

Panel Beating for the Smashed Nation? The Truth and Reconciliation Commission, Nation Building and the Construction of a Privileged History in South Africa

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Tales and Reflection

The Story: Owen¹, the manager of the local panel beating garage in my community explained to me how he conducts his business: "the customer decides what he [sic] wants. He comes in. His car is badly damage. I tell him that we can restore the car to its original condition, we can do some panel beating, or we can send it to spray. The customer must decide according to what he can afford." In other words, the customer is the one that determines the type of repair. Owen's job, hence, is about satisfying the customer.

But, his job is more than the above. It represents a process of learning the different types of tricks required to fix a car. In fact, it is more than

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¹ Owen is the manager of the False Bay Panel Beaters garage in Muizenberg. I would like to thank him for sparing some of his time, in the middle of a cool morning, paintings and drill noise in his garage, and telling me about the knowledge and practice of his craft.

satisfying a customer. It is about knowing what can be done, when and how. The question is then, whether you determine a car can be fixed or if it needs to be replaced by a new one. Owen's answer was a very enlightening one: "It depends on the client. Sometimes the client wants to keep the car because it is a 'vintage', even when repairing the car is more expensive than its actual street value. Or it could be a matter, that the owner has an emotional affection for the car, even though repairing it is beyond the insurance policy." Hence, to repair a car or not, depends not on the cost of repairing it - but on what it represents to the owner.

In fact, Owen also explained the process of repairing a car is quite an elaborate one. There is one category of intervention named "spraying". When you spray a car, you basically bring a new coat of paint, and polish the car. The same car, perhaps different colour or the same old color, put on some wax, and the car is ready again.

There is a second category named "panel beating", which represents a stage more elaborate than just "spraying". In panel beating, as Owen stated, "you cut the rust, you deal with bending, you weld the body of the car". In fact, when one is doing "panel beating", one needs to sweat and to work hard in order to fix the car again.

Curiously enough, Owen's garage does not do "spraying". That is "the business of other people". But, "we are building a room for doing spraying as well", he stated with great pride about the developments in his garage.

The final category is that called "restoration". In restoration you basically have to rebuild the car. It is basically the construction of a car from nothing. As Owen showed me via an old "Bolivia- Lamborgini", in restoration you have to re-create the old shape of a car, from its carpets to the "original" glass - and possibly its original colour.

Before I left Owen, I asked him about the Truth and Reconciliation Commission and explained to him about my metaphor image of a panel beating process for the nation. It did not take him long to provide me with an answer to the question of what type of intervention South Africa needed: "Panel beating and spray" he said without thinking about it twice. I asked him why, and his answer was as sharp as all his previous answers: "Who is going to pay for it. Restoration is too expensive. You do panel beating and spray and that is enough. Accidents happens all the time. The country has to carry on."

The Reflection: Interacting with Owen forces me to reflect on issues related to the state, nation-building, and what type of history is needed in the "new" South Africa. Is there a continuity in terms of the state between the "old" and the "new" South Africa? What happened on 10 May 1994, when President Nelson Mandela was sworn in before Chief Justice Corbitt, to pay obedience and allegiance to the [Interim] Constitution?

It would require a more philosophical type of intervention to assess the nature of the transformation of the state, before and after 27 April 1994. Is it a real new state? This, in the ambit of the Truth and Reconciliation Commission is an important consideration: will President Mandela apologise for the crimes committed by the state before the democratic transition of 1994? This question is difficult to answer yet, but in the field of the political economy, some parallels have been drawn, in relation to capital control and the new dispensation, which provide useful clues for the discussion above in the text.²

But fundamentally, if Mandela was pursuing the development of a new society, then, as the head of the state he also needed to pursue the construction of a new history, which needs to reflect all the people that are constituted by the state - the citizens. This history, in the re-creation of the past, needed to be the less controversial as possible. That was/is the Mandela Project: the construction of a history that is good for all occasions, but which does not constitute a threat, at least to the different citizens that the state/Mandela, has to represent. It is, perhaps, the writing of a "good history", which assist in the process of national reconciliation.

Since becoming President, Mandela has been encouraging a discourse of reconciliation which does not exclude any person from the project of "nation-building". It is either the wife of Verwoerd, or members of the former regime, or ordinary street people [black or white], but his discourse is one of integration and reconciliation. It is well known Mandela has created a comfortable environment for white people, without alienating them.

