History as Confession: The Case of the South African Truth and Reconciliation Commission

Deborah Posel

In the iconic history of human suffering, South Africa has a prominent place. Before 1994, the apartheid system was a global sign of the brutalization and degradation that accrued from a toxic politics of racialized difference and exclusion. After 1994, South Africa’s symbolic positioning shifted as the world hailed the “miracle” of the country’s orderly transition to democratic constitutionalism. The rather more troubled realpolitik of South Africa’s democratization aside, its mythic resonances in popular imaginations across the globe were celebratory, replete with hope. In a world mired in war and sometimes intractable violence, here was a historical narrative that told of the redemptive power of a human rights agenda animated by a spirit of “national reconciliation.” And in this story, the South African Truth and Reconciliation Commission (TRC) loomed large, both as historical author and muse and as a figure of the reason and compassion that was written into the story of the country’s democratization.

South Africa’s TRC was the twenty-first in a sequence of truth commissions that emerged in the 1970s and rapidly gathered momentum amid waves of democratization and constitution making in the developing world. Truth commissions have set out to write and present public histories in ways that position the pursuit of truth center stage in a drama of efforts to broker peace and transcend past histories of brutal violence and painful division. Truth commissions, then, are particular techniques of “nation building” that are deployed largely outside the West, taking shape in the midst of a wider “politics of regret” that has gathered

momentum in the aftermath of World War II. This essay considers how these shifting expectations of the public life and power of history have both enabled and constrained the genre of the truth commission. I am particularly interested in the questions of truth and its relationship to suffering and of what happens to the idea, power, and value of truth telling when history is harnessed to the avowedly normative, officializing project of the truth commission.

Truth commissions have been fashioned to grapple with the challenge of producing robust and authoritatively objective truth in the midst of contending subjectivities associated with competing perspectives on bitterly divided and contested pasts. Their attempts to resolve this dilemma have differed. South Africa’s TRC was the first to grapple with the problem of truth by installing a public confessional at the heart of the project. I consider the ethical and epistemological logic of this move and its consequences for the writing of public history. Truth commissions such as the TRC understand themselves to be engaged in a practice of history writing that is inseparable from a humanist project. Writing the truths of past suffering is seen as a way to produce a historical subject who is both ethically and psychologically redeemed, as both a “good” and a “whole” human being. And it is in the confessional that these links between the epistemological, normative, and psychological modalities of the past and present are constituted.

This essay begins with some brief reflections on the idea and genealogy of the genre of the truth commission. These are then extended and applied in a discussion of the South African Truth and Reconciliation Commission (TRC) and the place of confession in it.

**Truth Commissions: A Brief Genealogical Account**

Following the first truth commission in Argentina in 1973, a further thirty-six truth commissions were established—fourteen in Latin America, thirteen in Africa, six in Asia, two in Europe, and one in the Middle East and Northern Africa. Predominantly a phenomenon of developing countries, truth commissions are typically a product of the transition from a violent and authoritarian regime to democratic rule, a transition represented and constituted in the name of a newfound embrace of human rights. These are polities that were previously bitterly and brutally divided and that have sought to refashion themselves as spaces of unity and democratic stability. Here the problem of history writing presented itself in a particular way: how to create the “imagined community” of the new democratic nation on the strength of an account of the past to which previously warring groupings—with disparate, even incommensurate, versions of events—would
now consent. The idea of the truth commission derived from the conviction that truth could unify and reconcile by exposing the horrors that past oppressors had denied or hidden and by then passing resolute and robust judgment on what had gone wrong. The desired historical consensus would rest not only in an unflinching account of the past but also in an underlying ethical narrative of wrongdoing and the imperative of preventing its future recurrence. From this standpoint, truth telling would thus also perform a unifying and stabilizing commitment to the new order of human rights.

There is no single formula for all truth commissions, and there are some significant differences between them.\(^2\) With different political contexts and conditions, they may function openly or behind closed doors; they may be creations of a nation-state, NGO, or international body. The selection and number of commissioners has also varied, as has the scale and time frame of the undertaking. But the genre as a whole has some defining features. All are concerned with uncovering and verifying truths about the violations of human rights during a designated period in the past (in most cases, the recent past); all sit for a limited period of time, with the aims of presenting their findings in the form of an official written report and securing an official public acknowledgment of past violations and the need to prevent their repetition in the future. Typically, the commissioners constitute “a representative moral elite”\(^3\)—an important element in a strategy of building public trust in the commission’s work. Central to their efforts is the process of gathering testimonies from the victims of human rights violations (or those who speak on their behalf); indeed, truth commissions frame their proceedings within a discourse of victimhood and the silences that have attached to it. Individual stories are documented as the core of an official record of a troubled past. Recommendations for some form of reparation (symbolic or material) are usually made. And in most cases, there is also some recognition of, and commitment to, a project of national reconciliation, with truth telling as its instrument. Most truth


commissions have thus sought simultaneously to *commission* and *commemorate* the past.

Truth commissions are preeminently political interventions, often crafted as instruments of political compromise, in bids to stabilize fragile truces in long histories of brutal conflict. Yet this politics rests on a series of epistemological and ethical premises—and it is these that lie at the heart of this essay. How do we account for the emergence of this way of thinking about history, truth, and the project of reconciliation? To put this another way, what were the historical conditions of the possibility of the truth commission?

