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The Political Instrumentalization of Religion in the South African Truth and Reconciliation Commission

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Abstract

The South African Truth and Reconciliation Commission (TRC) has been subject to numerous debates across a wide range of disciplines, including peace and conflict studies, justice and transformation studies, as well as religious studies. In political science, the debates concerning the TRC have mainly revolved around the peace versus justice dichotomy, and more recently - the heated question of whether symbolic measures as opposed to socio-economic measures can pave the ideal path to justice and reconciliation in post-conflict societies. Arguably, the debates that have dominated the discourse on justice and transformation in South Africa so far has failed to acknowledge and unpack the *central role that religion played in the country's process of transition*. My argument is that religion was instrumentalized *politically* in the TRC, and thereby used to morally justify certain political compromises that were made during the negotiations between the apartheid National Party (NP) and the African National Congress (ANC) in the early 1990s. By political instrumentalization, I am referring to the strategy of *using* an identity marker, in this case Christianity, to achieve political ends. I propose that the Mandela administration purposely employed religious elements in the political nation-building-tool of the TRC with the intent to create an atmosphere of "spiritual healing". This symbolic and inter-personal understanding of justice in turn, it can be argued, came at the expense of retributive and/ or socio-economic justice. The influence of religion within the TRC can be seen most strongly in the identity of the key people involved (the chairperson Archbishop Desmond Tutu, and four of the commissioners who were theologians), the overt biblical rhetoric employed both in the hearings and in the final report, as well as in the design of the commission. The constructivist theories in which this paper will frame its understanding of "the religious" suggests *any* space can become holy through the performance of religious practices. In this regard, I propose that the TRC, while appearing to be a court-like body, became a *sacred space* through practices including prayers, lighting of candles and singing of hymns.

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Abbreviations

| | |
|---------------|---|
| ANC | The African National Congress |
| HRV committee | Human Rights Violations Committee |
| NP | The National Party |
| R&R committee | Reparation and Reparation Committee |
| TJ | Transitional Justice |
| TRC | The Truth and Reconciliation Commission |
| SACC | South African Council of Churches |
| WCC | the World Council of Churches |

Ours is a remarkable country. Let us celebrate our diversity, our differences. *God wants us as we are.* South Africa wants and needs the Afrikaner, the English, the coloured, the Indian, the black. We are sisters and brothers in one family - *God's family*, the human family...*having asked and received forgiveness and having made amends*, let us shut the door on the past - not in order to forget it but in order not to allow it to imprison us. Let us move into the *glorious* future of a new kind of society where people count, not because of biological irrelevancies or other extraneous attributes, *but because they are persons of infinite worth created in the image of God* (TRC 1998, 22, my italics)

Chapter 1.0 Introduction

South Africa's first democratic election, which was held on the 27th of April 1994, marked the end of the era of apartheid. It also marked the beginning of the divided nation's quest for justice, reconciliation, and nation building. The Mandela administration's most prominent reconciliation tool was the Truth and Reconciliation Commission (TRC). The TRC operated between 1996 and 1998, and functioned as a platform for truth-seeking. Every week, both victims and perpetrators of apartheid would step forward and tell their stories, contributing to the establishment of a comprehensive record of truth. The commission had the quasi-judicial power to grant perpetrators amnesty if the crime was politically motivated and if truth was told with full disclosure. Some of the hearings were broadcasted on national radio and television, giving the TRC a uniquely public character. The findings of the TRC were published in its final report, which was handed over to president Nelson Mandela upon completion. Many transitioning societies have since drawn inspiration from the South African TRC, as it has widely been looked upon as one of the most successful truth commissions of all time. Moreover, The TRC has sparked heated debates which are ongoing till this day across a wide range of disciplines.

Interestingly, the debates that have dominated the discourse on justice and transformation in South Africa up till now have failed to acknowledge and unpack the instrumental role that *religion* played in the country's process of transition, and within the TRC specifically. I believe that this gap in the literature ought to be found somewhere between the discipline of religious studies and political science. Arguably, some of the political measures taken to promote unity in post-apartheid South Africa was coupled with religious, specifically Christian, ideals. For example, in the quote presented above, the unifying ideal of a "rainbow nation", celebrating the racial and cultural differences of the people of South

Africa, is linked openly to the Christian philosophy of people being “created in the image of God”, and therefore being of “infinite worth” (*TRC 1998, 22*).

In this thesis, I propose that the very design of the TRC constructed a *sacred space*. The space became sacralized through a biblically resonant language, the involvement of religious authority figures, and through church-like practices including the opening – and closing - prayers, the frequent singing of hymns, and the lighting of candles. I also look at the construction of sacred space from a political perspective, suggesting that the *choice* to invite religion into the court-like procedure of the TRC was a political strategy. In other words, religion was used as a political instrument: Firstly, in justifying a compromised quest for post-conflict justice. Christian moral-philosophy on contrition, confession and forgiveness resonated well with the level of transitional justice which seemed feasible and suitable at the time. Secondly, with Christianity being a religion which 80% of South Africans identify with, it could effectively be used as a force of legitimization of South Africa’s new identity, namely, the Rainbow Nation.

