

Preface¹

Alan Paton (1903-1988) believed in the power of memory. He also warned against its dangers, and fought tirelessly against its abuse. He was a friend of African National Congress President and Nobel Peace Prize winner Chief Albert Luthuli. He was a political adversary of Nelson Mandela. A writer, anti-apartheid activist, and politician, he was most famous for his bestselling novel, *Cry, the Beloved Country*, and for his leadership role in the Liberal Party. He gave evidence in support of mitigating the prison sentence for Mandela and the others being tried in the Rivonia Trial in 1964. Years later, Mandela wrote him from prison, thanking him for his support. The letter was intercepted by the prison censors and never reached Paton.

Let me say at once that I am honoured to be associated with Alan Paton in this way. And that my institution, the Nelson Mandela Centre of Memory, is similarly honoured. My aim with this [Alan Paton] Lecture is to honour Paton's memory by reflecting on the roles of memory in the beloved country during the era we call post-apartheid, postcolonial.

Introduction

The post-apartheid era in South Africa has seen a wealth of memory work ranging from: the endeavour of the Truth and Reconciliation Commission (TRC)² to the flowering of new museums and archives; the investigations underpinning the land restitution process to the rapid growth and diversification of the country's heritage sector; the research supporting special pensions for those who contributed to the struggles against apartheid to the writing of new history curricula for schools; and the location of the remains of persons murdered by the apartheid state to the use of legislated freedom of information instruments by civil society in 'truth recovery' and reparations-related interventions. This work has drawn on a long tradition of 'memory for justice' in the country, which beginning in the late 1970s coalesced strongly as a tool of struggle against instruments of forgetting imposed by the apartheid regime.³ Through the 1990s, the tradition held sway in inspiring and informing what was called post-apartheid transformation.⁴ Equally, this memory work has been influenced by the international discourses of transitional justice, which insist that 'dealing with' oppressive pasts is necessary for the building of democratic futures. Working with inherited collective pain vouchsafes the healing essential for sustainable reconciliation and nation-building.

So, there's a wealth of memory work, drawing on struggle tradition and international best practice. And yet. And yet, our society remains severely damaged. Old fissures remain resilient. New ones are emerging. The social fabric is being unravelled further by growing disparities between 'haves' and 'have-nots,' by rampant corruption, by creaking service-delivery

infrastructures, a failure of leadership at many levels, alienation from political processes, xenophobia, what I call the re-racialisation of discourse, unacceptable levels of crime, domestic violence, infant mortality, HIV infection, illiteracy, unemployment, and so on. By any measure, we are troubled, and in trouble. Obviously this is not attributable to a single cause, or set of causes. Nor are we exceptional; South Africa shares many of the challenges being experienced by a family of nations caught in the nexus of under-development and post-oppression transition. But it is time, I believe, for us to assess our post-apartheid memory work. Has it been too superficial? Have we only scratched the surface of our country's pain and alienation? Does the really hard work – the work that truly embraces damage and offers healing – remain to be done? To what extent are the failures of the post-apartheid project failures of memory?

In the space available to me here, I can do no more than skim the surface of the terrain staked out by these questions; suggest ways of answering them rather than provide answers to them. Moreover, I cannot hope to engage the full gamut of 'sites' in which invocation of the past takes place, from the school classroom to the museum display hall, from rural communities pressing land claims to urban communities demanding service delivery, and from traditional leaders seeking extended powers to broadcasters marking anniversaries of historical events. I will focus my reflection on more or less formal, more or less institutional endeavours undertaken, sponsored, or sanctioned by the state. The reflection follows five lines of enquiry, each exploring an attribute of post-apartheid memory work and suggesting a possible, and necessary, deconstructive interrogation: metanarrative, opacity, healing, reconciliation, and learning.