As I see it, this genealogy is informed by at least three historical trajectories: the politics of “negative commemoration”; postmodern assaults on truth; and the international human rights movement.

*The Politics of “Negative Commemoration”*

One striking feature of the politics of late modernity has been the mounting power of the past in tandem with the waning power of visionary futures. And the inclination to dwell on the past has often taken the form of a confessional encounter with a blighted history. Nancy Scheper-Hughes casts the late modern preoccupation with the past as a “romance with remorse . . . [that] has emerged as a master narrative of the late twentieth century” and that lies at the heart of contemporary meanings of public history. The early roots of this tendency lie in the enormity of the Holocaust and its irrevocable breach of modern teleologies of progress; in the post—World War II moment, the meaning of the past changed profoundly. As Hannah Arendt put it, writing in 1951, “We can no longer simply afford to take that which was good in the past and simply call it our heritage, to discard the bad and simply think of it as a dead load which by itself time will bury in oblivion. . . . All efforts to escape the grimness of the present into nostalgia for a still intact past, or into the anticipated oblivion of the future, are vain.”

Older notions of reason in history gave way to a sense of the past as a site of suffering and ethical transgression—and, more recently, to litanies of trauma and denial.

And the impulse to acknowledge, confront, and repair the damage of the past has intensified accordingly.

One strand of this “politics of regret” takes the form of what Charles Taylor calls “negative commemoration,” which is implanted, he argues, in the late modern politics of democracy in the West. Along with the more familiar and long-standing repertoires of positive commemoration (installing national heroes, building memorials to epic battles, etc.), democratic nation making has also institutionalized various practices of negative commemoration, which craft encounters with brutalizing histories as attempts to set the record straight and atone for the moral violations of the past. As Taylor sees it, negative commemoration is one element of the politics of multiculturalism: strategies of democratic inclusion in the present cannot be effective without efforts to come to terms with the injustices of the past, of which minorities were often victims. Cast in a discourse of shared humanity, negative commemoration is prompted by some recognition and acknowledgment of difference.

Negative commemoration is therefore also associated with a valorization of previously marginal voices, creating moments and occasions for their stories to be told and heard. Individual testimony has become the dominant repertoire for the performance of remorse. The past is fashioned not simply as an aggregation of factual truths of what really happened but also in the conduits of individual memories and their distillation into public history. Being prepared to speak out and acknowledge the pains of the past reconstitutes those once marginalized from history, as its victims, with the right and power to speak. Indeed, the politics of negative commemoration is inseparable from a politics of victimhood and the “victim consciousness” attached to it. Being declared, and claiming the status of, a victim is also a positioning in contemporary political fields of rights and entitlements, obligations and responsibilities.

Truth commissions, then, are occasions wherein negative commemoration can route its discourses and ethical imperatives into the politics of fledgling democracies seeking to come to terms with recent histories of intensely violent and divisive conflict.

11. Taylor, “Justice, Memory and Inclusion.”
Postmodern Assaults on Truth

Philosophically, the idea of truth has never before been as widely and intensely discredited as it has been since the late 1970s. Skeptical critiques of truth telling are not new, of course (many recent variants acknowledge their debt to Nietzsche’s philosophy); but the growing power of postmodern theorizing from the 1980s produced a singularly stinging critique of modern absolutist notions of truth.\(^\text{12}\)
The roots of this skepticism were nurtured both by the flourishing of social constructivist philosophies in the wake of the linguistic turn and by the hermeneutics of suspicion associated with postcolonial critiques of Enlightenment thinking. If the world of experience is textually constituted, claims to knowledge of what lies outside these texts become incoherent, and the pursuit of truth becomes a journey through the circuits of discourse, signposted by degrees of internal coherence rather than claims to correspondence with an objective reality. And if, following Michel Foucault, the production of discourse is inseparable from the exercise of power, then those discourses that generate an absolute, universalizing notion of truth become the locus of a political critique, as the symptom of a will to power: the power to constitute truth on behalf of others.\(^\text{13}\)

With this destabilization of claims to truth has come a comparable rethinking of the idea and practice of history, debunking the figure of authoritative, impartial historians and installing in their place ritually reflexive, self-critical readers of the past, mindful of the pluralities of perspective and the effects of power in the production of historical evidence.\(^\text{14}\) Of course, this is not to say that robust defenses of truth and objectivity in history have not been mounted, nor that the practice of scholarly history writing is not itself profoundly contested—as it should be. Yet it is uncontroversial to claim that one of the most striking features of the practice of


history in recent decades has been the power of historiographies that unsettle the archival canon and its established notions of evidence.

These scholarly philosophical shifts have also seeped into more popular modes of imagination and thought, producing fundamentalist defenses in some quarters—particularly in a theological vein—but perhaps in the main a wide-ranging uncertainty about the prospects for stable, reliable, objective truth. As a consequence, the claim to truth—and particularly under the auspice of a body as official and authoritative as the truth commission—has acquired an epistemological complexity and aura of suspicion that have to be addressed.

The International Human Rights Movement

If the epistemological milieu of the truth commission is in part the late modern argument about the possibilities of truth, its ethical condition is the simultaneous reassertion of, and renewed confidence in, the power of the truth as the basis of virtue and as the bedrock of universal human rights. Since the 1980s—exactly contiguous with the waves of postmodern skepticism—we have witnessed renewed global enthusiasm for, and confidence in, the idea of truth as the basis of justice and stability.