The chapter following this introduction presents the TRC along with some of the most central concepts which it builds on, including reconciliation and truth. I then look into the demographics on religion in South Africa, as well as the impact of faith communities in the political scene before, during, and after apartheid. Thirdly, I present relevant literature on my topic. The fourth chapter is a presentation of my research methodology, theoretical framework, and selected TRC cases. I will make use of sacred space theory to demonstrate *how* the TRC, through instrumentalization of religion became a concentrated religious space, and in turn *a religious construction*. Hence, the expression of religion within the judicial proceedings of the TRC will be approached in a cross-disciplinary manner, embracing concepts from both religious studies and political science. Chapter Five is one out of two analysis chapters. It explores the staging in the TRC and the construction of sacred space. The sixth chapter analyses “the politics of past evil”, providing reasoning for the instrumentalization of religion and a discussion of its consequences. The conclusion summarizes the findings of this thesis.

Chapter 2.0 From racial separation to Rainbow Nation

This chapter will provide a brief history of South Africa's history of colonialism, apartheid, resistance and transition. The second part of the chapter introduces the post-apartheid government's nation building project, and explores some of the central components which make up the concept of the TRC, including its design and the ideas of truth and reconciliation. Finally, I will map out the statistical makeup of South Africa's demography on religion, and present the role of faith communities in its political landscape.

2.1 Oppression, resistance and transition

South Africa's colonial history dates back to 1652, when the Dutch arrived in Cape Town. The Dutch settlers were later defeated by the British Empire, who ruled what they called "The Cape Colony" between 1806 and 1910. The time of "The Union" (the years between 1910 and the institutionalization of apartheid in 1948) were characterized by a frequent passing of laws which dehumanized non-whites. These rules, which were the run-ups to many of the apartheid policies, include policies like the 1913 Natives' Land Act. An act which gave the whites right to a substantial amount of South African land.

The Apartheid system officially came into effect in 1948. It promoted and institutionalized separation of different races, placing the whites on top of the hierarchy with access to wealth, opportunity and civil rights. Apartheid embraced both the English and the Afrikaner (of Dutch decent), while discriminating people of color through a variety of policies limiting their freedom of movement and denying them political rights. Among other dehumanizing rules, the policies dictated where people of color could reside and move freely, it criminalized mixed-raced marriage, and it imposed humiliating pass laws on black workers.

The resistance to apartheid in South Africa, led by organizations like the African National Congress (ANC), started in the 1950s, and lasted until the transition. It took on both violent and non-violent forms as the dynamic of the struggle changed. The movement started with passive resistance, then moved into mass student protests, and eventually guerilla warfare.

The battle between proponents of apartheid and anti-apartheid activists in many cases led to bloodshed. The 1960 Sharpeville Massacre is a monumental example which today marks the South African public holiday of Human Rights. On 21 March 1960 a demonstration against the pass-laws took place outside the police station in Sharpeville. The protest was met with mass shootings by the apartheid Security Police, leaving 69 protesters dead and 180 injured.

A combination of the pressure coming from the internal struggle against apartheid and the international community's economic sanctions against South Africa led the apartheid government to consider the possibility of a transition. The release of political prisoners, including Nelson Mandela in 1990, was a remarkable turning point. "Talks about talks" would subsequently bring the conflicting parties to the negotiation table. These negotiations, with the most influential one being CODESA (Convention for a Democratic South Africa), is what initiated the changes which eventually would facilitate the abolishment of apartheid.

The country's first democratic election in April 1994 marked the end of apartheid, and the start of a new chapter. The new government, which would be led by the ANC, were now faced with the challenge of establishing *Transitional Justice (TJ)*. That meant facing the darkness of the past in order to build a bright future for the new South Africa.

2.2 Truth, reconciliation and nation building

As part of the country's nation building project, the concept of "reconciliation" was sought to be achieved through a number of institutional as well as symbolic measures. The symbolic measures include changing street names; constructing public holidays to mark certain events that happened during the struggle; building museums in remembrance of the past; as well as public apologies. Reconciliation on an institutional level, on the other hand, can best be seen through the change of the constitution. By abolishing apartheid laws and creating a new constitution that recognizes all the inhabitants of South Africa regardless of

race (as well as other variables), the country was transformed and thereby put on a path towards reconciliation.