The reflection can, and should, be read as a critique of the post-apartheid project's reliance on two interlinked figures, or symbols: 'the New South Africa' and 'Nelson Mandela.' 'The New South Africa' was heralded by Mandela's release from prison on February 11, 1990, and given formal appellation by the country's first democratic election on April 27, 1994, and in its apogee during the presidency of Mandela in the period 1994-1999. It was always a construct, a vision, embraced first in public discourses in South Africa and then quickly adopted globally as shorthand for the ambitious project of democratisation rising from the wreckage of more than four decades of apartheid rule. But it was also the signature for intense and wide-ranging work designed to reconstruct and develop a society shattered by oppression. From the outset, the vision relied on a combination of metanarrative and symbol to give it shape and to stretch its reach. Public discourse in and about South Africa was emblazoned by the concepts of noble struggle against apartheid, of post-apartheid reconciliation, and of nation-building. Central to this energy was the life and work of Nelson Mandela, the living symbol of Archbishop Desmond Tutu's 'rainbow nation.'

The reflection is, at the same time, an act of self-reflection. Since 2004, I have been part of a project designed to convert Mandela's post-

presidential office, the Nelson Mandela Foundation, into a human rights-based non-governmental organisation, the Nelson Mandela Centre of Memory. Any centreing of memory in post-apartheid South Africa must take account of, and account for, the conditions I have alluded to and wish now to discuss. Especially if the centreing – like that being undertaken by the Centre of Memory – is committed to promoting social justice.⁵ We neither work in a vacuum nor are immune from the special power of Nelson Mandela the figure, the symbol. We might know, and have worked with Madiba⁶ the man, the individual fallible human being, but inevitably everything we do is cast within a framing determined by figures, symbols, and metanarratives.

Of metanarrative

One of the core tenets of the ‘memory for justice’ tradition I mentioned at the outset was that memory should be used actively to counter the metanarratives of the apartheid regime and to build new, liberatory, ones. Not surprisingly, then, much of the memory work done through the 1990s and beyond has been deployed to this cause. Narratives of a noble struggle (‘the struggle’) against oppression, of heroes and heroines versus villains, of ‘the people’ or ‘our people,’ of truth and reconciliation, of nation-building, reconstruction and development, the ‘New South Africa,’ ‘Madiba Magic,’ the ‘rainbow nation,’ and so on, have been dominant. I don’t want to offer a deconstruction of these narratives. Nor do I wish to question the need for new metanarratives in rebuilding a society damaged by generations of oppression. I do want to suggest, however, that memory work deployed in this way runs the risk of being trapped into a totalising agenda and of foregoing the opportunity to harness truly liberatory energies. And I do want to suggest that we have paid a price for this deployment. Too many sub-narratives have been squeezed out, too many counter-narratives ignored. Loose threads too often have been seen as threats to a seamless narrative rather than opportunity for richer, more complex, and more textured weaving. Privileging of the (predetermined) ‘story,’ ‘the message,’ has discouraged attention being paid to process, to modes of memory construction, to form, language, genre, voice, reading, and so on. All of this, I would argue, has constituted an obstacle to the decolonisation of memory institutions in South Africa.

In what we can now call the post-Mbeki, or post-Polokwane,⁷ era, we have seen the emergence of a fresh wave of memory work in South Africa. You see it in a rush of new heritage projects and of new institutions more or less dedicated to memory work (the Thabo Mbeki Foundation, the Ahmed Kathrada Foundation, the OR and Adelaide Tambo Foundation, the Luthuli Foundation, the Ahmed Timol Foundation, the Joe Slovo Foundation, and so on); you see it in a rash of new autobiographies and biographies; an obsession with anything Nelson Mandela-related (recall, for example, how in January 2011 the world’s media descended on South Africa and how public discourse became entranced by the question of Madiba’s health); you see it in a feverish

marking of anniversaries. Obviously a lot is going on here and there can be no single explanation. But note how this work is being deployed. By those, on the one hand, determined to co-opt post-apartheid metanarratives to new forces and energies. By those, on the other hand, determined to protect and preserve 'the legacy' against such co-option. A whole new layer of risk, I would suggest, and more obstacles to the processes of decolonisation.

Of opacity

Under apartheid, swathes of South African history were erased, hidden, or marginalised. Oppositional voices and narratives were repressed or silenced. This systemic opacity spurred another core tenet of the 'memory for justice' tradition, namely, that creating space for such histories, voices, and narratives was at once an ethical imperative and a critical instrument of struggle. Not surprisingly, then, post-apartheid South Africa was shaped by commitment to concepts and values like 'transparency,' 'freedom of information,' 'truth-recovery,' 'full disclosure,' and so on. And yet. And yet, South Africa in the era of democracy has proved to be a less than fertile environment for these concepts and values. Cultures of opacity remain resilient. Our memory work is hampered by secrets, taboos, disavowals, and lies. The silences are often deafening.