This reaffirmation of the power of truth has been closely linked to the ascendancy of what Heinz Klug calls the international human rights movement from the mid- to late 1980s, linked to new notions of global order and the associated project of democratization. The resurgent power of the discourse of universal human rights has derived in part from its seepage into the project of nation building in developing countries. Since 1989, according to Klug, 56 percent of the 185 member countries of the UN underwent dramatic constitutional changes, and around half of them adopted completely new constitutions, presented as foundational acts—new beginnings of new democracies, linked to new visions of national moral order that represent a radical rupture with the past.

If manifest in new versions of the idea of national integrity, this recent prolif-

15. See, for example, the myriad Web sites that develop and disseminate theological rejoinders to the postmodern diminution of truth, including blog.solagratia.org/2005/11/24/foundationalismrealism-and-the-correspondence-theory-of-truth (accessed May 17, 2007) and www.postmodernpreaching.net/philosophy.htm (accessed May 17, 2007).


eration of constitutionalism is also one of the techniques of international regulation developed after the collapse of the Eastern Communist bloc. Its fundamental article of faith has been the premise that human rights are the indispensable basis of social and political order, and its most fervent missionaries were originally the American and European academic and legal consultants called in to advise on the stabilization and reconstruction of Eastern Europe. The project of postauthoritarian democratization has since produced a new field of study and strategic expertise, based on principles of so-called transitional justice. Its founding axiom is that the shift to a rights-based moral and political order will be more durable and credible on the strength of an open exposé and acknowledgment of the violations of human rights in the past.19 This process of truth telling, in turn, forms the basis of a mode of justice that is more reconciliatory than punitive, based on admissions of wrongdoing and the moral catharsis this affords. In a classically modernist vein, truth has reemerged as the basis of virtue, formulated in the name of that which we all share, our common humanity, as the basis for the ascription of universal human rights.

For the advocates and practitioners of transitional justice, then, the idea of truth becomes the locus of rather high expectations of its rigor, impartiality, and objectivity. Precisely because of the partialities, distortions, and violations of the past, the project of national reconciliation is closely linked to the robustness of the truths invoked in its name. Any whiff of distortion, any hint of lingering bias or suppression, would likely delegitimize the political project to which the project of truth telling is yoked.

The Genealogical Conundrum

The historical crucible of the truth commission, therefore, is inherently paradoxical. Although each truth commission is a situationally specific political intervention, they share a central epistemological and ethical challenge. Truth commissions reinstate a belief in an ambitious project of truth telling and its productive link to a universalizing ethical project, at the very moment that philosophical

and popular doubts about truth have peaked, alongside mounting remorse for the genocidal violence fanned by the past intolerance of difference in the name of authoritarian claims to truth. Truth commissions are therefore charged with having to redeem the modern confidence in the idea of truth as the basis of a morally robust life, in the very act of acknowledging the past excesses—and therefore attendant dangers—of such a project. How then to reconcile the claim to authoritative, objective truth along with the recognition of both the epistemological limits and ethical risks of such a claim?

There are different ways of responding to this genealogical conundrum, and they have produced different sorts of truth commissions. One response is a fundamentalist objectivism, which reasserts the most positivistic, attenuated version of truth as descriptive fact—as if this wholly omits the domain of subjectivity and interpretation from the business of the truth commission. For example, a member of the Palestinian Commission for Citizen’s Rights argued, during an international seminar on truth commissions at Harvard Law School, that “it is very important for these commissions to focus on factual details in order to avoid getting stuck in an interpretative framework. We Palestinians and Israelis exacerbate our conflict by arguing in terms of interpreting history. This involves the denial of factual truth.”

Another response is to embrace the conundrum and allow it to shape the epistemological architecture of the commission itself. Here, the South African Truth and Reconciliation Commission has been a particularly influential model, subsequently emulated in various ways by other truth commissions, such as those in Peru, Sierra Leone, and Morocco. From this vantage point, the necessary epistemological and political condition of the truth commission—the condition of its intelligibility as much as its legitimacy—is a reflexive, soul-searching version of truth telling, one that sheds the hubris of Enlightenment reason. Truth can no longer be formulated as merely a comprehensive, unified assemblage of objective facts; it has become impossible not to acknowledge a multiplicity of perspectives—as personal truths—which coexist with the official, impersonal, and authoritative truth produced by the commission’s rigorous investigations. The contestations and controversies associated with competing versions of the past have to be acknowledged and tested. Not all of them can be comprehensively true,

yet each may contain a personal truth for its exponents, a statement of subjective conviction and perspective that has to be appropriately situated and contextualized. To perform the function of negative commemoration, a truth commission has to achieve a robust objectivity, but on condition of the recognition and synthesis of a plurality of subjective viewpoints and intersubjective encounters.

This has two further implications for the practice of truth telling and its emergent version of the past. First, the engagement with the past will need to acknowledge and accommodate the centrality of individual memory in the production of historical narratives—recognizing memory as the subjective conduit to the past. Drawing heavily on existing repertoires of memory and memorialization in the post–World War II period, truth commissions of this sort must acknowledge the productive power of memory as both “the matrix and the muse”\(^2^1\) of historical truth telling.

