important here, to call upon one of Nietzsche’s aphorism, is not “having the courage of one’s convictions” but “having the courage for an attack on one’s convictions”. More than simply allowing for the disclosure of events that have been excluded from (or marginalised within) the official record, reconciliation talk must allow for a genuine engagement among different perspectives. Ideally, the dialogue of difference would serve to jolt members of a political community out of their complacency and to induce them to re-assess the national heritage they thought they knew. This would make reconciliation talk akin to what the American philosopher, Richard Rorty, has called “abnormal discourse” — abnormal because it is designed to “take us out of ourselves by the power of strangeness” and by that means “to aid us in becoming new beings”.

These procedural rules for political conversation are either expressly outlined or clearly implied in a good deal of the literature on reconciliation and do not require further elaboration here. It is, however, possible to detect a lingering tension (sometimes within one and the same text) with regards to the ends this conversation is meant to serve. On one reading, the purpose of reconciliation talk is simply to allow members of a divided community to reach an understanding of each other through an imaginative entry into an alien turn of mind. To take this position is to endorse a model of conversation in which “argumentation is subordinated to existential encounter and understanding”. A second approach, focused on more pragmatic considerations, shifts the centre of gravity in the public conversation from understanding to judgment. Since, according to this view, it will ultimately be necessary to make some determination about the justness or otherwise of the existing political order, the discourse of reconciliation cannot simply be about “acknowledging how others have experienced history”. There must also be some basis for discrimination among the “stories” that lie at the heart of public deliberation and validating some as the basis for a new constitutional order.

At the risk of conceptual confusion, it seems impossible at this stage to privilege one of these models over the other. If the discourse of reconciliation is going to succeed it will require a form of public conversation in which the objective is simultaneously understanding and emancipation. Obviously there can be no way forward where there is no appreciation of the experiences of others within the political community. Only the kind of visceral engagement with difference recently outlined by Connolly will be sufficient to reconfigure entrenched habits and practices and bring about the necessary

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68 Arguing along these lines Albie Sachs relates the story of Phumla Gobodo-Madikazela who made five visits to Eugene de Kock “to try and find out who he was, and the reasons for his actions – through a form of dialogue, not forgiveness”. A. Sachs, “His Name was Henry” in James and Van de Vijver, *After the TRC*, p. 96.
70 Contractor, “Forgive Us Our Trespasses”, p. 141.
“change of heart”.71 At the same time, there is also an urgent need for what Habermas has called an “intersubjective praxis of argumentation” that could legitimate changes to the moral foundation of the political order through publicly validated truth claims.72 Clearly one of the advantages of engaging with different historical perspectives is the possibility it opens up for renegotiating the terms of political association. As Arendt recognised some time ago, it is the capacity for an “enlarged mentality”, for “being and thinking in my own identity where actually I am not”, that makes political judgment possible.73 By engaging with different perspectives in a democratic dialogue we not only begin to understand others but to see what needs to be done to achieve justice.

Once the discourse of reconciliation is configured in this way, the existence of “divided memories” appears less as a problem than as an opportunity for moral and political re-invention. In this process of re-invention, division ceases to be something to be overcome through conventional liberal strategies of assimilation and secession and becomes instead something to be negotiated in the interests of justice. Contrary to conventional wisdom, therefore, the notion of reconciliation needs to be placed at some distance from any process that involves the construction or consolidation of a unitary national identity. Its index of success would not be whether it helps to create a shared history, but whether it opens up a forum for public deliberation about the past and its relationship to the present. Ultimately reconciliation must be seen as a conversational space for the negotiation of different experiences of the past and, by implication, different conceptions of “the nation”. To this extent, it foreshadows a new liberal political formation — neither a “nation-state” nor a “nationless-state”, but a multi-national state whose great advantage lies in the fact that it is, in the words of Ken Gelder and Jane Jacobs, perpetually “unfamiliar to itself”.74

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