In a way, Mandela's project of reconciliation attempts to portray a history which is not controversial, at least, for those who in the re-writing of the past, seem to be more responsible for the present history. It is a type of history where reconciliation is a primary feature for the transformation of the country.

² H Wolpe, "The uneven transformation from apartheid in South Africa" (1995) *Transformation* 27.

In this regard, and reflecting on Owen's ideas, I feel as if Mandela took the nation for a "panel beating and spray", when it comes to the process of writing the history of the country. In a way, it was the "cheapest" solution in terms of human loss or avoiding controversy.

One of the vehicles for achieving Mandela's Project, seems to be the Truth and Reconciliation Commission, where a particular type of history is being written. Apparently, and according to this logic of thought, the car still is the same, although it has gone for repairing "the rust, fixing some bends, and doing some welding" - and perhaps, the colour will change.

In fact, I do not claim much originality in terms of the questions that I am trying to raise and answer in this paper. To open a "concerted effort" from civil society, from the perspective of intellectuals, becomes at least for me a vital political intervention in the present political conjuncture.

In this regard, I found it interesting the line of thought followed by Braude:

The central question here is whether the history produced as new South African history, marked by the fact and ritual of the TRC [Truth and Reconciliation Commission] , will be characterised in terms of the historical materialist or the historicist - will it signify a new historical consciousness, or will it be continuous with the preexisting one? Will the TRC produce a historical document that will be a new interpretation of history, characterised by a new historical consciousness, unconnected to that of the old order? Will it be received as such?³

In any of the three possible scenarios that Owen described, one has the feeling that the "car" is still the same, but what is different is the remedy applied to it. Are we merely experiencing, perhaps, a continuation of the old state - the state as a transcendental construction - with a different leadership?

³ C Braude, "The private detective, the angel of history and the archbishop: Gillian Slovo and the Truth and Reconciliation Commission investigate the past", and P Lula and B Harris, "Journeys from the horizons of history: text, trial and tales in the construction of narratives of pain". Papers delivered at the Conference on the Future of the Past: the production of history in a changing South Africa, held at the University of Western Cape, 10-12 July 1996.

Rethinking State History

There is a relation between the story of the panel beating garage and that of creating the official history of South Africa in a post-apartheid era. It is a complicated history, in fact. The state, the democratic state, has to represent an identity which constitutes the "South African people". A new imaginary which represents who we are, what we have been, where are we going - which "makes" a new history.

The state attempts to create the identity of the nation.⁴ In order to do so, the state needs to create the symbols that represents the nation and the citizens that it is meant to represent. As Connolly suggests, the "state is a pivotal object of collective sentiments".⁵ The state represents and creates, paraphrasing that Argentinean post-regime film, "the official history".

The question is how does the state accomplish its role of representing "we" the people. Traditionally, or at least in the [Western] modern-nation-state which has been developed through the last three or four centuries, the state will produce an official history, through selecting certain symbols as representative of the nation. The passport, the national anthem, the national flag, the national currency, and the representation of the nation via certain selected "patriots" or founding fathers of the nation.

Something which I found very interesting in South Africa is the icons used in the national currencies to represent the nation. If one looks at the lowest denomination of countries like the USA and Cuba, for example, one will find in a USA one dollar bill, George Washington's picture is present. In the case of Cuba, in the Cuban one peso bill, one will find the picture of Ernesto "Che" Guevara. If one takes a South African bill of 10 Rand denomination, one will find the head of a Rhino.

The interesting aspect of this argument, is that the currency - the model and shapes - of South Africa's currencies date before the 1994 transition. It is too soon yet to assess whether the look of the currencies will change in the future, but what is clear so far is that no serious conversation or debate is taking place in the public domain on this issue.

⁴ A Smith, *National Identity*, Penguin Books, London, 1991.

⁵ W Connolly, *Identity difference: democratic negotiations of political paradox*, Cornell University Press, New York, 1991.

All those symbols will have a "value added" which represent the "people": a particular identity, which is representative of the collective sentiment of those living within a particular nation-state territory. An identity, no doubt, that is always contested, but which creates a fragile momentum through time in which we can claim: "this is who we are as a people".