Second, if subjectivity and memory now have to find a place in the production of truth, so too does the centrality of affect. One of the ethical imperatives of these truth commissions is to give positive meaning to suffering; indeed, the histories that such truth commissions produce are, quintessentially, histories of suffering. Speaking these histories has an essentially redemptive purpose: to redeem that suffering in its telling and in the contribution of that truth to the production of a new moral order. The truths produced by truth commissions, then, cannot be merely cerebral and disembodied. The subject of history must be as emotional as she is thinking; public history becomes as much a space for the articulation of feeling as for the interrogation of reason.

**South Africa’s Truth and Reconciliation Commission**

If the TRC was one of many that confronted this genealogical conundrum of truth, this commission was the first to deal with it by introducing a public, civic confessional at the heart of its enterprise. The remainder of this essay considers the place and significance of confession in the TRC’s project of truth telling.

*The Place and Project of the TRC*

The TRC was central to the way that South Africa’s transition\(^2^2\) to democratic constitutionalism after 1994 was fashioned, and it should be understood in tan-

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22. I want to distance myself from this term’s teleological uses in some quarters, as though authoritarian regimes inevitably give way to democratic ones, or as if the path to democracy in developing countries necessarily follows a particular type of course.
dem with the epistemological and ethical underpinnings of the country’s interim Constitution of 1993 and reiterated in the Constitution installed in 1996. A strong sense of the country’s history as a litany of damage permeated the way the democratic project was constituted and depicted, and it produced a close conceptual and ethical connection between the ideas of human rights and dignity and the need to set the historical record straight. Thus, the interim Constitution, produced in 1993, was presented as a “historic bridge between the past of a deeply divided society and a future founded on the recognition of human rights, democracy and peaceful coexistence.” The guiding principle in both the Constitution and the TRC was the need to acknowledge the wounds of the past, and the promise of democracy was rendered, first and foremost, as the guarantee of human rights to those denied these in the past and, with that, a restoration of their dignity.

With restoration as its dominant motif, democratization went hand in hand, then, with an ambitious project of “healing”—one that would attend to the damage done to individuals, interpersonal relationships, and the nation as a whole. This was to be the basis of similarly multilayered processes of “reconciliation,” culminating—at least symbolically—in the aspiration to “national reconciliation.” The dominant metaphor of the “new” democratic South Africa as a “rainbow nation” echoed the familiar multiculturalist axiom of unity through the recognition of difference; but it also invoked the notion of ubuntu, to anchor the democratic aspiration in what Mark Sanders calls an “invented memory” of an indigenous ethic that could also serve as an imagined, and shared, future. “Phrased in the Zulu formulation that has become dominant, ‘umuntu ngumuntu ngabantu’—a human being is a human through human beings—the concept of ubuntu was regularly embedded in sentences lamenting its loss.” The nation would be “healed” by recuperating a notion of human mutuality imagined in the past but disabled by the wounds inflicted by the indignities of apartheid.

The TRC was duly appointed by the national parliament in terms of the Promotion of National Unity and Reconciliation Act of 1995 and began its proceedings in 1996. After a five-volume so-called interim report produced in 1998, the final report was released in 2003. The commission’s mandate, as spelled out in the enabling legislation, established clearly that the commission was imagined as an exercise in negative commemoration predicated on an objective and yet multiperspectival rendition of the past, in ways that would enable processes of

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individual and national (psychological) healing and (ethical) reconciliation. The commission was to be an excavation of truth about gross human rights violations in the country between 1960 and 1994, both in regard to individual cases presented to the commission and, more generally, by way of establishing systematic local and national patterns of human rights violations. Nor was the objective simply descriptive; the commission was also expected to produce an analysis of why these violations had occurred, in terms of their “antecedents and causes,” as well as the “motives and perspectives” of both victims and perpetrators. Linked to this was a series of avowedly normative objectives. On one hand, the commission was mandated to “restor[e] the human and civil dignity of such victims by granting them an opportunity to relate their own accounts of the violations of which they are the victims.” And on the other, the commission was also expected to pass a resolute moral judgment on the past in ways that affirmed the values of ubuntu—“recognition of the humanity of the other”—as the basis for processes of reconciliation at individual, group, and national levels. Finally, the commission was expected to consider the case of an amnesty from criminal prosecution for those perpetrators of gross human rights violations who produced a full and truthful disclosure of their past wrongdoings.

Bearing this undoubtedly demanding mandate, and running the risk of inflaming tensions that lingered in the aftermath of the intense political violence of the late 1980s and early 1990s, the TRC had to be a complex and politically charged enterprise. If one of the most ambitious truth commissions to date, it has also become one of the most internationally influential—to the extent of having become a global exemplar of the human rights project and of the role of public history in a supposed project of national reconciliation. Nationally, verdicts on its significance and performance have been somewhat less effusive than those pronounced internationally; yet there has been a widespread recognition that the

25. Controversially, the TRC’s mandate was limited to an exposé and acknowledgment of what were defined as “gross human rights violations” (notably, murder, assault, and torture, including rape), rather than human rights violations across the board, so as to exclude an investigation into the systematic and daily abuses of human rights that informed the everyday practices of apartheid.


TRC was a major milestone in the country’s transition, one that powerfully promoted the rainbow nation motif of Nelson Mandela’s presidency.29

The Recourse to Public Hearings

A large chunk of this international and national impact derives from one critical element in the commission’s range of procedures and performances — namely, its public hearings on gross human rights violations and amnesty. It was these public hearings, televised to millions nationally and internationally, that captured the public imagination and in retrospect, as much as at the time, have become something of a symbolic précis for the TRC as a whole. And it is in these public hearings that the TRC’s confessional — the commission’s “main business of catharsis and expiation”30 — occupied center stage.

