

Memory Shards: A Site of Hope in post-Apartheid South

Africa

Nicholas Allen

Massey University

*There is no forgiveness without memory, certainly, but no forgiveness is reducible to an act of memory. To forgive is not to forget, above all not to forget.
(Derrida 2002, p. 382)*

*These fragments I have shored against my ruins.
(Eliot 1963, p. 69)*

The need for a shared narrative-account of South Africa's past is a theme seen in Desmond Tutu's memoir, No Future Without Forgiveness, and in the Truth and Reconciliation Commission (TRC) Report. Tutu stresses the need for an understanding of the past if forgiveness and national reconciliation are to occur. This sentiment also underpins the TRC's mandate to create a national narrative that explains the 'antecedents, circumstances, factors, and context' leading to the human-rights violations that took place (Tutu 1999, p. 55). However, obtaining the 'truth' about the past through the (narrativised) testimonies of victims and perpetrators alike, naturally gives rise to questions regarding the nature of truth. Engaging Miroslav Volf's and Paul Ricoeur's concepts of memory, forgiveness, and narrative, I will argue that Tutu failed to consistently account for the narrativisation of victim and perpetrator testimony. I will then consider Volf's injunction to 'remember rightly' through ethical remembrance (2006, p. 11). This approach offers a site for reconciliation to take place, as victim and perpetrator come together in dialogue, recognising the human propensity to distort memory and their need for the other, to create a shared and reconciliatory account of the past.

Introduction

It is significant that Tutu's autobiography, *No Future without Forgiveness*, was published just over nine months after the release of the *Truth and Reconciliation Commission of South Africa Report*. Principally concerned with the TRC and his experiences with the TRC (Brooks 2001, p. 401), Tutu articulates the rationale behind the theological and philosophical underpinnings of the Commission and elaborates on a number of the issues and themes central to the *TRC Report*, notably concerns to do with truth, memory, and reconciliation. From the outset, he stresses his dual ambition for South Africa: that the nation's people will be reconciled (1999, p. 5) and that this reconciliation would be facilitated through the recovery and articulation of *the truth* about the past. Tutu writes of his hope for a future where people work, 'black and white together' (1999, p. 8), to create a reconciled 'rainbow nation' (1999, p. 64). He contrasts this future hope with the reality of past atrocities committed during the Apartheid era and powerfully notes the impassioned pleas of some for greater knowledge about the shrouded past: 'We do want to forgive but we don't know whom to forgive' (1999, p. 149).

Tutu's premise is clear: national reconciliation relies on forgiveness (without which there is no future), and forgiveness turns on knowledge of the truth—knowledge that enables understanding and even empathy. Arguing for the relationship between truth and reconciliation—'forgiveness will follow confession and healing will happen, and so contribute to national unity and reconciliation' (Tutu 1999, p. 120)—Tutu writes of his hope that the TRC would 'establish *the truth* in relation to past events, as well as the motives and circumstances' (The Promotion of National Unity and Reconciliation Act 1995, pp. 1995 Preamble, emphasis added). Through the promise of amnesty and reparations, the TRC's aim was to document 'as *complete a picture as possible* of the gross human rights violations that occurred in [South Africa] as a result of the political conflict of our past' (Tutu 1999, p. 79, emphasis added).ⁱ This more 'complete ... picture', to be captured in official documentation, would provide a new narrative-history for the nation. The aim is laudable, but highly problematic, of course. On what grounds could 'the truth' be established?ⁱⁱ And whose truth would it be? What of the truths of victims now dead or otherwise silenced? What might compel perpetrators of gross human rights violations to speak truthfully about their past actions? The answer to this last question, not without (continued) controversy, was the promise of amnesty for perpetrators of politically motivated crimes who told 'the truth'. The TRC thus embarked on a series of hearings in which perpetrators, victims, and survivors could 'tell *their* stories in their own words' (Tutu 1999, p. 26), for the purpose of national healing and reconciliation. Crucially, this approach opens the possibility of slippage between 'truth' and (personal) story through the act of telling, confession or testimony.

With the nation's future hanging on 'the truth' obtained by the TRC as the 'only ... basis' (Tutu 2011, p. 47) for reconciliation, significant questions arise regarding the ethics of remembering, forgiveness, condemning (instead of condoning), empathy, and, indeed, the very nature and possibility of remembered and articulated "truth" in the context of trauma and traumatic recollection. In evaluating the success of the TRC's venture and Tutu's philosophy, much rests on the troubled relationship between 'truth' and (testimonial or confessional) 'story'—two words which are at times used interchangeably in the multiple documents that issue from the TRC. In what follows I will examine the nature of the slippage between (subjective) testimony and (ostensibly objective) 'truth' and suggest that this slippage provides the opportunity for *rightly remembering*, leading to forgiveness and reconciliation. However, I argue that Tutu's and the TRC's failure to maintain the crucial distinction between testimony and "truth" in the *TRC Report*, together with certain consequences of the offer of amnesty, may in fact have inhibited the creation of a shared narrative-history and so, reconciliation.

South Africa's Approach to Truth and Reconciliation

Tutu and the members of the TRC were well aware that truth is highly contestable, particularly in a nation wracked by violence, trauma, and revenge, and in a forum where personal testimony was elicited from violators while many victims—dead or disempowered—were unable to articulate their version of events. In the first volume of the *TRC Report*, in a section titled 'Truth', two crucial questions are raised: 'what about truth—and whose truth?' The report notes the 'complexity of this concept' as shown in debate and the varied notions of truth that might be appealed to or defined (1998, p. 1: 110). There is a significant problem when appeals to truth are based on traumatic memory, second-hand accounts, and survivor witnessing of events and experiences. The effects of trauma on memory are widely acknowledged and are certainly relevant to the search for a picture of the past in the South African context, as suggested by Judge Ismail Mahomed, former Chief Justice of South Africa:

All that often effectively 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. (cited in Tutu 1999, p. 25)

The gap between traumatic memory and 'objective and corroborative evidence' is not limited only to the recollections of the victims or their survivors. In *Country of My Skull*, a largely autobiographical account of the TRC hearings, Antjie Krog describes the examination of a perpetrator in one of the hearings. When confronted with the alleged crime, the perpetrator 'denies it, over and over' (Krog 1999, p. 117) and, claiming memory loss resulting from trauma, seems genuine in his pleas, leaving Krog to wonder 'how to distinguish between lies and memory loss?' (Krog 1999, p. 117). Krog's struggle with the distinction

between genuine amnesia and wilful forgetting cuts to the heart of questions about the (im)possibility of forgiveness (and so of reconciliation in Tutu's terms), as powerfully explored in the later work of Paul Ricoeur and Jacques Derrida.