It is too easy in these circumstances to point fingers. To name those who circumscribed or obstructed the work of the TRC. To name those who turned the 2003 Hefer Commission into a farce.⁸ To list the cover-ups. To identify those obstructing the objects of the Promotion of Access to Information Act.⁹ To name the public representations of our past shrouded in shadow. And so on. I believe that it is imperative that we all take responsibility for the cultures of opacity; understand that it is not only those who wield power who deal in silences; and (more difficult) accept that there might be legitimate secrets, healthy taboos, justifiable disavowals, even – I hesitate to say it – necessary lies. Cultures of opacity flow deeply through South African society. They come not only from the old apartheid-state milieus. They flow out of diverse and deep traditions, customs, and mythologies. They flow out of the anti-apartheid experiences of exile, the underground and mass resistance. They flow out of the nature of our transition to democracy – not a revolution, but a protracted negotiated settlement, during which selective destruction of memory resources took place and more or less secret deals were made. The latter scenario, in South Africa and elsewhere, stimulates extreme sensitivity around access to information.

In any polity or collectivity it is, precisely, the secrets, the taboos, the disavowals and the lies which mark the place of bruise, of wound, of damage. Memory work, I would argue, is bound by the call of justice to tend this place. Tend. In other words, on the one hand, it must decline any dictate to turn away from this place, pretend that it is not there. On the other hand, it must

turn to this place, return to it, engage it. Respectfully. Determinedly. Without the recklessness of rush.

Of healing

A third attribute of much of the memory work done in post-apartheid South Africa is an assumption that remembering brings with it healing. In some formulations, there can be no healing without remembering. The provenance of this view internationally is complex, going back, arguably, as far as Freud, infused, certainly, by the discourses of psychoanalysis, influenced, certainly, by the dogmas of transitional justice. In South Africa, the influences of Christian notions of confession, repentance, and forgiveness have been particularly strong. Indeed, it could be argued that the TRC was framed very deliberately by these notions. But what if remembering is just as likely to reopen old wounds? What if the majority of the thousands of South Africans who came to the TRC to testify to abuse and damage have not found healing from their ‘TRC experience’? (Have we gone back to those thousands in the years since the TRC to test what has now become a dominant mythology, namely, that the TRC’s rituals of testimony were effective as instruments of healing?) What if forgiveness is impossible, because it requires precisely an embrace of the unforgiveable?¹⁰ What if forgiveness is not an act of mercy from one to another, but rather a rendezvous?¹¹ In other words, a process in which timing is critical and for which enormous patience is required? What if healing is more closely associated with forgetting than with remembering? Does the binary opposite remembering-forgetting, like all binary opposites, obfuscate rather than illuminate? Could healing also be a rendezvous? Is it possible that we rushed into the rituals of ‘dealing with’ the past? Have we, in consequence, pre-empted a rendezvous wanting to happen? Or missed it altogether?

I don’t have ready answers to these questions, nor space here to explore them. But I would suggest that we underestimated the damage wrought by our histories – to individuals, collectivities, and institutions. And I would suggest that we were seduced by the possibility of a ‘quick-fix.’¹² (‘Madiba Magic’ would sprinkle salve on our wounds and we would emerge, quickly, as reconstructed ‘new South Africans.’ Madiba’s gracing of the 1995 Rugby World Cup would fast-track the transformation of the country’s sports sectors and accomplish in a moment what logic told us would require generations of hard work.¹³) On the other hand, I see promising signs: Non-governmental organisations committed to a long haul in engaging damage; indications in the new rash of autobiographies and biographies of a greater willingness to open up to damage; the emergence of a generation of young public intellectuals prepared to question struggle orthodoxies and tend the bruises in memory; some memory institutions becoming conscious of how their representations of what was formerly ‘the other’ introduce new layers of ‘othering;’ and so on. Signs. Not many. But promising. Could they be signs

of impending rendezvous? Signs of people either finding ways for healing to come to them or creating conditions in which healing is more likely to come to others, without prescription, without blueprint?