The conjunction is not accidental, for it was the performance of confession that gave the TRC its most potent vehicle of public influence, commanding far more attention than the blander, more bureaucratic — even if powerfully revelatory — processes of research and investigation. The commission’s bulky five-volume interim report — comprising over 2,700 pages of text, and the most comprehensive, officially authoritative rendition of its processes and findings — is seldom cited (other than by scholars) and has probably had a minuscule popular readership. The TRC also then published a summary final report, in 2003, but this passed almost unnoticed in the South African public, attracting brief mention in some of the more serious national newspapers but little in the way of sustained public discussion or engagement. It is to the hearings, therefore, that we need to look to understand the most powerful articulation between the TRC and the popular imagination, particularly in respect of imaginings of the power of the past and its supposed transcendence in the practice of individual and national “healing.” And in order to understand the recourse to public hearings and their critical salience in the TRC’s operation, it is necessary in turn to embed the hear-

29. This is not to say that the project, practice, and impact of the TRC were uncontested; indeed, the national controversies surrounding the TRC hold one of many lenses to the major fault lines in postapartheid South Africa. The country’s current president, Thabo Mbeki, who was deputy president during the TRC’s proceedings, was known to have been a powerful detractor, having opposed the TRC’s decision to include the African National Congress in exile within the ambit of its human rights violations exposé.

ings in the TRC’s engagement with what I have called the genealogical conundrum of truth.

Grappling with Truth

The link between truth and virtue lay at the heart of the commission’s mandate: here, the power of truth rested in its capacity to redeem the humanity of both victim and perpetrator, and thereby effect a transcendence of the ethical violations and social breaches of the past. And to this end, it was deemed essential to expose apartheid as an authoritarian regime of truth, as much as of power; to acknowledge and give voice to contending subjectivities; and yet—as the antidote to apartheid’s falsities—produce an authoritatively and legitimately robust, objective, and impartial version of this history. The conundrum of truth telling, in other words, lay at the core of the TRC’s mandate.

Moreover, the TRC was unusually up front and open in its efforts to grapple with this conundrum. Archbishop Desmond Tutu, chair of the TRC, registered his own diffidence about the possibility of a comprehensively authoritative truth, depicting the TRC’s findings as but “a perspective on the truth about the past. . . . It is not and cannot be the whole story.”31 The report’s first volume ventures even more boldly into the founding epistemological dilemma and cites it as a major site of difficulty and contention throughout the commission’s deliberations: “What about truth—and whose truth? The complexity of this concept . . . emerged in the debates that took place before and during the life of the Commission.”32 The first volume of the TRC report went so far as to suggest a typology of four different types of truth to straddle and reconcile subjectivist and objectivist notions of truth. As spelled out in the report, “factual or forensic truth” refers to the “familiar legal or scientific notion of bringing to light factual, corroborated evidence, of obtaining accurate information through reliable (impartial, objective) proceedings.”33 Next came “personal or narrative truth,” which refers to “the validation of the individual subjective experiences of people who had previously been silenced or voiceless.”34 Third was “social truth,” defined as “the truth of experience that is established through interaction, discussion and debate.” This is said to be achieved by “trying to transcend the divisions of the past by listening carefully

34. TRC Report, vol. 1, chap. 5, paragraphs 36, 37.
to the complex motives and perspectives of all those involved”—a process that “could not be divorced from the affirmation of the dignity of human beings. Thus, not only the actual outcome or findings of an investigation counted. The process whereby the truth was reached was itself important because it was through this process that the essential norms of social relations between people were reflected.” Finally, there was “healing truth”—a rather vague concept originating in a rejection of the “popular assumption that there are only two options to be considered when talking about truth—namely, factual objective information or subjective opinions.” Healing truth became necessary because “it was not enough simply to determine what happened. Truth as factual, objective information cannot be divorced from the way in which this information is acquired; nor can such information be separated from the purposes it is required to serve.”

I have argued elsewhere that this rather creaky conceptual grid does not bear the weight of critical scrutiny. But for the purposes of this discussion, the interest of this typology is as evidence of an explicit attempt to link the production of public history to the recognition of both the inadequacy of a purely objectivist notion of truth and the need for a version of the past that was robust and impartial, yet simultaneously emotionally and subjectively rooted, on the one hand, and socially constituted, on the other.

This typology was introduced into the TRC report relatively late in the day, as a retrospective attempt to formalize and theorize the ways in which the TRC process had tried to grapple with the conundrum of truth. More interesting, and certainly more formative, was the prospective effort to deal with it—through recourse to the performance of confession, installed at the heart of the TRC’s public hearings. As Tutu put it in the foreword to the TRC report, “the key concepts of confession, forgiveness and reconciliation are central to the message” of the TRC process.