The disparity between the testimonies given by perpetrators and victims is an issue Tutu was well aware of and one that the TRC did not take lightly. Charged with the task of presenting a report 'based on factual and objective information and evidence collected or received' (The Act s.4: e), and yet aware of problems surrounding memory, testimony, and truth, Tutu acknowledges the existence of what he calls 'different orders of truth' (Tutu 1999, p. 26). Tutu lists four types of truth: 'factual forensic truth' that is verified and objective; narrative or 'personal truth', the truth of Judge Mahomed's 'wounded memories'; 'social' or dialogue truth, 'the truth of experience that is established through interaction, discussion and debate'; and restorative or 'healing truth' (1999, p. 26) that 'places facts and what they mean within the context of human relationships' (TRC 1998, p. 1: 114), thus restoring human dignity, as Anthea Jeffery, consultant to the South African Institute of Race Relations, points out (1999, p. 69). Tutu's distinct but connected 'orders of truth' ostensibly hold the key to resolving the conflicting testimonies given in the course of the hearings, allowing Tutu and the TRC to see through the disparate perspectives—the 'myths' and the hearsay—to document, if not a wholly 'factual and objective' account of the human rights violations of South Africa's past, then 'as complete a picture as possible'.

However, wanting the process of 'telling one's story' (Tutu 1999, p. 164), to be cathartic, Tutu desired to spare South African victims from the often traumatising and 'insensitive' (Tutu 1999, p. 116) experience of cross-examination. Susan Gallagher, invoking Martha Minow, suggests that 'truth commissions [per se] presume that telling and hearing truth is healing' (cited 2002, p. 304), and thus the TRC 'pursued a therapeutic rather than [a strictly] legal goal' (2002, p. 304). In consequence, Tutu championed a 'victim centred' (Jeffery 1999, p. 69) approach, resisting 'the request of alleged perpetrators to subject [victims] to ... cross-examination' (Tutu 1999, p. 116). As a result, the TRC was less able to discern which 'order of truth' was at work in a victim's testimony—whether personal, social, restorative, or factual truth, for example—and so tended to accept most as factual; at the very least, 'untested allegations' seemed to become fact by virtue of being published (TRC 1998, p. 5: 440). Indeed, this was the complaint of one of the Commissioners, Wynand Malan, who expressed concern over the fact that the distinction between the different types of truth so carefully established at the start of the hearings '[was] not sustained' and 'all [was] accepted as evidence, an ingredient of the factual truth' (TRC 1998, p. 5: 442), even with regard to the attribution of responsibility for gross human rights violations in perpetrator and victim statements alike. Thus, by failing to adequately apply the mechanism that would account for the slippage within testimonies, that is, identifying the four categories of truth, the TRC's approach was unable to close the gap between the past, as it happened, and

testimony, undermining the TRC's recreated 'picture' of the past as a means or tool by which to create a new South Africa.

This inability is problematic also for the fact that the TRC was arguably established to function as a *reconciliatory* body, with reconciliation to be achieved through *understanding*, if not also (perpetrator) confession and (victim/survivor) forgiveness. Tutu notes that forgiveness, and by extension reconciliation, 'involves [victims and survivors] trying to understand the perpetrators and so have empathy, to try to stand in their shoes and appreciate the sort of pressures and influences that might have conditioned them' (1999, p. 271). For this reason, Tutu endeavoured to create a 'safe and inviting' (1999, p. 117) forum in which victims and perpetrators could voice their perspectives and grievances, 'uncovering existing facts about past abuses' (TRC 1998, p. 1: 112). In the foreword to the *TRC Report*, he writes that the TRC 'had to provide the space within which victims could share the story of their trauma with the nation' (1998, p. 1: 2), for the purpose of creating a collective 'narrative truth' that 'gave meaning to the multi-layered experiences of the South African story ... [and] capture[d] the widest possible record of people's perceptions, stories, myths, and experiences' (TRC 1998, p. 1: 112). It was hoped that as the TRC worked toward 'as complete a picture as possible' and engaged the South African public in this process by televising the hearings, the process of 'listening', 'consider[ing]', and comparing would allow the nation 'to transcend the divisions of the past' (TRC 1998, p. 1: 113), not least through the process of understanding the other and his or her motivations and contextual drivers. For this reason, dialogue and the telling of one's story to one(s) who listen, and seek to understand, was central to Tutu's approach, as a means of healing and reconciliation.

Tutu situates his discussion on forgiveness and reconciliation in the context of an *ubuntu* community (1999, p. 31). Tutu defines *ubuntu* community as one that forgives, rather than seeks revenge for past actions, because it recognizes that each person's 'humanity is caught up, is inextricably bound up' in the lives of others (1999, p. 31). Playing on the famous Cartesian maxim, John Mbiti describes *ubuntu* as, 'I am because we are, and since we are, therefore I am' (cited in Krog 1999, p. 166). By recognising that they belong to and exist within community, it is argued, people show an openness to the other and otherness (perhaps more in a Levinasian than Derridean sense) through adopting an attitude that is 'welcoming, hospitable, warm and generous, willing to share' (Tutu 2004, p. 26).ⁱⁱⁱ In such a community, Tutu suggests that a person is able to be 'open and available to others, affirming of others, ... [because] he or she has a proper self-assurance that comes from knowing that he or she belongs in a greater whole and is diminished when others are humiliated or diminished, ... or treated as if they were less than who they are' (1999, p. 31). It is in this spirit of radical openness to the other that dialogue, bilateral understanding, and the dialogic act of forgiveness, can take place. The implication of such a notion is significant because if the existences of all people form an 'interwoven fabric of social,

economic and political relationships' (Murithi 2006, p. 29), such that the actions of one toward another affects all others, then, as Tutu notes, it is in the nation's 'best interest' to enter that dialogue, extend forgiveness, and be reconciled, otherwise there can be 'no future' (1999, p. 165). By placing forgiveness and reconciliation within the context of *ubuntu* community, Tutu asserts that his 'central concern is ... the restoration of broken relationships, a seeking to rehabilitate both the victim and the perpetrator' (*No Future*, pp. 54-55). Further, he argues that the act of restoration, when achieved via dialogue, works on both the perpetrator and victim simultaneously. In this respect, Tutu's placement of rehabilitation and restoration within an *ubuntu* context seems to imply an imperative for the dialogical acts of telling and listening as the means of securing interpersonal understanding. However, such an imperative also opens the door to the kinds of (narrative and interpretative) slippages discussed above, and so, paradoxically, also threatens to undermine a future characterised by forgiveness and reconciliation.