Of reconciliation

Most of South Africa's post-apartheid memory work has been geared to promoting reconciliation. A noble aim, perhaps, but it has run the risks of metanarrative deployment which I outlined earlier. Too often, in my view, it has been trapped into a totalising agenda. Too often it has followed dictates to turn from secrets, taboos, disavowals, and lies. Too often it has embraced a blueprint for healing. More damaging, it has been encumbered by the broader reconciliation project's baggage. A substantial baggage, but let me name just two (profoundly interconnected) dimensions. Reconciliation is of a completely different order than that of forgiveness. The latter is about the impossible gift; the reaching for pure transcendence. Reconciliation is about hammering out a practical way forward, accommodating harsh realities, and negotiating ways of learning simply to get on together. An economy of exchange, in other words. And in South Africa in the 1990s, a very specific, trifocal, economy was agreed to as the springboard for continuing reconciliation endeavours: amnesty for human rights perpetrators offering full disclosure, reparations for victims of human rights violations, and prosecution (ie. punishment) for perpetrators failing to secure amnesty. A fatally flawed springboard as it turned out. For the exchange was not honoured. Very little 'full disclosure' was secured.¹⁴ Reparations were inadequate and fiercely contested.¹⁵ And prosecution was not forthcoming.¹⁶

We have paid a heavy price for reconciliation's consequent crisis of legitimacy. A crisis deepened by perceptions that the reconciliation project has been used to smooth the replacement of one elite by another. Liberation has reached too small a number of South Africans to be an enduring energy of unification. The notion of a South Africa "belonging to all who live in it" seems now to be an impossible ideal.¹⁷ South Africa belongs increasingly to the few who can afford to access the instruments of democratisation, the few who benefit from resilient colonial and apartheid patterns of privilege, the few who can feed from the troughs of patronage, protection, and graft. The few who construct islands of conspicuous consumption in huge lakes of impoverishment. In these contexts, the metanarratives of 'the New South Africa' are unravelling. Social cohesion is elusive. For the many, the many encumbered by the chains of a too-old South Africa, for the many, I would argue, learning simply to get on together has become a lot harder now than it was in 1994.

Of learning

Most post-apartheid memory work has made the assumption, or at least relied unduly on the assumption, that constructions of the past -- the study of history -- are about learning from the 'mistakes' of that past. I've been studying history all my adult life, and the one sure thing I've learned is that societies hardly ever learn from the mistakes of their pasts. Working with those pasts is important for other reasons, some of which I've already alluded to. Space does not allow a full exploration of what is a complex question; suffice it to suggest a different paradigm for engaging the question after naming two linked consequences of the learning-from-mistakes assumption. First, it leads, or slips, too easily into didactic modes and forms. There are lessons to be learned, and the learner must be clear on what they are. For the learner -- whether the viewer of an exhibition, the reader of a textbook, the listener to a radio programme -- for the learner this is an experience of paternalism. Second, the assumption encourages reliance on experts to ensure that learning takes place.¹⁸ The knowledge of these experts, whether historians or archivists, museologists or anthropologists, is a source of significant power, and they exert an almost unavoidably paternalistic influence over when and how memory is constructed. Memory itself has developed as a field of expert knowledge and is often appropriated by its own emerging cohort of experts. They tend to decide on behalf of non-experts. Paternalism. Non-experts typically challenge this power only through direct action in which they insist on their memories being constructed in the modes and forms they desire.

Paternalism, of course, is always profoundly alienating. It's resilience in our memory institutions explains in large part the difficulty they've experienced in securing a sense of ownership by communities, in realising meaningful popular participation in their constructions of the past, in creating new publics. Public programming has been mostly about outreach and very little about in-reach -- the public reaching in, participating in. Democratisation -- decolonisation -- of our memory institutions has suffered accordingly. As Jacques Derrida has argued: "Effective democratisation can always be measured by this essential criterion: the participation in and the access to the archive, its constitution, and its interpretation." (Derrida, 1996, p.4)