The TRC was the first truth commission to institutionalize public hearings, which straddled both so-called perpetrator and victim hearings. The victim hearings represented a relatively small, but hugely prominent, facet of the work of

38. Personal communication from Madeleine Fullard, one of the TRC researchers who contributed to the written report.
the TRC’s Gross Human Rights Violations Committee (created to deal with the many thousands of claims of gross human rights violations presented to the TRC for investigation and acknowledgment); the perpetrator hearings were convened under the auspices of its Amnesty Committee (created to investigate the extent to which perpetrators who appeared before the TRC had given full disclosures of their role in gross human rights violations and, on that basis, to consider the merits of their claims to amnesty). In each case, the hearings provided a platform for the narration of personal stories, subject to the oversight and expertise of the commissioners convening the hearings, and with audiences comprising a mix of people from local communities and farther afield, as well as national and international NGOs, politicians, erstwhile activists, and media (national and international, including global TV networks).

There were some obvious differences between the victim and perpetrator hearings, some of which derived from the emphasis in the victim hearings on authenticating personal testimonies of suffering that were narrated. Yet to stop here and not to examine the sense in which all hearings shared a confessional logic would be to miss what I see as a critical element of the TRC’s performance—the key, in fact, to its ethical project. For the purposes of this essay, I understand confession as a process of avowal and acknowledgment in matters of the self. Confession therefore entails a real or imagined audience as the precondition of the acknowledgment that enables an expiation or liberation from silences of the past. As Michael Peters puts it, “In confessing, one is subjectified by another, for one confesses in the actual or imagined presence of a figure who prescribes the form of the confession, the words and rituals through which it should be made, who appreciates, judges, consoles and understands.”

I wish to treat both victim and perpetrator hearings as confessional in the sense that they both created opportunities for the public declaration, acknowledgment, and scrutiny of some sort of inner damage—whether pain, trauma, or guilt—regulated by the listening and questioning role of those experts to whom the confession was made, and with the offer of some sort of transcendence.

The pervasiveness of this confessional impulse throughout the TRC’s hearings derived directly from the fundamental ethical premise of the national reconciliation process. Archbishop Tutu, who headed the TRC, put it thus: “There is not a single person who has not been traumatized by apartheid—even the perpetrators.

We have to pour balm on tortured souls.” Or, again, “Our land needs healing. . . . We are wounded people, all of us.” In the words of then-president Nelson Mandela, “all of us, as a nation that has newly found itself, share in the shame at the capacity of human beings of any race or language group to be inhumane to other human beings.” Hence the TRC’s insistence on investigating gross human rights abuses across the board, including those committed within the liberation movements. This was not a version of history in which the propensity to wrongdoing was restricted to one side of the country’s racial divide, nor simply to the role of the apartheid state. The TRC report made unambiguously clear that this did not entail a leveling of wrongdoing in the imposition of, and resistance to, apartheid; apartheid was judged a crime against humanity in ways that recognized the gross human rights violations committed by apartheid’s perpetrators as a different order of ethical transgression from those perpetrated within the liberation movements. Still, the commission’s abiding version of events was that the apartheid system brutalized its victims and perpetrators and that setting the historical record straight was a matter of exposing the ethical transgressions and complices across the society at large.

In the aftermath of apartheid, therefore, all were damaged; there could be no position of absolute moral purity or innocence. Nor was victimhood a position of passivity; the damage could be repaired, not as a matter of external reparation alone, but also—indeed, primarily—through the interior work of rehabilitation, rooted in the act of speaking out and in the capacity for compassion for those responsible for the suffering. The TRC’s public hearings performed this mutuality of damage, and hence the shared need to be healed. When victims wept in the retelling of past traumas, or their mothers telling their stories wept, the message to the TRC’s audience was that these victims needed healing too, as did the perpetrators of horrendous acts of brutalization. And herein lay the TRC’s own efforts at ubuntu: a performed mutuality of respect, compassion, and dignity.

This relationship between the performance of confession and a mutuality of suffering therefore also underlines the notion of the person that underpinned the TRC’s project—in line with the ethical imperatives of negative commemoration. This was not the rational, deliberative subject historically associated with the elaboration of liberal democracy—or, more recently, with Jürgen Habermas’s


version of the public sphere. The TRC—like several other truth commissions of similar ilk—invoked a version of the historical subject steeped in emotion and damaged by past suffering. Not a dismissal nor a marginalization of the propensity—and aspiration—to reason, human mutuality in the TRC’s recourse to confession was nevertheless not exclusively a matter of reasoned communication. A sense of shared humanity was evoked largely within a space of affect and the recognition of a shared history of damage—as the ethical habitus in which more reasoned connections could be found.

The TRC’s Version of Confession

The practice of confession has a long and varied history, both religious and secular. The TRC’s confessional was a hybrid that corresponded to the commission’s blending of church, court, and couch: the version of confession that animated these proceedings was an amalgam of Christian, legal, and therapeutic elements.

The hearings were framed by a Christian ethos of forgiveness, personified by the chairperson of the TRC, Archbishop Tutu, always resplendent in the purple robes that served as a constant reminder of his high clerical office. Other commissioners had secular histories and identities, but it was often Tutu who provided a visual précis of the commission and its deliberations; and the daily rituals and imagery of the commission in the media foregrounded his persona as a prominent member of the church, a man whose Christian teachings and beliefs had always underpinned his personal history as an outspoken activist and moral exemplar during the antiapartheid struggle. The hearings began with rituals of prayer and the lighting of candles. When Tutu embraced a victim or wept during the telling of harrowing stories of pain and suffering, it was a mark of the depth of his compassion as a Christian; his version of the commission’s humanist aspirations was never severed from a religious sensibility.