There has been a great deal of criticism of both Tutu and the TRC's approach in many disciplines: political theory and philosophy,^{iv} human rights,^v literary criticism,^{vi} and theology.^{vii} Of these responses, the challenges posed by Miroslav Volf in books such as *The End of Memory: Remembering Rightly in a Violent World* (2006) and *Exclusion and Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation* (1996) are of particular interest for the purposes of this essay and the questions raised so far. Like Tutu, Volf's impulse for writing about forgiveness and reconciliation springs from his personal experiences as a victim of racial and religious conflict, both as a Croat in the Serb-Croat conflict and as a Christian in Soviet Yugoslavia. Volf, ostensibly sharing Tutu's Christian framework, writes of his struggle with the tensions arising from a personal desire for justice, the Croatian national narrative that demands total 'loyalty' and the ostracising of Serbians (Volf 1996, p. 16), and the New Testament call to 'embrace our enemies as God has embraced us in Christ' (Volf 1996, p. 9). Acutely aware of the limitations of his (traumatised) memories of past abuse, Volf examines the troubled relationship of memory with testimony and truth, particularly with regards to reconciliation. He then describes and develops his notion of 'remember[ing] rightly' (2006, p. 11), as a way of approaching an idea of 'truth' that encourages reconciliation despite (or even because of) the acknowledgement of narrative/interpretative slippage and the failings of memory.

Volf and the Problem of Memory

It goes without saying, perhaps, that one of the primary limitations of memory (as a means of recovering 'truth') is that memories are, fundamentally and intrinsically, accounts of *past* events. Thus (memorial) testimonies are descriptions of actions and events that do not unfold in the present but are re-collections inevitably mediated by the present context of our often-flawed perceptions, finite

understandings, and tainting emotions. Quite simply, as Volf writes, 'there is a temporal distance between my present self and my former seeing and intending' (1996, p. 45) causing us to have to 'remember' (Volf 2006, p. 45) an event by constructing a mental approximation to the original, but within the context of our present perspective. Paul Ricoeur, in his major final work, *Memory, History, Forgetting* (2004), similarly suggests that the 'relation between the absence of the thing remembered and its presence in the mode of representation' (2004, p. 58) is what makes personal and collective memories fundamentally vulnerable to abuse. Given this openness of memory to abuse—in the Ricoeurian sense that memory can be pathologically wounded or politically manipulated (2004, pp. 68-69)—and the human propensity to abuse it, not least in instances of trauma or recalled wrongdoing, Volf's conclusion seems valid: 'memory of wrongs suffered is from a moral standpoint *dangerously undetermined*' (2006, p. 34). Here he highlights the ethical responsibilities at stake in memory and recollection, as well as the hazards associated with testimony's troubled relationship with past action.

While Volf is not alone in suggesting that memory and remembering are often tenuously related to truth, being both selective and limited, vulnerable to the manipulation of emotion and desire,^{viii} his understanding of the abuses of memory and its ethical implications are important for this discussion in at least three ways. First, 'remembering' is always limited by the rememberer's subjective perspective at the time of recall, and, of course, by that which is unconsciously 'blocked', or forgotten, and thus rendered null or absent. This is true of even the most mundane acts of memory which are unwillingly, but of necessity, incomplete and partial because of human beings' own finitude—as Paul Ricoeur also establishes.^{ix} This incompleteness and partiality is compounded by trauma, as Judge Ismail Mahomed notes in the passage quoted above. Indeed, in the case of testimony by those who are traumatized, the slippage between 'memory' and the actual events might better be described as an unwilling forgetting or, as Ricoeur calls it, 'blocked memory' (2004, p. 69). Acknowledging such human limitation, Volf concludes that 'our knowledge of the world will always be fragmentary' (1996, p. 243), barring us from knowing the 'pure facts':

We have no access to the 'pure facts' and we are incapable of reconstructing strictly objective narratives of what actually transpired. The lure of 'mimetic realism'—the belief that our statements can correspond exactly to reality—must be resisted; the notion that we can hold a mirror to the past and behold in it 'pure facts' must be rejected. ... To presume otherwise is not only naively mistaken but positively dangerous. (1996, pp. 243-44)

In consequence, if as Derrida penetratingly remarks, 'to forgive is not to forget, above all not to forget' (Derrida 2002, p. 382), then the vulnerability of memory, human limitation, and the slippage within testimony, resulting from the inevitable forgetting of the 'pure facts',

make forgiveness and reconciliation extremely difficult if premised on testimonial recall.

Second, Volf notes our tendency to distort or misrepresent the memory of ourselves. We all have a subconscious (and even conscious) desire to appear in the best possible light. As a result of this, we often imagine and re-imagine negative situations—dismembering and remembering them—*imagining* how we could have done things differently. Eventually, with increasing temporal distance from an event, these reconstructions can replace the actual memory of the event. Krog writes of an alleged perpetrator's denial of culpability, noting 'to reconstruct your memory, to beautify it, is an ordinary human trait' (1999, p. 117). Volf also suggests that the 'beautifying' of memory might be motivated by the desire to minimise or even absolve our guilt. In consequence, if trauma results in unwilling forgetting, the desire for absolution can lead to a motivated forgetting or remembering, conscious or otherwise, and result in our 're-interpreting the moral significance of [our] actions' (Volf 1996, p. 80), particularly in an effort to elicit 'understanding' and exculpation.

Sharon Lamb argues that what is at stake in such instances of reinterpretation is a refusal of (moral) responsibility for one's past behaviour: 'It is well established that perpetrators rarely take responsibility for their acts; they deny their offences. Even those perpetrators who do admit to them initially have excuses' (1996, p. 57). At stake, she suggests, is 'the question of whether a perpetrator has a direct claim to the act he commits, and whether he can use the excuses of childhood history, impulsivity, biology, and cultural context to make his act appear externally determined or separate from a core sense of his self' (1996, p. 58). Similarly, Tutu notes that the oft-made plea, 'We were carrying out orders', is an example of this abdication of individual moral responsibility (1999, p. 270). To remember in a way that seeks to elicit exculpation, for example, is to portray a (past) 'self' that was not fully responsible for his or her actions. Fundamental to this denial of responsibility through the reinterpretative manipulation of 'memory' in testimony is, as Ricoeur notes, 'the demand for identity' (2004, p. 81). Abdelmajid Hannoum explains that in the Ricoeurian schema, 'one cannot separate memory and identity, ... [f]or identity is based on memory' (2005, p. 126). Volf, similarly acknowledges the basis of identity in memory and links this to a notion of memory that is future-oriented and active, not merely retrospective. He concludes that the ways 'memories shape our identity depends not only on the memories themselves but also on what we and others *do* with those memories' (2006, pp. 25-26, emphasis added). The act of giving testimony—an act that is premised on the giving of a truthful narrative account of the past—is performative in the sense that it creates a 'self' with whom, it is assumed (or hoped), the listeners/audience identify.