Societies, I believe, and individuals possibly as well, learn most readily not from the past but from the future. What we perceive to be the future opening to us, what we experience as our participation in the making of that future, what we feel as our smaller journeys joining with larger journeys of collectivity, nation, and humankind, determine in fundamental ways our embrace of values, symbols, narratives, and pasts. What we learn from the past, I am suggesting, is shaped indelibly by what we are learning from the future. When we feel alienated from the future -- when it feels like a closing rather than an opening, when energy is stifled and opportunity circumscribed, when paternalism is privileged over participation, when experts determine

constructions of knowledge for us, when our personal journeys feel disconnected from or unconnected to larger journeys – when we feel alienated from the future, then mistakes of the past become a foreign country to us. Equally – and this is another form of alienation – when we feel overly at home with the future – when its opening is overdetermined for us or by us, when energy and opportunity are controlled willingly, when we receive the knowledge of experts and eschew the responsibilities of participation, when our personal journeys are subsumed by larger journeys – when we feel overly at home with the future, then the mistakes of the past become a foreign country to us.

The mistakes of South Africa's past, I would submit, have become a foreign country to us.

And the imperative is to befriend them. I didn't say 'learn from them.' Befriend them. Hold them. Give them sanctuary. Be hospitable to them. The best example of this I can think of from Nelson Mandela's life is the way in which during the prison years he held memory of his pre-capture sacrifice of domestic life to struggle. Not that he would have done differently; not that he did do differently in the post-prison years. But his holding of memory contributed to an intense engagement with the idea of 'the domestic,' and a profound nurturing – from prison – of that space.

Befriending the mistakes of the past – which I am arguing is of the same order as, if not the same as, befriending the future – befriending our mistakes is the work of memory, the work of archive. The archive, in the formulation of Jacques Derrida, opens out of the future. (Derrida, 1996, p.68) The call of justice here, the call of justice at work in archive, is a call for archive to be opened fundamentally to participation. Participation in its constitution and in its interpretation. Opened to the endeavour of experts and non-experts alike. Opened to the voices of people. Opened to contestation. Liberated from the tyrannies of didacticism and paternalism.

Conclusion

At the outset I posed a number of questions. Has our post-apartheid memory work been too superficial? Have we only scratched the surface of our country's pain and alienation? Does the really hard work – the work which truly embraces damage and offers healing – remain to be done? To what extent are the failures of the post-apartheid project failures of memory? I think you know by now what my necessarily tentative and preliminary answers are. What to do about it, I think, is the critical issue. Here time has allowed me only the posing of what I regard as the key questions, the key 'how' questions: How can we avoid the pitfalls of deploying memory work to the service of metanarrative? How can we open the metanarratives we have adopted, *unavoidably* have adopted, to problematisation and deconstruction? How best to break down our cultures of opacity? How do we enable the decolonisation of our memory institutions? How do we tend the place of

bruise, of wound, of damage? How do we create conditions for healing, without prescription, without blueprint? How do we rescue the post-apartheid reconciliation project? How do we befriend the mistakes of our pasts? How do we grow up as a nation? How do we learn to live without Madiba?

I haven't provided answers to these questions. But I have suggested that it is critical that we be asking them, engaging them, framing our memory work in relation to them. Critical for all of us. But especially so for an organisation carrying the name of Nelson Mandela conjoined with the concept of memory. So we at the Nelson Mandela Foundation have a particular responsibility. Given the extent to which the figure, the symbol, 'Nelson Mandela' has been deployed in constructing 'the New South Africa.' Given his association with the 'memory for justice' tradition. Given his participation in the genesis and early implementation of South Africa's reconciliation project. Given his directive that the Mandela Centre of Memory's most important shaping influence should be the call of justice.¹⁹

I have no doubt that had he been younger at the advent of the post-apartheid transition, he would have vigorously and publicly contested his elevation to the status of icon, even saint. He would have disturbed the reliance of 'the New South Africa' on his personal narrative deployed as metanarrative. Listen to him reflecting during 1998, in a first draft of what was intended to be a sequel to his autobiography: "One issue that deeply worried me in prison was the false image that I unwittingly projected to the outside world; of being regarded as a saint. I never was one, even on the basis of an earthly definition of a saint as a sinner who keeps on trying." (Mandela, 2010, p. 410)

I have no doubt that had he been younger towards the end of his presidency, he would have acted robustly to ensure that the TRC Final Report was not buried and the huge, rich TRC archive with it.²⁰ He would have prioritised the rescuing of what became a fatally flawed springboard.