The Christian iconography of the hearings blended with signifiers of more secular, quasi-judicial rituals of giving evidence. The TRC made explicit its intention not to reduce the hearings to the combative or confrontational encounters that characterized legal trials; at the same time, the hearings were not merely venues for unmediated witnessing of victims’ testimony. The hearings were to be a supportive and enabling forum for the narration of traumatic personal stories—but with the intention of verifying these stories as much as authenticating them, and with the goal of enacting the experience of repentance (in the case of the perpetrators) and forgiveness (in the case of the victims). Prior to each hearing, the researchers within the relevant investigative bureaucracies were responsible for
investigating the pending case so as to equip the commissioners with information pertinent to a process of inquiry and cross-checking, alongside the activity of listening and validating the pain of the experiences. The commissioners were thus assembled behind a table, sometimes on a podium or stage, signifying their separation and elevation as both arbiters of truth and witnesses to authentic testimony. Careful attention had been paid to establishing the commissioners’ legitimacy as a body of people with impeccable moral credentials and expertise—people who could be trusted to listen impartially and carefully, with the sort of gravitas and reason expected of a judge.

Alongside these dual semiotic registers of church and court, arguably the most powerful and pervasive repertoire of confession that informed the TRC’s public hearings was the secular therapeutic confessional that has become common sense in the modern politics of the self. As Foucault has argued, secularized disciplines of confession have played a central role in the production of a modern sense of self and in its practices of individuation.43 Revelations of the “truths” of inner experiences—to a parent, friend, teacher, doctor, or therapist or to oneself—have come to be understood as an integral part of the practice of self-knowledge, closely linked to the practice of taking good care of oneself. This willingness to expose the secrets of experience allows that private space to be constituted as a site of truth, by way of the scrutiny of responsible, empathic others. This in turn redeems the prospect of an integrated self—a self at once reconciled to itself and comprehending of itself (as two elements of the same process). The modern secular version of confession produces, in the capacity to redeem an inner “wholeness” through the subjection of inner frailty or damage to some sort of expert scrutiny, a counterpart to Christian forgiveness and expiation.

Foucault recounts the genealogy of these processes from the eighteenth century largely through institutions such as the hospital, therapy, and school, as well as in confessional modes of writing, such as diaries. In contemporary societies, these techniques of the self are equally powerful in genres of global popular culture, of which the talk show and the myriad self-help manuals are among the most notable. By now, in many societies where the power of Western cultural forms is marked, the idea that “speaking is healing”—that the way to deal with any inner emotional turmoil, frailty, or damage is to talk about it—has entered the domain of common sense, as has the presumption that untold inner pain is inevitably damaging and that in order to “heal,” one must expose the pain and

thereby—in conversation with an empathic and expert listener—acknowledge and comprehend it.

In Foucault’s writings, the power of the confessional technique of the self is linked to practices of secularization: these are modes of confession from which God has been evacuated. But arguably this overstates the bifurcation of religious and secular. Even if references to God as the purveyor of redemption were erased, the enthusiasm for confession has invoked a notion of truth that has retained the revelatory elements associated with the workings of faith: as an experience of insight, self-validating in its intensity and power to move. In the case of the TRC, it was this hybrid faith in the healing power of the revelation of inner truths that shaped the performance of confession in the public hearings.

*The Performance of Confession*

This underlying premise and purpose of the TRC’s public hearings was prominently displayed, writ large in the posters that decked the walls of the venues for the hearings: “Healing is speaking.” And the hearings were actively fashioned in line with this injunction—to ensure, as far as possible, a performance of authentic speech, as emotionally sincere as it was rationally persuasive.

The confessional imperative shaped the ways the hearings were crafted and conducted. The public hearings on gross human rights violations comprised a small fraction of the number of such claims processed by the TRC (around 10 percent of the nearly 22,000 victim statements). So the cases heard in these hearings had to function as an appropriately representative sample of the whole—but only symbolically, not statistically. This occurred in two ways. The people performing in the hearings had to instantiate the demography of the rainbow nation, in an appropriate mix of race, gender, and political affiliation, and the violations of which they spoke had to be rendered as exemplars of wider patterns of abuse. As a result, a tension had to be managed, between giving sufficient time and attention to the individual stories—which the restoration of individual dignity required—and using these narratives as vehicles of a wider-ranging performative imperative. In the perpetrator hearings, the goal was a disclosure of wrongdoing culminating in a recognition of, and apology for, the suffering inflicted. In the case of the victim hearings, the overriding moral message was the preparedness to forgive, as individuals and as a nation; in the case of the perpetrator hearings, their public function was to perform the catharsis of an apology—once again, on behalf of the nation as a whole. The mere recitation of gross human rights violations inflicted, without the acknowledgment of wrongdoing, would have
been inadequate. In both cases, individual confessions were intended to produce redemptive catharses on behalf of the nation as a whole. So in both cases, the performance of confession was actively directed by the commissioners, who encouraged—sometimes more forcefully induced—the victims to keep to the script of speaking their pain and then seeking “reconciliation” and urged the perpetrators to admit their wrongdoing in order to apologize and repent.