But the above process happens parallel to another process of multiple exclusions. On the one hand, the state in its process of creating the nation, creates a sense of who is the insider and who is the outsider. The state defines who is the "other". Moreover, the state defines what constitutes the "real" history to be represented. In other words, the state privileges a particular history - the history that needs to be told.

There is always more than one history. In particular, I am interested in the history constructed by the "others", or in the mind of Foucault, to understand which is the dominant history and which is the "subjugated" or excluded history. It is a process in which the state's history runs parallel to another history written and constructed by the disposed, or following a Gramscian approach, by the popular sectors/class.⁶

In this paper, I would like to analyse the process of nation-building in South Africa, since 1994, as represented by a particular history that the country is writing via the Truth and Reconciliation Commission. It is a history, I must say, that is privileging certain "histories", certain knowledges/experiences, at the expense of obliterating [at least in the official discourse] another history which might be too radical or controversial for the project of the state.

Nation-State, Law and Nation-Building

The State: The sovereignty of the state is not a controversial matter, even when in recent [post]modern times, the traditional sovereignty of the state is questioned.

To engage in a discussion on the sovereignty of the state at the end of the millennium, is perhaps outside the scope of this paper. What is important to acknowledge is that state sovereignty is a contested concept, where the impact of globalization is having a serious effect in the role of "domestic" sovereignties controlled by transnational/international sovereign powers either, corporate capital or international bodies, i.e., United Nations, or international

⁶ A Gramsci, *Selections from prison notebooks*, Lawrence and Wishart, London, 1986.

policing states, such as the USA.⁷ What is important is to analyse the power/s that the sovereignty itself confers to the state. It is this sovereignty the one that I would like to explore.

In a way, it is the traditional role of the modern-nation-state, to produce a series of administrative institutions that assist in the process of facilitating a coherent development of the nation.

For the purpose of this discussion, I am using the state as my object of analysis. It could also be possible, to conduct this analysis by examining the other "official" histories which are constructed by either corporate capital (for example, Benetton) or by academics/intellectuals. Below in the text I will discuss the idea of the history constructed by the popular culture.⁸

In this regard, the state produces a bureaucratic machinery. This bureaucratic machinery not only administers people, but it also assists in the process of creating the nation.

For example, the post-office creates the nation via the name, symbols and emblems that it uses in its stamps. Which are the symbols that need to be used for representing the people? Nelson Mandela? Doctor Khumalo?⁹ A Zebra? In a dialectical way, the state machinery (in this case of the post-office) assists in the process of consolidating an image of the self-people and its values, which is important for the nation. The last thing that it could be attempted to do is to represent the history or image of the non-people, the non-citizen, or the "other".

In a way, the state is an organiser of the collective past of the history of the people/citizen living within its national-territory. In its role of sovereign, the state will create mechanisms that will allow the nation to unify around certain symbols, experiences, common "histories". This process, without any doubt, is from the start a contested one. It would be the role of the state, through a process of hegemony (in the Gramscian sense of the terminology)

⁷ For an interesting approach see: B Santos, "Law: a map of misreading. Towards a postmodern conception of law" (1987) 14 *Law and Society Review* 47; J M Guehenno, *The end of the nation-state*, University of Mineapolis Press, 1995.

⁸ For an exemplary analysis of the "other" state, i.e. civil society, see the work of C Rassool and L Witz in relation to the tourist industry and the construction of the nation. "South Africa: a world in one country - moments in international tourist encounters with wildlife, the primitive and the modern", unpublished paper, 1994.

⁹ Doctor Khumalo is a football star in South Africa.

to bring on board, within the dominant discourse, those other views which are claiming their own space - via a process of co-option and of, following Noam Chomsky, "manufacturing consent". In the case that the state's project is put into question, then, the repressive side of the hegemony will be imposed.

In a way, the Latin American experience of nation-building through processes of national reconciliation, are important and enlightening to the discussion in the text. What happened when in the process of Truth and Reconciliation Commissions, the social movements which pressed for the truth, found that the state - as the main actor "writing" the history - did not want to include some controversial aspects? As many found in the last decade in Latin America, the state wrote an incomplete history.¹⁰

Nonetheless, the project of the state, as the organiser of the collective memory or history, is well defined by Connolly.

