

Opinion: Books

**Atonement: the Necessity of Reconciliation**

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*The Burden of Memory, the Muse of Forgiveness*

Author: Wole Soyinka

Publisher: Oxford University Press

*No Future Without Forgiveness*

Author: Desmond Tutu

Publisher: Random House

“[t]he scales of reckoning with mortality are never evenly weighted, alas, and thus it is on the shoulders of the living that the burden of justice must continue to rest.”<sup>1</sup>

Memory is central to the identity of social groups, and to the extent that the memory of the majority of South Africans has been battered and suppressed, it calls for healing and rehabilitation. That truth—the full account of the untold horrors of history—is a starting point towards the greater end of healing and rehabilitation is trite. The contention here, however, is that form of reparation is a *necessary* pre-condition for this endeavour.

I turn to the context of South Africa to discuss this. The need to cohabit as fellow citizens “in the new South Africa,” coupled with the country’s history, which is rooted in a denial of humanity to a vast majority of the population; and manifested in the forms of oppression, exploitation and violence, led to the Truth and Reconciliation Commission (TRC) in South Africa. The TRC was established by the Promotion of National Unity and Reconciliation Act 34 of 1995 (the Act); and its mandate was three-fold: (a) to inquire on the human right violations that took place during a particular time period; (b) to make recommendations to Parliament relating to reparations; and (c) to grant amnesty where it was appropriate to do so. The consideration of reparations here seems to be in step with Soyinka’s observation, that:

“Where there has been inequity, especially of a singularly brutalizing kind that robs one side of its most fundamental attribute—its humanity—it

seems only appropriate that some form of atonement be made, *in order to exorcise the past.*<sup>2</sup> Reparations ... serve as a cogent critique of history, and thus a potent restraint of its repetition''<sup>3</sup>

While that is, in his book, *No Future Without Forgiveness*, Desmond Tutu argues that effective reparations were wanting under the TRC framework, because the Act provided for limited compensation to the victims. The perpetrators disclosed the truth surrounding whatever atrocities they had committed against the victims, asked for forgiveness; and were granted instant amnesty. The victims on the other hand, were subjected to strenuous bureaucratic processes before they could be told whether or not they'd qualify for compensation (as an acknowledgment of their suffering). This left much bitterness among the victims.

It is, however, important to understand the *political* context out of which the TRC emerged, in order to realise that the latter could not be used as a vehicle towards the attainment of justice, reconciliation, or even reparations. The TRC was a contained model intended to facilitate a 'bridge' between apartheid and the democratic era. The focus of the commission, however, was rooted in a limited form of politics, and therefore a limited form of reconciliation. The failure to deal with reparations was part of a broader problem of the TRC, which focused on perpetrators, and not the beneficiaries of apartheid. This left the post-apartheid government with the burden of shouldering the costs of reparations, for crimes of the apartheid era.

Nevertheless, in his book, Tutu embarks on a sermon (set in Rwanda, Israel, and South Africa) in which urges the victims to forgive those who betrayed their humanity for decades. He writes: "The victim, we hope, would be moved to respond to an apology by forgiving the culprit."<sup>4</sup> However, the Archbishop's sermon here is missing two things: first, is a realization that forgiveness without atonement is empty; and second, is a discussion of the role of the perpetrators (in exchange for the forgiveness). For the perpetrator, such forgiveness leaves a question unanswered: *if you find yourself in the same situation, would you do it again?*

Moreover, forgiveness and its offspring, reconciliation in the South African context shall remain but an illusion unless the humanity and dignity of the majority of the people in this country is restored. In real terms, unless shacks are replaced with houses; and unless clean water, electricity, affordable healthcare, decent education, good jobs, and a safe environment are provided. It might be added here, that these are all things that the beneficiaries of apartheid have taken for granted for many years.<sup>5</sup> The important question is this: *who is to provide for these services?* The Constitutional Court in *Grootboom*<sup>6</sup> ordered the current government to provide a house for the applicant.<sup>7</sup> In the *Soobramoney*<sup>8</sup> the same court held that the state was only obliged to provide medical care, to the degree that doing so was within the resources of the state. The greater point I am making here is this: the privileged, as a *quid pro quo* for the golden handshake, ought to provide for these services and not exclusively the government. Otherwise, South Africa would revert to the privatization of apartheid, where privilege is still in few hands.

### Conclusion

That truth be at the beginning of the reconciliation process is logical. The stumbling block in South Africa's TRC is that truth is the only condition or justification for reconciliation.<sup>9</sup> This circumvents the modalities that guarantee the restoration of harmony, which have been established and used by Africans for decades. Owing to the necessity of the victims and perpetrators' cohabitation, an enterprise that goes beyond mere reconciliation is indispensable. I will leave Soyinka with the final word: "the victims are alive and in need of rehabilitation, while their violators—as a recognized group—pursue a privileged existence secure in the spoils of a sordid history."<sup>10</sup>

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<sup>1</sup> W. Soyinka. *The Burden of Memory, the Muse of Forgiveness* (Oxford: Oxford University Press: 1999), p.vii

<sup>22</sup> Emphasis added

<sup>3</sup> Soyinka, 1999, p.83

<sup>4</sup> D. Tutu. *No Future Without Forgiveness* (New York: Random House, 2000), p.271

<sup>5</sup> Tutu, 2000, p.274

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<sup>6</sup> *Government of the Republic of South Africa and Others v Grootboom and Others* 2000 (11) BCLR 1169 (CC)

<sup>7</sup> I am aware that the government failed to comply with that court order, and that Mrs. Grootboom died without a house. That was a shame. A real shame

<sup>8</sup> *Soobramoney versus Minister of Health, KwaZulu-Natal* 1997 (12) BCLR 1696 (CC)

<sup>9</sup> Soyinka, p.13

<sup>10</sup> Soyinka, p.24