Some confessors were more compliant than others, but the dominant message performed by the hearings enacted a particular version of the modern confessional: speak out, unburden yourself of the pain you have been carrying all these years; you will be released from it and thereby healed—provided you demonstrate your humanity as someone with the capacity to repent and forgive. For both victims and perpetrators, therefore, confession was represented as a journey to wholeness—a transcendence of inner damage—that enacted the reconstitution of the self, both psychologically and ethically. The urging to repent and forgive was also an injunction to perform the mutuality of respect and compassion that undergirded the desideratum of ubuntu.

These performances of confession were also scripted by readings of difference, particularly the question of race, that enacted the country’s new democratic politics of nonracialism. The hearings constituted a racially unified public space—already a significant rupture with the apartheid past, when publics had been racially segregated. And the racialized hierarchies of authority and status of the past were also erased. Most (although not all) of the perpetrators were white, most (although not all) of the victims were black. The redemption of suffering was also a recuperation of the dignity of blackness following the systematic racist humiliations of apartheid. And in the recognition of shared fallibilities and propensities for compassion and forgiveness, across the boundaries of race, the hearings set out to perform an imagined national community that straddled these differences in the name of a shared humanity.

**Conclusion: Revisiting the Conundrum of Truth**

I have argued that the idea and performance of confession was central to the enterprise of the TRC in epistemological, ethical, and psychological ways—each a product of the conundrum of truth associated with its genealogy. Its epistemological centrality was twofold. First, a confession promises an appropriate type of truth: one that is party to, and indeed premised upon, inherently subjective and inevitably limited individual accounts of the past—yet which, on being publicly told, can be subjected to open and verifiable processes of interrogation and cross-
referencing. Second, a confession affirms the emotional content and power of truth. As a mode of knowledge, a confession is a story saturated with emotion: a full confession is a heartfelt one — as compared with a mere rational and detached recounting — and yet offered up to the prospect of expert and potentially objectifying interrogation.

The ethical centrality of the confessional derived from the admission of moral frailty, which is ultimately humanizing. If everyone is fallible, if everyone has suffered and is capable of inflicting suffering on others, then these frailties and flaws become the markers of our shared humanity — the ethical currency of a post-Holocaust humanism. The truth commission’s confessional redeems a particular version of our shared humanity: not as the enlightened rational mind, but in a shared fallibility, on one hand, and the capacity for compassion, on the other — or what Rita Barnard refers to, in another context, as “an ethic of emotional similitude.” In order for truth commissions to make restorative truth claims in the midst of the abuses inflicted by harmful claims to truth in the past, their histories must be quintessentially histories of suffering and its redemption: finding meaning in the pain, in the conviction that full disclosures of the mistakes of the past and the damage they have inflicted will excise them from the future.

Psychologically, confession was proffered as the critical basis upon which individual victims and perpetrators would supposedly heal, reintegrating those parts of their selves that were damaged in the past, through their exposure to the scrutiny and embrace of those to whom the confessions were made.

So the TRC was fashioned to offer venues for public confessions that had the authority to inspire trust, that were supported and enabled by compassionate empathy, and yet that were disciplined by rigorous cross-examination. They were simultaneously spectacles of authenticity — valorized as opportunities for an emotionally charged, supportive, and liberating moment of personal truth and catharsis — and sites of sober, robust interrogation — submitting personal versions of events to the rigor of cross-examination (albeit not in the aggressive, combative style characteristic of a legal trial).

Yet how much of this confessional script produced the desired reconciliatory effect? How persuasive were the versions of individual, social, and national healing that saturated the TRC’s deliberations, as much as they informed the constitutional version of South Africa’s transition from apartheid?

The TRC’s public hearings have received wide-ranging scholarly and popular

criticism. For example, some of those selected to tell their stories found the experience unsatisfying either because the desired catharsis was absent or because they were forced to summarize or edit stories they had wanted to tell in full or because the imperative of forgiveness toward perpetrators remained unpalatable. Others have criticized the normative framework of the hearings, spurning its confessional logic and declaring the fallacy of treating nations as individuals, for whom speaking is healing—or disputing the confessional axiom itself.45

There is good reason for skepticism at the prospect of psychological and national “healing”—particularly in respect of “the nation”—in a forum as staged and transient as the TRC’s public hearings.46 Yet to confine an evaluation of the significance of the hearings to this issue seems to me to miss the more ethically profound, and politically significant, aspect of the TRC’s confessional: the commission’s recognition and declaration of the legacy of apartheid as a mutuality of damage, and a version of victimhood that denied anyone a position of moral purity or innocence. As discussed earlier in the essay, a discourse of victimhood has been integral to the genre of the truth commission and, more generally, to the politics of negative commemoration. If public history is anchored in the testimonials of victims represented as moral innocents—as in the Australian case discussed by Bain Attwood in this volume, for example—then there can be little rejoinder, only a respectful listening. The TRC’s confessional opened up a space for more of an argument about history, and a reading of the complicities of historical agency (even if the commission itself had little to say on the subject).

National reconciliation is an elusive, long-term project, as the TRC well realized. As I write this, in 2007, discourses on “the rainbow nation” and “national reconciliation” have receded; the terms already sound a bit quaint, reminders of an earlier historical moment. Scholars and commentators will need greater historical distance before being able to pronounce on the import and legacy of the TRC. But it may be that as the years pass, the TRC will look increasingly like a remarkable—if flawed—intervention, a historic opening in a political transformation that is increasingly dominated by a less inclusive, more racialized version of the new South African nation.

46. The TRC itself acknowledged that the desired “healing” would be a long process in which the commission’s work was merely a beginning.