But the state is the official center of self-conscious collective action. It is the institution of last recourse and highest appeal, the one that symbolizes what *we* are, for better or worse, and the one that enacts what we seek to be through its institutions of accountability and effectiveness. It is the sovereign place within which the highest internal laws and policies are enacted and from which strategies toward external states and non-state peoples proceed. It is the site of the most fundamental division between inside and outside, us and them, domestic and foreign, the sphere of citizen entitlements and that of strategic responses.¹¹

In a way, the state is the organ that by creating an official history, defines what is to be written in the books and what is to be excluded.

But the state, one needs to be clear about, is the administrative or bureaucratic component of the nation. The nation in this regard, at least within a traditional Western notion of the concept, will need to be seen as a

¹⁰ For an enlightening discussion please see: E Jelin, "The politics of memory: the human rights movement and the construction of democracy in Argentina" (1994) 21:2 *Latin American Perspectives*, Issues 81; P Oxhorn, "Where did all the protesters go? Popular mobilization and the transition to democracy in Chile" (1994) 21:3 *Latin American Perspectives* Issues 82.

¹¹ W Connolly, *Identity difference: democratic negotiations of political paradox*, Cornell University Press, New York, 1991.

network of social and cultural relations, which conform a common identity - "we, the people".

In this sense, and perhaps negotiating with a Hegelian notion of society before, and after the state, one needs to think that the mission of the state is to bring together those elements that represent the nation and which need to be continuously reproduced in order to maintain and develop the collective memory and identity. The bureaucratic machinery of the state is there, amongst other duties, to keep this process going.

Smith adds to this debate when analysing the common feature of the nation - which in a subsequent stage, at least if one follows Connolly's arguments - have to be incorporated and protected by the state. He argues the features of the Western nation-state are:

- * a historic territory, or homeland;
- * common myths and historical memories;
- * a common, mass public culture;
- * common legal rights and duties for all members; and
- * a common economy with territorial mobility for members.¹²

If one think about the two constructive definitions of Smith and Connolly, about the nation-state, one could then reflect on Mandela's Project of national reconciliation. In a way, Mandela's Project is about using the state to build the nation - instead of being the opposite. The TRC is one of the various vehicles to achieve this process. There are limitations, nonetheless, which deal with the possibility of adequately representing the nation in the context of a multi-nationality type of country, where, for example, there are 11 national languages, and where there are certain ethnic/nationalities which claim strong adherence to a particular territory (eg. the Zulu Nation).

The Law: The law is a particular vehicle by which the state organises itself, and its relation with the citizens. It provides legitimacy to the state. But it also provides a mechanism, a conduit, by which the state could represent what is necessary in order to organise the nation, and the citizens.

The law, in this regard, structures the nation - it gives the nation a most needed uniformity, which is then representative of the [political] project the state is trying to achieve. In order to represent the people, in order to

¹² Smith, above, n 5, p 14.

constitute a particular history which needs to be told, the state needs the law to transmit uniform rules. But in addition, it needs the law to create obedience by the citizens to the project the state is trying to create.

Fitzpatrick's views can assist us in understanding the process.

But law's relation to the nation is more involved than this - than simply being its symbol and affirmation. Law mediates between nation's universal claims and the inevitable particularity of its detailed life. In its pervasion of society and with its ability to do anything, modern law can take into itself the manifold of activity and change in the nation and set it within an ordered totality. In so doing law provides the nation with a certain practical universality.¹³

It is in the process of building the nation, when the law becomes a useful tool for the state: it organises, it defines parameters and frontiers for establishing the limits of the official history. The law is the frontier which the state uses in the process of making the history which is representative of all - the good history. Law defines the limits of the state intervention.

Nation Building: In fact, there is still class, ruling class and historical blocks, social movements - they are useful concept/normative social categories to analyse the process in which the state is involved, in attempting to define what is the history to be read, to be accepted, to be discussed. The state attempts to construct a particular history which is part of its political project of nation building.

But the state is not a monolithic institution. In fact, the state is not a system, or network of social relations, free of class/ideology-value. Indeed, the state is just a useful category of analysis which allows us to understand, how the administrative/bureaucratic organisation of our daily lives occurs. But the way in which that daily organisation occurs, is representative of a series of "historical compromises" (to paraphrase Gramsci) which occur in order for the state to govern - but the action of governing of the state, is still not divorced from representing particular class or social alliances and support privileges, which are useful for those within the state, but also for those outside the state, i.e, capital and a particular ruling block, whose interests the state, in its relative autonomy still represent.