This perhaps inevitable construction, in perpetrator testimony, of an apparently less culpable 'self' has profound ramifications for processes such as TRC that attempt to establish communal narratives

about the past (and future). Volf cites Maurice Halbwachs to propose that ‘individuals do not remember alone but “as members of a group”’ (2006, p. 99) and notes that, to an extent, ‘we *are* what others remember about us’ (2006, p. 24). The consequence is important: to use ‘memory’ abusively to manipulate one’s perceived personal identity inexorably affects the identity of others. Tutu, in a preface to his explanation of *Ubuntu*, also notes this connection between the memories of selves and others, drawing on Ariel Dorfman’s play *Death and the Maiden* as an example. In this play, a (male) perpetrator is detained by a (female) victim and initially denies his violation of her, actively articulating a non-culpable identity. Tutu explains that the perpetrator’s narrative action ‘hit at the core of her being, at her integrity, at her identity’ and that the perpetrator’s ‘denial subverted her personhood’ (1999, p. 30). Extrapolating this to narrative acts of public ‘remembering’, via personal testimony (as in the TRC hearings), arguably affects not only the testifier’s identity, but also the identities of all those involved. Thus, reinterpreting past events through renarrativisation has profound ethical implications, not only as a denial of individual responsibility, but also as an irresponsible act that denies the identities of others and the validity of their stories—their selves constituted in (conflicting) memory.

Such distorting acts of remembrance are a problem in the context of testimony (and in the context of a national truth-seeking project founded on testimony), which gains its ethical force via the claim of truthful recall. Volf, echoing Ricoeur,^x states that in acts of public remembrance, ‘we are claiming that, to the best of our knowledge, our memory is true in the sense that it corresponds in some way to events as they occurred’ (2006, p. 51). Thus, distorted memory-narratives of self and other are dangerous because while giving the appearance of ‘truthfulness’, particularly when provided in a (quasi) legal setting and under oath, they subvert truth through self-interested renarrativisations of the past. The moral responsibility of memory is indeed great.

Finally, Volf offers a third pertinent point: not only are our self-narratives easily distorted, but so too are our accounts of others. Imagine a TRC hearing in which a victim hears the perpetrator excusing and minimising the crimes he committed against that victim. The victim is likely to feel that this is unfair—unjust, even—and may be tempted to ‘resist’ the wrongdoer (Volf 2006, p. 60), responding in her own testimony by distorting or embellishing the “truth”, creating a narrative that makes the violator seem more culpable than he really is—an act that Amos Eldon calls ‘vengeance’ (cited in Volf 1996, p. 237). Charles Griswold, in his extensive account of forgiveness, discusses Joseph Butler’s definition of forgiveness—the ‘forswearing of revenge’ (cited 2007, p. 20)—and defines the abuse of vengeance as the inverse of forgiveness (2007, pp. 29-31). He then argues that revenge is primarily a ‘story-telling passion’ (2007, p. 30) and suggests that the ‘demands for retribution are easily fuelled by the passion’s drive to gratify itself’, resulting in the seeking of revenge through the creation of ‘narratives about [the victim’s] injurers, the

injury, and their victimization' (2007, p. 30). In an attempt to punish the perpetrator, or, at the very least, in the hope of 'communicating moral protest and of demanding accountability' (Griswold 2007, p. 28), a victim, in remembering his wrongdoer, may engage in the same act of narrative reconstruction as the perpetrator, creating a 'story' in which the perpetrator is portrayed as unduly culpable. If perpetrators tend to abuse narratives of the past to minimise their moral responsibility, victims, likewise, may also abuse the narrative nature of recollection, particularly via testimony, to exaggerate perpetrators' moral responsibility.^{xi} Crucially, Griswold suggests that such instances of narrativised recollection 'actually obscures rather than establishes' (2007, p. 29) the moral responsibility of the perpetrator.

As perpetrator and victim engage in 'story-telling', their conflicting testimonies, each ostensibly verified by personal memory, leads to what Volf calls 'a battle of the memories' (2006, p. 60), but which might equally be characterised as a battle of narratives. As perpetrator and victim testify, they begin 'jockeying for a position' (Volf 1996, p. 247) and for the moral superiority of credibility—a position of power that is established and maintained by the one who is best able to define the 'truth', or, perhaps, produce the most compelling story about it. Tutu's emphasis on the catharsis 'of telling one's story' (1999, p. 279) and the consequential shifting of focus away from the determination of which one of the four types of 'truth' were at work in any given testimony, complicates the requirement of truth (or even 'the truth') for forgiveness and reconciliation. Indeed, the act of renarrativisation that is testimony risks developing entrenched, oppositional positions between perpetrators and victims—a situation that inhibits constructive dialogue and reconciliation, rather than facilitates *ubuntu* community: it drives a wedge between people, instead of building a bridge.

Distorted Stories in the TRC Process: Self, Other, and Battling

Tutu's autobiography recounts many instances in which the tendency to distort the narratives of self and others occurred during the TRC's proceedings. As noted, the TRC's quest for a (more) truthful account of the nation's Apartheid history was facilitated through what Tutu calls the 'carrot' of amnesty and the 'stick' of criminal liability (1999, p. 30). To qualify for amnesty, Tutu explains that the applicant was required to make *full disclosure* of their gross human rights violations and prove that their deeds had been politically motivated (1999, pp. 49-50)—in short, to trade 'truth' for amnesty (1999, p. 30).^{xii} Once the TRC was satisfied that the applicant met these requirements,

amnesty [was] granted, ... [and] the criminal and civil liability of the erstwhile perpetrator ... [was] expunged. The [legal and judicial] effect of amnesty is as if the offence had never happened since the perpetrator's court record relating to that offence becomes a *tabula rasa*, a blank page. This means that the victim loses the right to sue for civil damages in compensation from the perpetrator. (Tutu 1999, p. 55)

