

Terence Dowdall
Department of Psychology, University of Cape Town
South Africa

Survivors, Perpetrators and Social Change: The Role of Truth Commissions

How do we evaluate the various Truth and Reconciliation Commissions that have been set up towards the end of the twentieth century? Do they help survivors to come to terms with the atrocities that have happened? Do they act as a deterrent against similar abuses in the future? My argument in this paper is that we need finally to weigh Truth Commissions in the broad context of an ongoing struggle against torture; but this naturally also involves analysis of the potential role of the Truth Commission in relation to the individual survivor, the perpetrator, the onlooker in society, the local community, the nation state or the broader world context. As I have argued elsewhere (Dowdall, 1996) the overarching goal at all of these levels needs to be psychological – a profound change in the belief and value systems that allow torture, atrocities and human rights violations to flourish. In this paper I shall explore the role that transformation of values, beliefs and assumptions play at every level – including survivors, perpetrators, the community and national context, and the international context.

At the outset, however, I want to make plain my conviction that in the work of the South African Truth and Reconciliation Commission (TRC, 1998) – and every other Truth Commission, we are not only involved in healing the psychological trauma of survivors, or in facilitating national reconciliation in the aftermath of a violent and oppressive regime, vital though both of those functions are. We are also part of one of the centrally important social movements of our times – the human rights movement against torture, organised violence, political murder, genocide and allied human rights abuses.

Given the long history of such abuses, does this have any chance of success? In the 18th and 19th centuries the movement against slavery challenged the assumptions and accepted practices of thousands of years. Over a period of little more than a hundred years, enormous gains were made, to the effect that no state today could openly trade in slaves or formally sanction slavery without incurring ostracism and international penalties. Practices that still approximate enslavement are massively reduced, generally covert, and usually against the laws of the country in which they are practiced. The human rights movement against torture and organised violence faces a similar long haul, but we have seen that each small victory and precedent counts, and that the cumulative effect can create a climate in which the common understanding of human rights abuses is not that they are “regrettable but understandable”, but that they are intolerable and indefensible.

It is this understanding – the set of thoughts, beliefs, values and ideologies – that is central at every level of the cycle of repression and resistance. Our construction of our actions and experiences – the way we make sense of them – is crucial to the understanding of the infliction and the effects of organised violence – of damage, healing and reconciliation. It is a key element in why some people cope with fortitude in the face of horrific abuses, whilst others fall into despair and depression; why ‘ordinary men’ can torture prisoners entrusted to their care, or brutally assault teenagers and then go home to a pleasant supper with their own teenage children. It also helps to make sense of how a climate is created in which human

rights violations become “acceptable” and conversely begins to open up possibilities of “innoculatory” or preventive work. It is also virtually impossible to work therapeutically with survivors of human rights violations without working with their constructions of the meaning of their abusive experiences.

Truth and Reconciliation Commissions in international perspective

It is important to keep the South African Truth and Reconciliation Commission in focus against the evil which it is intended to counteract – the gross human rights violations committed – primarily but not solely by the State – over the past decades. At the international and national level it is important to realise that the tragedies of assassination, murder, torture and abuse that have been played out in South Africa are part of a much broader picture across the globe. The human rights movement in its various forms is the first serious international movement to challenge the rights of regimes to use murder and torture as instruments to enforce state policy. Violent repression is beginning to be no longer respected as the private domestic concern of states, just as wife-battering and child abuse are no longer regarded as the private domestic business of the family.

However, the right of governments to abuse and repress their citizens remains bitterly contested ground, which is why each country that emerges from under a repressive regime and then decides how to manage a reckoning with the perpetrators is watched so closely. Since the Nuremberg trials and through a long string of Commissions of Truth, Justice and Reconciliation, the international community has been experimenting and setting precedents in making gross human rights abuse a crime for which officials may be called to account when the protection of their regime falls away. This is different from the vengeful retaliation which has existed throughout history, in that it is an attempt to return the state to civil justice and deal with the perpetrators within this system, with all the checks and balances involved. It is also however commonly wedded to the goal of national reconciliation, which further tempers the processes decided upon politically. For better or worse, the work of Truth Commissions impacts upon the unfolding international consensus concerning the unacceptability of violent repression, and the responsibilities of politicians, officials, policemen, soldiers – and resistance fighters – for violent repressive atrocities and crimes.