I have no doubt that had he been younger in the first decade of the twenty-first century, he would have summoned his energy against patronage, protection, and graft. Listen again to him reflecting in that 1998 manuscript: "But history never stops to play tricks with seasoned and world famous freedom fighters. Frequently erstwhile revolutionaries have easily succumbed to greed, and the tendency to divert public resources for personal enrichment ultimately overwhelmed them. By amassing vast personal wealth, and by betraying the noble objectives which made them famous, they virtually deserted the masses of the people and joined the former oppressors ..." (Mandela, 2010, p. 406)

If only. If only.

But, as he has enjoined us repeatedly in recent years, "it is, now, in your hands."²¹ In our hands to engage memory work as fundamental to the success of the post-apartheid project. In our hands to engage rather than avoid the politics of memory. In our hands to get our hands dirty. In our hands to reach for a just politics. A politics mindful of the call of justice. A politics

straining for a justice which is always coming. A justice defined by one's relation to 'the other.'²² The stranger. The one who does not fit. The one who disturbs 'us', who contests 'our' space. Who opens us to what is coming. Who is most deeply inside us at the same time as being 'outside.' Who importunes us to reach in and reach out simultaneously. Who whispers in our ear that while an army can liberate a country, only we can liberate ourselves. Who reminds us that 'the Long Walk' has no ending. Who points to what Madiba said in the final sentences of his autobiography *Long walk to freedom*: "I have discovered the secret that after climbing a great hill, one only finds that there are many more hills to climb. I have taken a moment here to rest ... But I can rest only for a moment, for with freedom come responsibilities, and I dare not linger ..." (Mandela, 1995, p. 751).

Notes

¹ This text was initially presented as the 18th Alan Paton Lecture on May 5, 2011. It has been honed lightly for delivery as text, while the footnotes have been expanded to accommodate non-South African readers and to incorporate some of the extemporaneous elaborations made by me on the day. Some of the original footnotes have been worked into the text. The Alan Paton Lecture is an annual lecture convened by the University of KwaZulu-Natal. Previous lecturers include Archbishop Desmond Tutu, former Chief Justice Pius Langa, Helen Suzman, Donald Woods, and Gopulkrishna Gandhi.

² Established in 1995, the Truth and Reconciliation Commission delivered its main report to Mandela in 1998 and concluded its business in 2003.

³ For an account of this tradition see Harris (2011).

⁴ The first post-apartheid government adopted three interlinked and overlapping strategies for coming to terms with the past: nation-building, through the deployment of symbols and metanarratives (big explanatory stories); the putting in place of special instruments to effect redress and reparation for past injustice; and the longer-term restructuring of the state and the economy to ensure the sharing of wealth and the effecting of equal access to opportunity. The primary special instrument was the Truth and Reconciliation Commission (1995-2003). Other instruments were put in place either simultaneously or thereafter, and are all ongoing:

- A land restitution process aimed at either returning land or providing compensation to people forcibly removed in the period 1913-1994.
- A broader land reform programme, aimed at transferring 30 percent of white commercial farmland to black farmers by 2014.
- The implementation of employment equity policies (affirmative action) favouring previously disadvantaged sectors of society (by

race, gender, and disability), across government and the private sector.

- Black Economic Empowerment (BEE), a policy and a programme designed to increase ownership, management and control of businesses by black South Africans, to make finances more accessible to black entrepreneurs, and to use ‘preferential procurement’ by the state and its agencies to spread empowerment across the private economy.
- The awarding of special pensions to persons who made meaningful contributions during the struggle for freedom.
- The establishment of a missing persons programme within the Department of Justice with a mandate to locate the remains of persons murdered by the apartheid state and return them to the families. The programme is a response to one of the Truth and Reconciliation Commission’s recommendations.