This was a considerable 'carrot', without doubt, and one that provided a motivation for perpetrators to testify. In some regards, this motivation was helpful in the sense that it worked toward Tutu's goal of beginning a dialogue between perpetrators and victims, one which held the potential for the discovery of (greater) 'truth' and the creation of an empathetic solidarity that might lead to forgiveness and reconciliation. Indeed, as Tutu notes, without the offer of the effacement of criminal and civil liability, 'it is highly unlikely that [perpetrators] would have come forward at all' (1999, p. 57), not least when to do so was self-incriminating. However, given the tenuous link of testimony to fact, the amnesty's 'carrot' risks subverting the truth he sought by encouraging perpetrators to reinterpret the details of their crimes in a way that was most expedient to gaining amnesty. Not unpredictably, the *TRC Report* documents Commissioner Malan's concern that amnesty 'applicants generally downplayed their own roles in abuses' (1998, p. 5: 441).^{xiii} Further enabling the perpetrator's abuse of memorial narrative was the fact that much incriminating evidence had been successfully destroyed or suppressed during the Apartheid era. As Dorothy Shea notes, 'many of the political crimes to be investigated were "committed by highly skilled operatives trained in the art of concealing their crimes and destroying evidence"' (2000, 14; quoting Paul Van Zyl, executive secretary of the TRC). As a result, the former Chief Justice, Judge Mahomed, concluded:

Much of what transpired in this shameful [Apartheid] period is shrouded in secrecy and not easily capable of objective demonstration and proof. ... Records are not easily accessible; witnesses are often unknown, dead, unavailable, or unwilling. (cited in Tutu 1999, p. 25)

Tutu, deeply aware of the many gaps, omissions and distortions—the slippages—in testimony provided to the TRC, notes that in many amnesty hearings, 'it was the word of one bewildered victim against that of several perpetrators' (1999, p. 24). In particular, in his discussion on the South African Defence Force's cooperation with the TRC,^{xiv} he acknowledges that 'there is much truth that the nation would still want to know if our healing and reconciliation are to be lasting and effective' (1999, p. 236). While the TRC hearings provided a forum for perpetrators and victims to express their perspectives in the hope of securing the others' empathy, the bewilderment of many victims shows that abuses through the memorial narrativisation often took place, making reconciliation, much less empathy, all the more difficult to achieve.

It was not only the offer of amnesty that resulted in 'motivated' perpetrator testimony and blurred the boundaries between fact and fiction: the desire for justice also provided impetus for victims to distort accounts of others in attempts to secure their culpability. Since Tutu's 'stick' of prosecution 'lacked credibility' (Shea 2000, p. 18) in public perception, many felt that the TRC's approach tended toward impunity, with amnesty replacing justice.^{xv} Tutu was well aware of this and, in defence, argues that applicants for amnesty didn't get off

entirely 'scot-free' (1999, p. 51): perpetrators, upon testifying, had to face 'the penalty of ... public humiliation and exposure' (1999, p. 51). Whether public humiliation and exposure is a just or sufficient punishment for those responsible for gross human rights violations is something of a moot point. In a 2002 study, James Gibson conducted interviews with 3,727 South Africans and found that they felt—and feel—that the use of amnesty was unfair and allowed many perpetrators to 'get ... away with murder' (Gibson 2002, p. 546). If the public humiliation of admitting to their crimes in a public forum was the only 'penalty' these torturers, murderers, and rapists were ever to experience, and since 'exaggeration is a natural consequence of human suffering' (TRC 1998, p. 5: 441), it is conceivable that victims and survivors were motivated to express their resentment in narratives that painted perpetrators in the worst possible light—not least when there was a general lack of remorse shown by perpetrators (TRC 1998, p. 5: 196). Thus it seems that despite the best intentions and hopes for creating a forum for dialogic engagement, Tutu and the TRC created a legal environment that motivated both perpetrators and victims/survivors to 'remember wrongly' in their narratives of the past.

This tendency, suggests Tutu, was evident in the '*in camera* inquiry' (1999, p. 167) of Ms Madikizela-Mandela and the Mandela United Football Club.^{xvi} In the memory-narratives offered at the TRC hearing, two oppositional 'truths' could be clearly seen at work, one to incriminate Ms Madikizela-Mandela of kidnapping, torture and murder, and the other to whitewash her. The 'enormous—perhaps unbridgeable—chasm' (TRC 1998, p. 5: 198) that resulted from this performative competition (Humphrey 2002, p. 100), was not helped by the TRC's failure to determine which of the four types of truth were engaged in the hearing. Importantly, Tutu himself, in his autobiography, offers a narrative of the past, defending Ms Madikizela-Mandela as he notes her strengths as a person, the good she had done for people and the community, and how she was loved and called 'The Mother of the Nation' (1999, p. 169). Tutu contextualises his narrative with an explanation of the 'massive pressure' exerted by the Apartheid system, how this pressure impacted her, and then asks his readers to be slow to judge her, since 'none of us can ever predict with absolute certainty that we ... would not buckle under [similar] pressure' (1999, p. 170). In other words, Tutu's autobiography is itself a motivated narrative about the past, presenting a subjective account in this case for the purpose of soliciting empathy, albeit on behalf of another person. The TRC's failure to apply their own distinctions between various kinds of truth, can be seen to have inhibited, as Commissioner Malan states, the development of 'a shared understanding of ... history' (TRC 1998, p. 5: 442). Volf notes that 'to remember something incorrectly is, in an important sense, not to remember at all—we *do not* remember to the precise extent that what we remember is incorrect' (2006, p. 47). This assumed, and returning to Derrida's argument that forgiveness is precluded by forgetting, then the notion that a victim's or perpetrator's act of remembrance might itself be a forgetting that precludes

forgiveness needs serious consideration. This serves to highlight the ethical demands of memorial narrative and testimony—the need to remember *rightly*—not least when these testimonies form the basis of a nation's future.

Volf and 'Remembering Rightly'

Framing Volf's discussion on memory is his call to '*remember rightly*' (2006, p. 11). Given his understanding of testimony as often 'tenuously related' (Volf 2006, p. 46) to the original action it ostensibly recalls, Volf's injunction seems difficult, not least when he also insists that 'we also have a *moral obligation* to remember truthfully' (2006, p. 51). However aporetic these imperatives may seem, Volf attempts to reconcile the ethical dilemmas he raises by defining ('right' or 'truthful') testimony in terms of the '*will to embrace*' (1996, p. 29), recognising that the narrativisation of the past offers a site for the creation of shared meaning with the other in the present.