The major difficulty that arises out of all of this is the question of impunity. Political negotiation – whether to limit ongoing conflict, or to protect party members, senior security force members or supporters– commonly involves the trading of a greater or lesser degree of impunity. At worst impunity constitutes a blanket absolution and protection for those who committed terrible crimes “in the line of duty” – and a situation where those crimes are concealed and never confirmed or condemned by the authorities of the country. This is counter-productive at every level. It sends a clear message – that it is acceptable to torture, rape and murder people if you do it under the umbrella of instructions by any regime or organisation. It also tacitly re-affirms the validity of a defence discredited in the Nuremberg Trials – “I was just obeying orders”. Impunity means never having to say that you’re sorry, and never having to pay for your crimes. And, of course, impunity reassures the population of abusers – either still in office, or those who may occupy such posts in the future – that work as a torturer or killer is still a career option.

National reconciliation – particularly after a lengthy period of civil conflict – should not lightly be imperilled, even if a measure of impunity has to be traded. I would argue that it is still possible to gain a great deal from a Truth and Reconciliation Commission, even without a

proper measure of justice. One of the most crucial points that needs to be established through a Truth Commission is that *no ends whatsoever justify gross human rights violations*. Any political movement that argues that torture or arbitrary murder is somehow more acceptable in the service of *their* ends becomes fatally flawed. There were members of the former liberation movement in South Africa, for example, who argued that “reactionary violence” could not be compared with “revolutionary violence”. They failed to see how important it was that gross human rights abuses be treated in exactly the same way regardless of whether they were perpetrated by the security forces of the previous regime, or by the liberation movements. Paradoxically, however, this gives enormous moral force to the new government and armours the state against replicating the evils of the past regime. Nationally and internationally it sends the message that human rights violations are unacceptable, and that the rule of law stands above any party political strategies. Latin American activists have argued that when human rights abuses are ignored or condoned, this has a corrosive effect on belief in a democratic society and on respect for laws and prohibitions within society at large. The concessions that were necessary in South Africa to allow the elections to go ahead made proper justice impossible in most cases, and this was one of the weaknesses of the Truth Commission in South Africa. The great strength of the Truth Commission was in how it was set up and how it proceeded. The public nature of the hearings, their freedom from party political affiliation and the moral force with which they were vested gave the South African Truth Commission great capacity to affirm and restore respect for right and wrong in this country.

Counteracting the culture of fear and silence

Where servants of the State (or a political movement) perpetrate gross human rights violations like torture and murder, this is normally part of a strategy to extend power and control. The intention is to collapse opposition by inducing complicity through fear. Fear is built systematically by creating the image of the all-powerful State, party or movement against which the individual is helpless – which through highly organised security forces acts ruthlessly and with impunity. The citizens – and particularly those with dissident inclinations – have to learn to fear the state forces, and for that reason they must know about the fate of detainees and other victims. They must see the damage done, and must begin to fear for their safety, and for the safety of those whom they love. They need to understand that even small gestures of resistance might invite brutal retaliation. Their neighbours need to be aware of their own possible contamination through association with dissidents, and the threat that they might themselves be endangered. Shocking violence therefore has to be common knowledge.

At the same time, however, torture and human rights violations are meant to be known by all but spoken of by none. People have to be taught to take for granted that safety lies in silence, and that speaking out or asking questions is dangerous. In public forums, of course, the security forces normally deny systematic involvement in torture and murder, illustrating the cynical “doublethink” that must operate in their position.

This denial, of course, points to the Achilles’ heels of most repressive regimes: their sense that no matter how far they rationalise, they are doing something wrong. As a result, they exhibit a grotesque hankering after respectability. Very few such regimes feel liberated and confident enough to come out boldly and agree that they do indeed torture and kill opponents and critics of their regime, and that they feel good about this and intend to continue in the same way. It is a strange and pervasive phenomenon that viciousness and brutality need to be packaged in the conceptual envelope of “righteousness”, particularly in mediating relations with others. It is as if there is a deep-lying common ‘shaming’ reference point of basic moral

inhibition that regulates ordinary social relations, and in order to both violate this and keep self-esteem intact, requires an elaborate rationale – a cognitive ‘cover-story’ about how the perpetrator is actually doing right, or doing God’s will. And indeed, where this rationale is sophisticated enough, and where there is a demonised enemy, and the resources of the state back the cover story, it is frequently absorbed at least partially by much of the population, and sometimes, despite themselves, also by the victims.

The ‘culture of silence’, then, is not just the absence of speaking out against intimidation and repression. It is a complex mix of fear, avoidance and compromise that is often entangled with elements of the regime’s propaganda. In many cases the primary message that has been absorbed is the ‘process’ message – that power confers the *right* to abuse. This is one of the reasons why the Truth and Reconciliation Commission is so important to South Africa or any other country with a repressive past: left alone – just walked away from – the distorted visions absorbed during the period of repression remain unchallenged, uncorrected. The general public does not necessarily rethink its assumptions about the proper use of power. The survivors are left with the ache and burden and confusion of the past and a sense of lessened value – that somehow the crimes committed against them did not really matter and that they are expendable. The perpetrators remain unreconstructed, perhaps ‘living to fight another day’.