⁵ Of course, the concept of a ‘Centre of Memory,’ a centreing of memory, inclines us to: the past, the metanarrative, the energy of the declarative, and the protecting of ‘the inside.’ We have to work against this incline: our work must be about the future, not the past; our work must deconstruct metanarrative, find the loose threads that unravel every seemingly seamless tapestry; our work must subject the declarative to the dialogical; and our work must be pursued inside-out. Every centre, and I must point out that our logo is a spiral, may at once be the point to which energy is gathered and the point from which energy is disseminated. We understand that the call of justice, arguably, is a call to a decentring -- of energy, of power, of voice -- and we understand also that a centreing is implicated in all decentring. The challenge is to hold this fundamental tension both conceptually and institutionally – to centre with a view to a decentring, and to decentre with a view to a centreing.

⁶ ‘Madiba’ is Nelson Mandela’s clan name, use of which expresses both respect and affection.

⁷ The 2007 ANC conference in Polokwane marked the end of Thabo Mbeki’s ANC presidency. Months later the ANC ‘recalled’ him from the presidency of the country and an interim arrangement prepared the ground for the presidency of Jacob Zuma.

⁸ The Hefer Commission was set up in 2003 by President Mbeki ostensibly to investigate the linked allegations that Bulelani Ngcuka, head of the National Prosecuting Authority, had been an apartheid-era spy and that he was abusing his office.

⁹ For an analysis of the implementation of the Promotion of Access to Information Act in the period 2001-2008, see Allan (2009).

¹⁰ This concept of forgiveness I learned from the work of Jacques Derrida. See, for example, his seminar 'Archive fever in South Africa' in Hamilton, et al. (2002).

¹¹ This idea is explored by Anne Michaels in her novel *The winter vault* - see especially pages 93-94 and 331-332.

¹² What Hugh Lewin and other colleagues in the Truth and Reconciliation Commission used to call 'a microwave process.'

¹³ The 2010 Clint Eastwood film *Invictus* portrays Nelson Mandela and the 1995 Rugby World Cup in a classic narrative of 'quick-fix'.

¹⁴ The Truth and Reconciliation Commission received about 7,000 applications for amnesty in relation to gross human rights violations. Amnesty was conditional on a full disclosure of acts of violation, demonstration of a political motive for the acts, and passing of the test of proportionality. Amnesty was granted in just over 1,000 cases. However, most applicants came to hearings with their lawyers in a sorry tale of obstruction and obfuscation.

¹⁵ Over 22,000 victims of gross human rights violations were identified by the Truth and Reconciliation Commission (TRC). The TRC recommended a medley of reparations for victims, from the financial to the symbolic, from the community to the rehabilitative. It was able to secure urgent interim financial grants for some of the victims during the process, but the state opted for a modest one-off grant of 30,000 rands for each victim at the conclusion of the process. Long, hard advocacy work by structures of civil society seems to have shifted the state's position – in 2011 it published regulations providing for educational and health grants.

¹⁶ The Truth and Reconciliation Commission (TRC) recommended a robust and systematic programme of prosecutions against perpetrators who either failed to get amnesty or chose not to apply for it. A handful of prosecutions were completed during the TRC's lifespan. But since completion of the TRC's work, to my knowledge, only two prosecutions have taken place. It seems clear now that the state has, effectively, embraced a blanket amnesty for apartheid-era perpetrators. Long, hard advocacy work by structures of civil society seems unlikely to shift the state's position.

¹⁷ This is a clause from the 1955 Freedom Charter.

¹⁸ Here I am relying heavily on Hamilton, Harris, and Hatang (2011).

¹⁹ When Nelson Mandela inaugurated the Nelson Mandela Centre of Memory project in 2004, he indicated that the Centre's most important shaping influence should be the call of justice (Nelson Mandela Foundation, 2005, 98).

²⁰ We still await a formal response from the state to the wide-ranging 1998 and 2003 recommendations of the Truth and Reconciliation Commission (TRC). Several of these recommendations related to the TRC's own institutional archive, which it envisaged becoming a public resource made

available through imaginative public programmes. Instead the archive has been buried by the National Archives. For accounts of difficulties in securing access to this archive, see Allan (2009).

²¹ Mandela said this publicly during a speech delivered in London on 25 June 2008.

²² This concept of justice I have learned principally from the work of Derrida and Levinas.

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