Volf, like Tutu, looks to his Christian beliefs to develop an ethic of memory, remembrance, and reconciliation based on Christ's Passion. In the context of what he describes as God's desire for 'the flourishing of all peoples' (2006, p. 109), Volf explains Martin Luther's ethical interpretation of the ninth commandment, 'Thou shalt not bear false witness'.^{xvii} Highlighting, again, the moral significance of what we *do* with our memories, Volf writes: 'What fulfils the ninth commandment, [Luther] insists, is not just "a manner of speech which harms no one", but further, a manner of speech that "benefits everyone, [and] reconciles the discordant"' (2006, p. 63). On this basis, Volf suggests that to remember rightly is to give testimony in a way that seeks reconciliation with the other (2006, pp. 64-65). Extending this idea, Volf then turns to Christ's Passion, promoting a notion of what he terms, 'Passion memory' (2006, p. 112), where one remembers in a way that, while recognising the need for moral responsibility, extends unconditional grace to the other, embracing them in anticipation of communion (2006, pp. 121-22; 1996, p. 123).^{xviii} This '*will to embrace*' provides the basis for his injunction to '*remember rightly*' precisely because it 'precedes any 'truth' about others and any construction of their 'justice'. This will is absolutely indiscriminate and strictly immutable; it transcends the moral mapping of the social world into 'good' and 'evil' (Volf 2006, p. 29). Thus, to '*remember rightly*' is to remember before judgement and in the context of the desire to be reconciled. In consequence, against calls for a purely factual understanding of narrative-histories, Volf's notion of right remembrance partakes in the order of ethics, not fact. Quite simply, Volf insists that there are 'right' ways of remembering (and of forgetting) the past that may not be verifiable.

In his narrativised accounts of the past, his autobiography, Tutu undoubtedly endeavours to portray this '*will to embrace*' in the examples he provides of victims' magnanimity, arguably exemplifying a desire to forgive and embrace those who had violated them. One

such example he gives is the late Nelson Mandela, whom Tutu praises for his 'breathtaking magnanimity and willingness to forgive' (1999, p. 10). Mandela arguably illustrates Volf's 'will to embrace' in his readiness to waive the demands of justice, to forgive, and to extend grace to the other. Tutu explains how Mandela attempted not just to forgive, but to prosper his white jailer by inviting him 'to attend his presidential inauguration as an honored guest' (1999, p. 10). During his 27 years of imprisonment Mandela was subjected to labour and 'utterly futile drudgery [that] could have destroyed lesser mortals' (Tutu 1999, p. 39). While Mandela's imprisonment was designed to 'break his spirit and to make him hate-filled', his 'will to embrace' was manifestly evident while he was imprisoned, and after his release (Tutu 1999, p. 39). Tutu notes that 'Mandela emerged from prison not spewing words of hatred and revenge [,] ... [but] emerged a whole person' (1999, p. 39), working for the reconciliation of South Africa. This claim about the 'wholeness' of Mandela's identity is significant, given the discussion above, not least for the fact that it shows a radical openness to 'others' in the *ubuntu* understanding of community. In the same manner, Tutu marvels at those victims who illustrated a 'will to embrace' in the TRC hearings, and praises 'their magnanimity, that after so much suffering, instead of lusting for revenge, they had this extraordinary willingness to forgive' (1999, p. 86). Nevertheless, while one might assume that the 'will to embrace' of these victims evidences and exemplifies what Volf calls 'remembering rightly', a question still remains as to how Tutu addresses the problem of disparate testimonies or, put another way, the refusal of some to embrace others and extend grace: the desire for revenge or retribution expressed in the manipulation of narratives of the past to serve personal ends.

While Tutu invokes an order of ethics similar to Volf's in his appeals for people to resist passing moral judgement on the actions and testimonies of perpetrators, to 'be generous in [their] judgements of others' (1999, p. 169), Tutu nonetheless struggles to reconcile the differing narratives of past events. One of Tutu's strategies is to remind victims of their own (potential human) weaknesses, suggesting that if they 'had been subjected to the same influences, the same conditioning, [they] ... [may] have turned out like these perpetrators' (Tutu 1999, p. 85).^{xix} While this may create some level of understanding, or tolerance at the very least, between perpetrator and victim, this approach neither addresses the 'gulf' between disparate testimonies nor helps one remember the other in a transformative or reconciliatory manner. Indeed, Tutu's request appears to excuse the perpetrator's abuse of memory. Admittedly, Tutu states that 'forgiveness and being reconciled are not about ... turning a blind eye to the wrong. True reconciliation exposes the awfulness, the abuse, the pain, the degradation, *the truth*' (1999, p. 270). While this statement resonates with Derrida's injunction that to forgive is not to forget, Tutu's approach still seeks 'the truth' as the site of empathy, forgiveness, and reconciliation and so requires people to look past the disparities in others' narratives of the past if reconciliation is to be achieved. Writing of the emotions felt as he handed Mandela the *TRC*

Report, Tutu expresses that he was ‘thankful that [he and the TRC] had been able to uncover as much truth as we had; thankful that we had been the agency to bring some closure, some healing, some reconciliation’ (1999, p. 212), again suggesting that the considerable ‘truth’ obtained through the TRC process enabled (some) healing. However, the unaddressed presence of narrative discrepancy, haunting Tutu’s statement, calls into question the ‘completeness’ of the TRC’s (official) account and fails to fully address the ‘battle of memories’ identified by Volf.

Significantly, Volf suggests that remembering rightly is a public, not a private, activity (2006, pp. 11-12). He suggests that to ‘remember rightly’ people must engage with each other to ‘name adequately what transpired between’ them (1996, p. 261). This accords with Tutu’s stress on the importance of dialogue, and the structuring of the TRC’s hearings to facilitate that dialogue. It is in the context of dialogic exchange that a person comes forward to offer their fragmented shards of memory and acknowledges them as such. Together in dialogue, perpetrators and victims are able to reconstruct a more truthful, if never true, account of past events, creating a shared narrative-history, in a way that ‘can help heal and protect our wounded psyches and ... [bring] reconciliation’ (Volf 2006, p. 61). Maria Duffy, commenting on Ricoeur’s narrative theory of memory, notes that ‘narrative is a bridge to the other’ (2012, p. 46) and facilitates the process of empathy, via mutual interpretation, leading to reconciliation. She also notes Ricoeur’s belief in ‘an “ethic of discussion”’ as the way ‘to resolve historical differences’ (Duffy 2012, p. 51). Focusing on the shards of individual testimony and confession as the site for the creation of a shared historical narrative (always open to revision, however, as more shards are discovered and pieced together), may assist victims and perpetrators to defuse the power-struggle inherent in the truth-claims of disparate testimonies. Acknowledging the slippage resulting from temporal distance between past and present and the inevitable occurrence of unconsciously blocked or consciously manipulated memory, and then acknowledging the capacity of the other to help in rebuilding an account of the past focused on mutuality and future reconciliation, undermines the power of an individual’s ‘truth claim’ (Ricoeur 2004, p. 7). This effectively disarms those who might otherwise engage conflictly when the stakes are the validation of *one* story alone. Engaging in dialogue with others, in hope of reconciliation, signals one’s ‘nonself-sufficiency’, Volf states, writing, ‘I do not want to be myself only; I want the other to be part of who I am and I want to be part of the other’ (1996, p. 141). Thus, in working together to create a memory-narrative of the past out of a ‘will to embrace’, both parties are able to construct fairer and more equitable identities in relation to the other, regaining their human dignity. Volf also suggests that a person ‘cannot experience full internal healing from a wrongdoing suffered without “healing” the relationship with the wrongdoer’ (2006, p. 83). In a real sense, then, Tutu’s concept of *ubuntu* stands—a victim working with a perpetrator to be reconciled is working for her own restoration—but is facilitated by Volf’s ‘remembering rightly’.