Thus, as a Truth and Reconciliation Commission addresses the individual crimes that were perpetrated against people and their families, it re-shapes the assumptions about right and wrong and the use of power that have become absorbed by much of the affected population – and other populations around the world. At this point we will explore in further detail the role of Truth Commissions in relation to the two centrally involved groups – the survivors and the perpetrators.

The survivors: countering the cruelty

The past two decades have seen an exponential increase in work and thinking about trauma survivors. The concept of post-traumatic stress disorder (PTSD) has been developed and elaborated, and a range of treatment strategies has been explored, with partial success. (eg Dowdall, 1992 ; Keane et al, 1992) In the area of organised violence, torture and repression, the health and human rights groupings have invested a substantial amount of energy in sharing strategies to ameliorate the effects of torture, and the number of centres treating torture survivors has grown from a handful to literally hundreds. Workers based in developing countries – particularly those working within countries under repression – have vigorously challenged the narrow psychiatric diagnosis of PTSD for torture survivors, and have pointed to the inextricable links between torture and the political context of the abuse. To strip the experience of its meaning is counter-therapeutic in every way.

The survivors of repressive violence in any country, including South Africa, vary widely in the difficulties which they suffer in the aftermath of gross human rights violations. Many survivors have been able to transcend horrific abuses with varying degrees of resilience and success. This is particularly so for those with a strong and coherent set of beliefs, either religious or political, that sustain an overarching sense of purpose and allow them to understand their experiences within that perspective. For many survivors, however, the experience of torture or other abuses can be a blight that descends upon the rest of their lives. They can remain racked by intrusive memories that do not lose their painful emotional charge, and their relationship to the present is attenuated by diminished concentration and

memory and emotional swings. Their illusion of invulnerability punctured, their sense of trust in their fellows severely eroded, their ability to relate intimately impaired, and their sense of self-esteem often crippled by past humiliations and perceived self-betrayals, they are often increasingly withdrawn and become excluded from active social, emotional and political life.

Silence becomes a tempting option. The wish to expose and talk through the violence they were subjected to is often counteracted by the wish to ignore and avoid the intensely painful memories of this period. Survivors may be abetted by people close to them who equally wish to put the horrible experiences behind them. The result is often that many survivors may feel misunderstood, ignored, their sacrifices unacknowledged, their pain unrecognised. They continue to collaborate in complicity with silence, as the perpetrators had intended. The Truth and Reconciliation Commission can play an important role in countering this situation, and can contribute to rehabilitation by breaking through the culture of silence. We all know that concealing, suppressing or repressing painful memories commonly brings in its wake psychological symptoms: stress, anxiety and depression. We also know that speaking about upsetting things in a supportive and affirming setting makes people feel better.

However, many questions remain unanswered about the psychological effects of such truth commissions on survivors. Our discussions with survivors suggested that for many people who had been tortured or had loved ones maimed or murdered, the Truth Commission felt like a double-edged sword. It inevitably inflamed old hurts, brought them back, and disturbed the equilibrium that survivors had managed to achieve. It may open old wounds as much as it heals, in individual cases. One of the issues that arose frequently in discussion with torture survivors was the wish for justice or in fact retribution. Some survivors felt intense anger, feelings of impotent desire for revenge, and feelings of hurt and bitterness, compounded sometimes by the sense that many perpetrators were not punished by law.

Follow-up studies of survivors of human rights violations who went through the TRC process have indicated that bitterness was not a good prognostic factor, and that a lack of forgiveness might be an important predictor of psychiatric risk among survivors of human rights abuses. But results also indicated that “Truth commissions may not be sufficient to reduce psychiatric symptoms and promote forgiveness. Truth commissions should form part of, rather than be a substitute for, comprehensive and ongoing therapeutic interventions for individual survivors.” (Kaminer et al, 2001) In fact, however, we saw in many people a remarkable capacity to overcome, to forgive, and to go forward. In the context of the South African Truth Commission there were truly remarkable events shown in the media in which, for example, the wife of the Minister of Justice in the democratic government embraced the apartheid agent who had been tasked with killing her husband (but had failed); and in which the mother of a young woman killed in a Pan-African Congress atrocity attack on churchgoers, embraced and forgave one of the attackers. All of these kinds of events made people stop and re-think their feelings about reconciliation in a positive way.