¹³ P Fitzpatrick, (ed) *Nationalism, racism and the rule of law*, Dartmouth, Aldershot, 1995, xvi.

In a way, the state represents a diversity of social struggles, resistances, support and sabotages, which attempt to create a particular history in order to develop and consolidate the nation. The process of nation building, in a sense, does not occur in a vacuum: it occurs in a social context of struggle and compromises, based in part of class alliances, but also in other types of social pressures and compromises which allow for creating an image of the nation which although fragile, is good to be in part representative of, at least, a vast majority of the "people". The process of nation building, within a democratic culture at least, has to be as inclusive as possible.

Mandela's Project of national reconciliation is about re-creating a history, a nation-state, which is accommodative of the various nations that co-exist in the country. However, a fundamental feature of this project is its desperate need to avoid confrontation with the racial group which - in a very generalised way - was responsible of apartheid and colonialism: the whites.

The best example I found, about re-creating a history, or common identity of the people, in the less controversial way, is located in the re-naming of water dams in the country. For example, out of 12 recently renamed water dams, I will only cite four:

Old Name	New Name
Hendrik Verwoerd Dam	Gariiep Dam
Paul Sauer Dam	Kouga Dam
PK le Roux Dam	Vanderkloof Dam
Sarel Hayward Canal	Orange-Riet Canal

My argument is that the new names are basically the name of the location where the dams are. There is no context/historical community relation - beyond the fact the names are the same as the region where they exist. There is no name of heroes (as in the old days of apartheid) that, it seems to be, could be too controversial in the new dispensation.

Mandela's recent words on white people, are a good example of his wish of protecting this racial group and of accommodating them to the new society. It was reported in the newspaper that:

"We must stop this brain drain of people leaving our country for abroad," Mr Mandela told a rally in Port Elizabeth yesterday on the eve of his departure for a four-day state visit to Britain.

"They have a role to play here. To think that you can now just push whites aside is fatal, that's suicide," he said.¹⁴

The Truth and Reconciliation Commission: the Making of South Africa's New Past History

The *Promotion of National Unity and Reconciliation Act, 1995*, establishes that one of the TRC's objectives is:

To establish as complete picture as possible of the causes, nature, and extent of the gross violations of human rights which were committed during the period from 1 March 1960 to the cut-off date, including the antecedents circumstances factors and context of such violations, as well as the perspectives of the victims and the motives and perspectives of the persons responsible for the commission of the violations, by conducting investigations and holding hearings; (Chapter 2, Section 3.2.a).

The cut-off date was defined as 5 December 1993. Technically speaking this was the last day of apartheid. On 6 December 1993, the Transitional Executive Council began to rule the country, until the first democratic elections on 27 April 1994.

The state, as the legitimate sovereign, has the authority to investigate the past, and to compile a history that can assist the present in understanding what happened between a specific period of time. In fact, the state mission is one determined by time: 1 March 1960 to 5 December 1993. But also, the state, via the regulating law, has defined what it wants to investigate: gross violations of human rights. In a way, the state is privileging the writing of a particular history. The mission of the state is to find the TRUTH!

But the writing of the "privileged" history embodies a series of contradictions: fundamentally, what type of history is going to be represented and written. It was brought to my attention by other colleagues that none of the commissioners appointed to the TRC are historians. On the contrary, the core of the people involved are either religious people, social and health welfare representatives, and the legal profession. For a process in which history is going to be re-drafted, this sounds quite problematic. The state, within the "historical compromises" that it did in order to achieve a post-

¹⁴ "Make whites feel they belong, says Mandela", *The Argus*, Monday 8 July, 1996.

apartheid regime, also defined that the history of South Africa (1960-1993) was going to reflect all the actors that were involved in the conflict of the past: either the state or its organs, political organisations or national liberation movements. The state compromises with different social sectors or classes in society has meant, that the history to be written about the past, is just a reflection of very selective actors that have a common feature: the thirst for state power.