To Tutu's credit, the TRC's strategic offer of amnesty created a situation in which perpetrator and victim could voice their recollections of often heinous past events with relative unconcern for the judicial consequences. However, the use of the amnesty 'carrot' and the publication of the *TRC Report* may also have inhibited the dialogical formation of a shared memory-narrative according respectful, if partial, agreement between parties on both sides of the victim-perpetrator divide. The TRC amnesty hearings provided a space for dialogue to occur: amnesty was offered to those perpetrators who made 'full disclosure of all the relevant facts relating to the offence' (Tutu 1999, p. 85), and victims, through legislation, were given 'the right to oppose applications for amnesty' by bringing evidence proving that the conditions for amnesty had not been met (p. 85). While this ostensibly held promise for dialogical engagement, Tutu tellingly adds that victims 'had no right of veto over amnesty' (p. 85). In consequence, the TRC's declaration that a perpetrator had made 'full disclosure' meant it would be difficult to continue an inter-subjective dialogue, for, in theory, there was nothing more to discuss: the 'truth' of the situation had been determined. If on-going, public dialogue is necessary for 'remembering rightly', the offer/granting of amnesty impedes this type of remembrance, and indeed reconciliation. It inhibits the creation of a shared (and openly revisable) memory-narrative.

Ultimately, in the *TRC Report* testimonial accounts were presented not as the shards needed for reconciliation, but as officially authorised accounts of the facts written down for perpetuity. In understanding the TRC as a 'bridge-building process' (Tutu 1999, p. 104), Tutu and the TRC perhaps attempted to provide a 'bridge' in the form of the *TRC Report*, rather than allowing the parties to build that bridge themselves through (ongoing) dialogic engagement. In the foreword to the *TRC Report*, Tutu states his belief that the *Report* 'provide[s] enough of the truth about our past for there to be a consensus about it' (TRC 1:17). This is a troubling claim, not least for the lack of consistent distinction between 'the truth' and the orders of truth initially established. Subjective perspectives, expressed in remembrance, whether consciously motivated or otherwise, were thus portrayed as fact—a problem that Jeffery suggests, albeit rather too strongly, is a fundamental 'flaw' (1999, p. 2) in the TRC's and Tutu's approach. Tutu's hope that the *TRC Report* would provide a site for reconciliation risks bypassing both the recognition of need for others ('nonself-sufficiency' in Volf's terms), and the 'healing' process of creating new and equitable identities that might lead to forgiveness and reconciliation.

Conclusion

While the philosophy and theology underpinning Tutu's conception of forgiveness and reconciliation is laudable, his approach is problematic because of his failure to adequately address the slippage that inevitably occurs between past acts and testimony about them. While

clearly aware of the tenuous relationship of testimonial narrative to truth about the past, due to temporal distance, self-protection, the desire for revenge (or justice) and the effects of trauma, the four 'orders' of truth that are initially distinguished in the TRC report and Tutu's autobiography appear to have been lost along the wayside. (This is not to begin to address the 'silences' of the dead, the distortion of facts in official records, and so on). I argue then, that the official history-narrative that has arisen out of the TRC hearings and proceedings remains deeply flawed and, most importantly, that it short-circuits the healing process of 'remembering rightly'. In this respect it inhibits, rather than facilitates reconciliation. At the very core of Tutu's approach is the belief that capturing 'reality' (TRC 1:17)—the 'truth' about the past, as it happened—would provide the basis and foundation for future forgiveness and reconciliation. Volf provides a compelling counterpoint to the optimism Tutu advances about the recovery of past truths. Volf, like Ricoeur, stresses the potential abuses of memory, and challenges the possibility of achieving a factual account of the past because of the difficulty of reconciling disparate, subjective testimonies.

It must be remembered that Tutu's autobiography is his own narrativised account of the past and as such is open to all of the questions about memorial testimonies of the past that I have raised. He is also a masterful rhetorician whose subjective desire for a certain kind of history and certain version of reconciliation is unmistakably clear throughout his autobiography—and, arguably, in the *TRC Report* as well. I have maintained that Volf suggests an approach that embraces the fragmentation of and disparities in the memories of both victims and perpetrators—memories that often represent only shards of the past and of historic action—as a site for reconciliation, without the need for an official 'truth' about the past. In Volf's account, as victim and perpetrator come together in dialogue, they are able to bilaterally assess their memory-shards, bringing them together, through need of the other, to create an account of the past that is true in an ethical, rather than in a factual sense, insofar as it is premised on the mutual desire for future well-being. It is in the 'shoring' of these memory-shards against the ruins of South Africa's traumatic past that healing, forgiveness and reconciliation can begin, becoming a site of hope (Duffy 2012, Vanhoozer 1990).

Nicholas Allen is a doctoral candidate in the School of English and Media Studies at Massey University. His research focuses on post-Apartheid South African literature and concepts of truth, forgiveness, amnesty, and national narrative.

Notes

ⁱ The purview of the *Promotion of National Unity and Reconciliation Act 1995* is concerned with gross human rights violations, defined as 'killing, abduction, torture or severe ill-treatment of any person ... [and] any attempt,

conspiracy, incitement, instigation, command, or procurement to commit those acts, occurring between 1960 and 1994 (s.1).

ⁱⁱ I will use the following notations to indicate types of truth: 'truth' will refer to that information which forms the basis of the *TRC Report*; "truth" will refer to information given in testimony, ostensibly true but troubled and suspect nevertheless; truth will refer to truth, in the sense of Tutu's four orders of truth, as discussed in his work *No Future without Forgiveness*.

ⁱⁱⁱ Derrida argues that true hospitality or an openness to the other and, by extension, forgiveness, can only be extended to 'an other that is not mine, ... my other, not even my neighbor or my brother' (2002, p. 363). Contrasting his position with the Levinasian supposition that hospitality (and forgiveness) is extended to the other as 'my neighbor, my universal brother, in humanity', Derrida remarks, 'this is one of our larger questions: is hospitality reserved, confined, to man, to the universal brother?' (2002, p. 363). Tutu, in the *ubuntu* context, seems to consider the other as a 'universal brother' and in his calls for a hospitality or an openness to the other that is shown in forgiveness, on account of a shared humanity.