A Truth and Reconciliation Commission is a complex and multi-levelled process, and it is important that a very clear conception of what it is about, and what its possibilities and limitations are, to be widely propagated, and repeatedly stressed and clarified. We have seen the power of a coherent vision to sustain people in difficult times. Survivors need a clear understanding of both the limitations of a Truth Commission and its positive values – most of which transcend the individual level – if they are going to make something positive of it despite its disappointments.

The potential positive benefits of the Commission in fact greatly outweigh the inherent limitations. Putting the record straight – publicly, officially, and through respected commissioners who are clearly not just acting out a party political agenda – is of the greatest importance since it helps develop a clear and positive sense in survivors. Albie Sachs, in an address to a psychoanalytic symposium, put it very clearly: “We need to feel that basically we did right, that we did not deserve what was inflicted upon us. This gives a sense of rightness to the world, not just to us, but to the future.”

Mental health workers have many roles that can be played in support of Truth Commissions. They need to propagate the process and rationale of the Commission and defuse unrealistic expectations, and help survivors to make use of the process in a helpful way. They need to provide support groups for those who are going to give testimony and those who have given testimony, or to make available counselling where it is needed around the testimony process. This also includes Truth Commissioners, some of whom have become vicariously traumatised as they have heard repeated, corrosive and graphic accounts of atrocities. Where it may be helpful, mental health workers should also be supportive to natural helping networks – religious or others – that will in any event do most of the support.

The perpetrators: stripping away the tissue of lies

The South African Truth and Reconciliation Commission was constrained in terms of political agreements to grant amnesty to perpetrators provided that they met the conditions of full disclosure, political motivation and proportionality. Certainly, some of the more notorious torturers and killers ended up serving prison sentences, but large numbers of perpetrators were able to walk free at the end of the process. They had, however, been compelled to appear publicly, and were arraigned in the media for their crimes, which they were expected to confess. They were forced to confront their victims or the families, and were effectively publicly shamed. Some of the more infamous, such as Eugene de Kock, were prosecuted by the justice system and jailed – in his case for life. The major political figures behind the atrocities however effectively escaped the net – with the exception of a few, such as Winnie Madikizela-Mandela, whose aberrations were hard to accommodate within any political system. It was of great importance that Madikizela-Mandela was made to appear publicly to hear her crimes recounted, since the point was made that political affiliation would not excuse human rights crimes. This point stood, even though Madikizela-Mandela herself was highly resistant to the process, and only under the greatest pressure from Archbishop Tutu conceded that “things had gone horribly wrong”.

In these circumstances, common to most TRC’s, what objectives need to be central in dealing with perpetrators? I would argue that two goals should be foremost in the work of a Truth Commission : making clear to all concerned and to all onlookers the shame and utter unacceptability of the actions of the perpetrator ; and understanding “what makes a perpetrator”, for preventive purposes.

Repressive states have certain defensive strategies in common. They normally construct a sanitised, even romanticised picture of themselves as the valiant guardian of the ‘good’ culture, protecting their citizens against the forces of evil. Central to this picture is the demonisation of the ‘enemy’ and the discourse of defence against threat or destruction. Ideology (generally political or religious) is developed which – as we see during testimony - becomes the essential rationale for the perpetrators. It is the shield for their self-esteem as they commit atrocities and violate norms that all but the most degenerate of people hold.

For the perpetrators within the system, the doublethink and the manufactured rationalisations cannot be left intact. They must be unravelled and laid bare, and the Truth and Reconciliation Commission is there to publicly discredit the lies that the perpetrators were acting in a justified way in a good cause. From this perspective, a key function of the Commission is to expose the individual perpetrator to the real horror and shame of his actions. This in turn becomes through the media a public exposure that it is hoped will be ‘innoculatory’ for the future, in relation to the potential human rights abusers in the wings.

How are we to understand perpetrators and their horrifying actions? This question has been a complex and fraught one that has been considered from various perspectives (eg Foster, 2000). The ‘psychopathology’ argument has been effectively dismissed (eg Baumeister, 1997) as accounting for only a tiny minority of human rights abusers. Psychological explanations tend in fact to reduce culpability by focussing on life circumstances that make people “vulnerable” to becoming perpetrators, such as those inducing low self-esteem, etc. As Foster (2000) points out, the question before us is how to understand perpetrators without exonerating them or reducing their culpability. I do not propose to review here the many explanations that have been constructed, save to say that it is reasonably common cause that torturers and killers are inducted by incremental steps into increasingly violent acts (Du Preez, 1994) ; and that these acts are most usefully understood as political in the sense of being bound up with the exercise and accrual of power. Furthermore, as has been discussed above, legitimising rationales are drawn from the dominant political contexts, and always involve a discourse which derogates or ‘dehumanises’ the identified enemy, distances the perpetrator from the people to be victims, and justifies violence through ‘righteousness’. These are the processes that constitute the early warning signs that human rights abuses and atrocities are being set up, and they need to be universally understood and condemned as such.