The immediate consequence of this state "decision", is that the history gathered only will cover a very small fraction of what really happened. But also, it would not be the history which will make the whole of South African responsible for the past - but just a small fraction of people who were either involved in the state or in the liberation movement. Curiously enough, in the definition of South Africa's history during apartheid, much of the responsibility is blamed on the [Afrikaaner] state. Less responsibility is blamed to [English-controlled] capital, which took advantage of the apartheid regime to increase the levels of exploitation and domination.

The following newspaper stories can assist in illustrating my argument. The first case deals with a particular type of history - that of white people as victims of black aggressors.

Case 1: The newspaper front page headline read: "Vision of man with an AK-47". According to the story, Ms Beth Savage, a victim of a "terrorist" attack in King Williams Town in 1992, "had hallucinations every evening while lying in intensive care in hospital. Her visions were of a man carrying an AK-47 rifle standing at her window".

What is fascinating about this story is that her suffering was narrowed (at least in the newspaper construction of the story) to her visions of a "terrorist" watching her. There is no apartheid, there is no oppression, there is no liberation movement ideology - it is just an act of terrorism. However, when asked what did she expected of the Truth and Reconciliation Commission, she stated:

I think it's fantastic we're having the commission - I think it's a wonderful idea that speaking out helps healing.

...

I really hope that the feeling comes to everyone. There are people here with far more serious problems than I.¹⁵

The second case further illustrates my arguments about the impact of the TRC on the processes of nation building under the hegemony of "Mandela's Project". This second case shows in a more dramatic way the role of the TRC in building the image of the "nation" for the traditionally underprivileged - the African people.

Case 2: The title of the newspaper story reads as: "Policemen shot at helpers after attack on nurse". The story relates to an incident in a small town of the Eastern Cape, where apparently police personnel colluded in a criminal activity in which a nurse, who was also a community activist, was burnt, and who eventually died of burn wounds. Ms Nomkuthalo Mahonga was the victim of state [via the local police station] repression. According to the story, the mayor of the town of Seymour, Ms Mike Kota, the "people of Seymour wanted the Truth Commission to investigate the incident...".

Ms Kota further adds:

She [Mrs Mahonga] was a hero and a leader...

Can you please search deeply? The police whom we suspect are still serving at Seymour, and while that is the case, there will never be peace in Seymour - they have to be removed.¹⁶

The third case story, deals with the "dark side" of history, that which not many people want to acknowledge, but which happened: collusion of sectors of the national liberation movements with the apartheid regime.

Case 3: The front page headline of the newspaper read as "AZAPO leader in military plot with SADF officers, TRC told". The story relates to an event in the mid-1980s when due to political tension between AZAPO and the United Democratic Front (UDF) in the Eastern Cape, there was a conspiracy between senior security force officers and a local leader of AZAPO. The story was related by Mr Mono Badela, then a UDF leader, who apparently was one of the people targeted in the conspiracy, and who escaped an assassination threat by AZAPO followers.¹⁷ AZAPO is the Azanian People's

¹⁵ J Yeld, "Visions of man with an AK-47", *The Argus*, 17 April, 1996.

¹⁶ J Yeld, "Policemen shot at helpers after attack on nurse", *The Argus*, 19 April, 1996.

¹⁷ J Yeld, "Azapo leader in military plot with SADF officers, TRC told", *The Argus*, 21 May 1996.

Organisation, a political organisation of socialist and African orientation in South Africa. It did not participate as a political party in the 1994 elections.

The three stories, at least as narrated in a local newspaper, provide some basic insights to analyse the logic of the Truth and Reconciliation Commission. Three newspaper stories do not make the "history" of the stories related to the Truth and Reconciliation Commission. They provide a good foundation to argue my case on the nature and limitations of this state exercise of telling the "truth. Exclusively they are stories about gross violations of human rights committed by the state or by the liberation/political movement. In this regard, the account represents a partial story of South Africa's past. But, on the other hand, for the state project, for Mandela's project of national reconciliation, these stories are useful: they focus on equally responsible parties (the state and the liberation movement). What is interesting, at least of the covering of the stories, is the lack of contextual analysis in which the events took place. This aspect, the lack of contextual analysis, has also been noted by other scholars such as Lula and Harris.¹⁸ In their work, these authors explored the testimony of Mrs Lephina Zondo to the TRC, the mother of Andrew Zondo who was executed in 1985 as a result of his alleged involvement in a "terrorist" attack. What is relevant for our discussion, is that her testimony was narrowed, through leading questions, to deal exclusively with the facts of what happened on a particular day of history. At the end of the day, the hearings could also be taking place, for example, in Los Angeles - the stories are about unscrupulous police officers and young people who did not abide by the law.