^{iv} See Griswold, *Forgiveness: A Philosophical Exploration* (2007); Schaap, *Political Reconciliation* (2005); Marx, 'Ubu and Ubuntu: On the Dialectics of Apartheid and Nation Building' (2002); McGonegal, *Imagining Justice: The Politics of Postcolonial Forgiveness and Reconciliation* (2009); Sarkin-Hughes, *Carrots and Sticks: The TRC and the South African Amnesty Process* (2004); Soyinka, *The Burden of Memory, the Muse of Forgiveness* (1999); Klopper, 'Narrative Time and the Space of the Image: The Truth of the Lie in Winnie Madikizela-Mandela's Testimony before the Truth and Reconciliation Commission' (2001); Gibson, 'Truth, Justice, and Reconciliation: Judging the Fairness of Amnesty in South Africa' (2002).

^v See Gibson, 'Does Truth Lead to Reconciliation? Testing the Causal Assumptions of the South African Truth and Reconciliation Process' (2004) and 'Truth, Justice, and Reconciliation' (2002); Gibson and Gouws, 'Truth and Reconciliation in South Africa: Attributions of Blame and the Struggle over Apartheid' (1999); Hamber and Wilson, 'Symbolic Closure through Memory, Reparation and Revenge in Post-conflict Societies' (2002); Humphrey, *The Politics of Atrocity and Reconciliation* (2002); Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State* (2001).

^{vi} See Klopper, 'Narrative Time and the Space of the Image'; Grunebaum-Ralph, 'Re-placing Pasts, Forgetting Presents: Narrative, Place, and Memory in the Time of the Truth and Reconciliation Commission' (2001); Andrews, 'Grand National Narratives and the Project of Truth Commissions: A Comparative Analysis' (2003).

^{vii} See Caputo, Dooley and Scanlon, *Questioning God* (2001); Volf, *The End of Memory* (2006) and *Exclusion and Embrace* (1996); Bash, *Forgiveness and Christian Ethics* (2007).

^{viii} See also Caruth, 'Recapturing the Past: Introduction' (1995); Duffy, *Paul Ricoeur's Pedagogy of Pardon: A Narrative Theory of Memory and Forgetting* (2012); Laub, 'Truth and Testimony: The Process and the

Struggle' (1995); Margalit, *The Ethics of Memory* (2004); van der Kolk and van der Hart, 'The Intrusive Past: The Flexibility of Memory and the Engraving of Trauma' (1995).

^{ix} See Ricoeur's *Fallible Man* (1986, p. 133) and *Memory, History, Forgetting* (2004, pp. 57-58), as well as helpful commentary by Duffy (2012, p. 47-48) and Vanhoozer (1990, p. 21).

^x In *Memory, History, Forgetting*, Ricoeur states: 'To memory is tied ... a claim—that of being faithful to the past' (p. 21).

^{xi} Conversely, Volf also notes that the victim or survivor, in a spirit of charity and magnanimity, could distort their account of a crime by painting the perpetrator as a helpless victim of a ruthless regime, forced to carry out its orders against her will, and so absolve the perpetrator of responsibility (*End of Memory* 14). Interestingly, Tutu repeatedly portrays the victims and survivors displaying 'extraordinary magnanimity' (1999, p. 118) and affirms magnanimity as a characteristic central to *ubuntu* community (1999, p. 31).

^{xii} Politically motivated crimes were classified as any act 'carried out, advised, planned, directed, commanded or ordered by any person acting with a political motive' (Promotion of National Unity and Reconciliation s.1).

^{xiii} The *TRC Report* notes that these down-played testimonies were often left unchallenged as 'there was only a limited overlap between victim statements and amnesty applications. In other words, in many cases perpetrators applied for amnesty in respect of cases for which no victim statements had been made' (7:3). Jeffery evaluates perpetrator testimony given in exchange for amnesty and states that there was often a lack of corroborative evidence in amnesty applications and cross examination, casting doubt on the reliability of amnesty statements (1999, pp. 49-56). Giving examples of 'oddities' in various amnesty statements, Jeffery suggests the possibility that 'amnesty statements were *not* a reliable source of information—and were likely to abound in hearsay and unresolved conundrums' (pp. 56-65).

^{xiv} This is illustrated most saliently in the amnesty applications from the SADF. Tutu notes that some officers of the SADF 'hardly cooperated with the commission at all' and applied for amnesty only because they had been implicated in gross human rights violations through the amnesty applications of members of the Police Force (1999, pp. 235-36). The SADF members' reluctant acknowledgment of responsibility for crimes committed shows that their 'confessions' were motivated by the desire to avoid the 'stick' of liability for actions revealed against their will, *not* by a sense of contrition. Such an attitude admits to only what is given in already-known details, and excludes additional information that could be self-incriminating—seen also in the fact that information given to investigators was censored (Shea 2000, p. 17). In this way, they were able to maintain a 'conspiracy of silence' (Tutu 1999, p. 235).

^{xv} See the *TRC Report*, Volume 6 (84) and Volume 1 (8) for more information on public perception.

^{xvi} Ms Madikizela-Mandela, having expressed disdain toward the TRC and particularly the notion of accountability, was subpoenaed to appear before

the TRC's Human Rights Violations Committee. Here, victims and survivors brought 'suspicions, allegations, and innuendos' against Ms Madikizela-Mandela, in connection with the Mandela United Football Club (Tutu 1999, p. 129). Some of these 'extremely controversial' allegations were 'far-fetched' and 'wild', reflecting the victims' desire to incriminate (TRC Report, 1998). According to Tutu, Ms Madikizela-Mandela 'disdainfully dismissed almost all' of the allegations (Tutu 1999, p. 132). Crucially, the victims and their lawyers pressed the Commission for an attribution of guilt, such that Tutu had to restrict their cross-examination of Ms Madikizela-Mandela, stating that the hearing was 'not a court seeking to establish guilt beyond reasonable doubt ... [or] pass a verdict of guilty or innocent' (p. 132).

^{xvii} Exodus 20:16.

^{xviii} In other words, what Volf calls for victims and perpetrators to emulate is the self-giving love of the Trinity, made manifest at/through Christ's Passion (1996, pp. 24-25) and flowing out of a 'will to embrace' (1996, p. 29) that which is other. This communion is also symbolised, Volf argues, in the Eucharist. Volf explains that while, at the centre of 'the rite is the solidarity of God with each human being and the reconciliation of each human being to God', participation in the Eucharist is communal, such that in taking the Eucharist, 'we remember each other as those who are reconciled to God [through the Passion] and to each other' (2006, p. 119).

^{xix} Tutu also provides this injunction in the context of the Madikizela-Mandela case (Tutu 1999, p. 169).

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