Do mental health workers have responsibilities towards perpetrators? Do we treat perpetrators? This is a vexed question because of the particular and personal nature of the therapeutic relationship between therapist and client. Strong feelings of revulsion or anger – any strong negative feelings – do not bode well for the relationship of acceptance and trust that is necessary for therapy to succeed. Both countertransference and the question of justice have long been seen as a problem in this area in the Latin American countries where therapists have had to confront the question “But , would you treat a torturer...?” Such is the feeling amongst many Latin American therapists that the answer is “No! – not until he has served his due punishment.” (eg Kersner, 1988) In fact, some go further, insisting that the greater good of the wider society overrides even the confidentiality of the therapeutic relationship, and that if it arises in therapy that a client has been a torturer, he should be unmasked, reported by his therapist. Certainly in the South African context, many therapists would be reluctant to assist a former murderer or torturer to become more comfortable with his past actions if they now plagued him. Most would probably want to see some kind of repentance and reparation as part of the work with a perpetrator. At the end of the day, however, the key problem is prevention, and we need to know all that we can about the conditions that need to be highlighted as ‘setting up’ and ‘enabling’ factors for perpetrators.

Catharthis and inoculation at national level

Much has been written about the cathartic effect upon the nation of telling the truth about the abuses of the past. To some extent this is, of course, a convenient metaphor, but it remains crucial that it is clearly stated that these things happened and that they are evil. Without that

point being made over and over again, we will be vulnerable to the perception that it is somehow acceptable for governments or movements in power to abuse citizens or abrogate the rule of law. It has become a cliché to reiterate that those who forget the past are condemned to repeat it, but it is nonetheless true for all that. How do we see that the new generation will not repeat the past? Surely there is a powerful case for incorporating a serious human rights syllabus within the educational system. The school system is the most accessible and extensive entry point for change, and should be used systematically for this purpose – both in basic schooling and in many professional training programmes – such as medicine, psychology, law, security force training etc. We need to build a vibrant multiculturalism – the ‘rainbow nation’ of which Archbishop Tutu speaks – where tolerance of diversity is an active value. We need to instil this tolerance and a clear sense of human rights in pupils – and take them through repeated case studies of countries where intolerance, prejudice and hatred have been fostered, together with the consequences. They need to be taught to detect and recognise hate-speech and prejudice for what it is, and to see how unscrupulous politicians manipulate the public to achieve personal ends. Situations such as the current Zimbabwean abuses would constitute a clear case in point. Case studies, role play and active discussion need to be fostered in these areas with the young, so that there is some active inoculation, and we give force to the belief that “It must never happen again!”

References

Baumeister, R. (1997) *Evil*. New York : W.H. Freeman.

Dowdall, T. (1992) Torture and the helping professions in South Africa. In Basoglu, M. (Ed) *Torture and its consequences*. New York : Cambridge University Press.

Dowdall, T. (1998) Psychological aspects of the Truth and Reconciliation Commission. In Botman R and Petersen R (Eds) *To remember and to heal*. Cape Town : Human & Rosseau.

Du Preez, P. (1994) *Genocide*. London : Bayes/Bowerdean.

Foster, D. (2000) The Truth and Reconciliation Commission and understanding perpetrators. *South African Journal of Psychology*, 30 (1), 2 – 9.

Kaminer, D, Stein, D, Mbanga, I and Zungu-Dirwayi, N. (2001) The Truth and Reconciliation Commission in South Africa: relation to psychiatric status and forgiveness among survivors of human rights abuses. *British Journal of Psychiatry*, **178**, 373 – 377.

Keane, T, Albano, A, and Blake, D. (1998) Current trends in the treatment of post-traumatic stress symptoms. In Basoglu, M. (Ed) *Torture and its consequences*. New York : Cambridge University Press.

Kersner, D. (1988) Would you attend to a torturer? In Kordon, D, Edelman, L, Lagos, D, Nicoletti, E. and Bozzolo, R. *Psychological effects of political repression*. Buenos Aires : Sudamericana Planeta.

Truth and Reconciliation Commission of South Africa Report (1998) (5 volumes) Cape Town : CTP Printers.