The lack of contextual and historical analysis, which can be seen as part of the Mandela Project, is a fundamental feature of the covering of the Truth and Reconciliation Commission. One gets the impression as if there was never apartheid or reasons to revolt against it. This is the key element the TRC is managing to develop and consolidate: a vision of the past which is very limited and framed within a particular language - a language which is hygienically and profilactically correct for the process of nation building, without being insulting or humiliating to those who were perpetrators - in particular to the white community.

For the history that is going to be written (in the report to be written by the Truth and Reconciliation Commission), stories will appear as the "truth" of

¹⁸ Lula and Harris, above, n 3.

what happen. They constitute the foundation in which the state will be able to proclaim what happened in the past.

Another important feature of this process, is that an act of the "Law" provides authority for the state, via the Truth and Reconciliation Commission to write the official history. Or as Ms Savage expressed herself, "... it is fantastic ... I think it's a wonderful idea that speaking out helps healing". But people are speaking through a very controlled process of commissioners, researchers, officials, psychologists, and others, who have come to existence only via this Commission.

The people involved with these institutional body, need to work hard and efficiently in order to gather enough information about gross violations of human rights. This process has to be accomplished within the period for which the Commission was organised. In a way, it is the construction of a very limited and controlled history.

Finally, a small but significant element about the Truth and Reconciliation Commission: its operation is determined by budgetary considerations. In this regard, the state capacity to write a new history will depend on whether the state has sufficient funds to fulfil all that it has promised to do in the enabling legislation. It would not be a matter of insufficient information to make history, but of the capacity of the state to finance the process of gathering it. Will the state be able to pay the bill?¹⁹

This is an important argument, because different to other areas of social development and interaction since the new dispensation in 1994, it is in the re-writing of history through the TRC, where the state has claimed - implicitly and explicitly - almost total control. The interaction between the state and civil society in the area of the TRC has been very limited in comparison to other areas such as policing, e.g, joint forums of community and police through the so-called Community Police Forums, or of total delegation to the community, e.g, Reconstruction and Development Programme forums, operating in most of the underprivileged communities across the country).

The state control over the TRC has had another interesting impact: the lack of an articulated or fragmented cohesive response from civil society questioning the way in which the state is conducting the process. Different

¹⁹ J Yeld, "Flood of requests to testify", *The Argus*, 18 April, 1996.

to other experiences, in particular in Latin America, where civil society had a stronger say in the processes of the Truth Commissions, in South Africa organisations across civil society, in particular the so-called "progressive civil society", have been silent and unable to articulate a clear critique against the government.²⁰

Conclusion

One would like to challenge the nature of the privileged history the state is attempting to write at present - but at the moment it does not sound as a realistic project. The most one can do is to open to debate the impact the "writing of the official history" has in relation to the broader history of the country. In a way one has to support the state initiative, although in a critical way, because it is attempting to embark in an unique experience which has not been attempted before. One cannot stop rethinking the past by the mere fact that the state is writing an official perspective. The importance of digging up the past for an "alternative history", becomes a serious project, equivalent to that of having the official history.

In a way it is about being aware of the state limitations when writing the official history. But it is also about finding ways to unveil the history, the popular history, which the state is not recognising in its project. It is about building frequency, in opposition to the state frequency, in which the people's history of those who have participated in the Truth and Reconciliation Commission, but also of those who have not participated in it, is written. A history which has, at least, a contextual analysis based on the real historical event of the existence of the apartheid regime.

Finally, and back to the story of Owen at the beginning of this article. Perhaps, what an alternative history project requires, is to think that whilst the state is sending the car for "panel beating and spray", others should consider the option of sending the same car, or another car, for restoration.

²⁰ See Jerlin, above, n 10; Oxhorn, above, n 10 and G Simpson, "Proposed legislation on Amnesty/indemnity and the establishment of a Truth and Reconciliation Commission", submission to the Minister of Justice, Mr Dullar Omar, by Centre for the Study of Violence and Reconciliation, University of the Witwatersrand, 1994.