The 1996-1998 TRC was a transitional justice-organ set up to unfold and document the atrocities of the past in the wake of South Africa's transition from apartheid to democracy. The commission aimed at coming to terms with the truth about what had taken place within the time frame of March 1st 1960 to May 10th 1994. The process included the collection of approximately 22 000 testimonies from victims, as well as public hearings that were broadcasted on national radio and television (TRC 1998, 55). The hearings, which featured perpetrators as well as victims of apartheid, offered a place for investigation and the establishment of *truth*. The commission were given the quasi-judicial power to grant perpetrators amnesty in return for their testimonies, under the condition that the truth was told with full disclosure. This "transaction" of truth-contribution and amnesty functioned as a motivating factor, which in turn contributed to the establishment of a comprehensive record of the sufferings brought about in the apartheid era. The findings of the TRC were formulated in a five-volume report that also included recommendations for the new government with regards to reparations and rehabilitation measures (TRC 1998).

Reconciliation

The TRC represents an overlap between that which can be regarded institutional reconciliation- measures and symbolic reconciliation. The mandate to create a truth commission which sought to reconcile the divided nation of South Africa along with its judicial power to grant amnesties, represents structural or institutional reconciliation as it was imposed from above. At the same time, the TRC carried significant symbolic value in its quest for "reconciliation".

The TRC was a form of symbolic reconciliation in the three interesting ways. Firstly, it focused on individual stories, as opposed to the larger picture and systematic nature of

apartheid. The testimonies that were shared symbolized what, in Tutu's words, "the little people" had been through: "those who's stories have not generally been told to a wide audience" (Tutu 1996). In this way, the silence of many was broken by a few ordinary people who willingly expressed a fate which they shared with millions of their countrymen. Secondly, the TRC invited "reconciliation" to be individually defined, as the term was never defined within the TRC. The term, it has been argued by Judith Renner, was an empty universal (Renner 2014: 265). According to Renner, reconciliation in the context of South Africa has been emptied of any particular content due to the acceptance of a number of differing understandings. "Reconciliation", she correctly observes was used as a means to create common ground in the context of not only the TRC, but in the pre-transition negotiations between the NP and the ANC, and generally in South Africa's quest to build the rainbow nation. The vague use of the term makes it fundamentally symbolic as it is impossible to quantify. Thirdly, the commission represented symbolic reconciliation because it used religious rhetoric in the hearings, the final report, as well as in the advertisements for the hearings. One such poster declared: "Truth, the pathway to reconciliation", and aimed at motivating people to participate. The final report, which was handed in to president Nelson Mandela after the TRC's completion in 1998 contained a substantial number of biblically resonant quotes, like for example: "Ours is a remarkable country. Let us celebrate our diversity, our differences. *God wants us as we are*. South Africa wants and needs the Afrikaner, the English, the coloured, the Indian, the black. We are sisters and brothers in one family - *God's family*, the human family" (TRC 1999, 22, my italics). The politics of post-apartheid South Africa here introduces a mix of judicial, formal and personal measures as well as inter-personal symbolic redemption.

Truth

The end of a conflict is often followed by competing versions of history. What is the *truth* about the events of the past? It has been stated that the truth about what 'really happened' is perceived differently by different parties of a conflict (Lerche 2000, quoted in Avruch & Vejanaro 2002: 39). In light of this, the literature on transitional justice holds a variety of truth 'genres'. The TRC identified four different types of truth: Factual or forensic truth; narrative or personal truth; social truth; and healing and restorative truth (TRC 1998: 110).

The hearings aimed at bringing forth a narrative truth by inviting individuals to share their experiences. This was done for the sake of contributing to the establishment of a shared social truth. Arguably, the exposure of the personal stories has contributed to an awareness that prevents denial of the past: 'after the Truth and Reconciliation Commission, no one in South Africa will again be able to say, "I do not know what really happened."' (Avruch & Vejanaro 2002: 40).

2.3 Religion in South Africa

South Africa is a diverse country, both in terms of culture, race and religion. According to the 1996 National Census (quoted in Meiring 2002), Christians made up 74,1 percent of the population, while Muslims made up 1,4 percent, Hindus 1,3 percent, and Jews 0,2 percent. Although many claim a sense of cultural belonging to it, few identified with African Traditional Religion. There were also the small communities of the Baha'i and practitioners of Buddhism (Meiring 2002, 148). The statistical religious makeup of South Africa is not the only reason for its conceivable relevance as role-player in the TRC and the transition in general. It can be argued that religious institutions have relevance in relation to apartheid in the sense that the deeply divided church communities reflect(ed) racial separation. Or as Chapman and Spong has pointed out: "Sunday was and continues to be the most racially divided day as people tend to remain in their various racial and ethnic areas for church" (Chapman and Spong 2003, 9).

Moreover, during apartheid, the faith communities, especially the church, was an important space for individuals on both sides of the political divide. The faith communities played key roles both as upholders and opponents of the apartheid regime. The Dutch Reformed Church (DRC) preached "state theology" formed the "consciousness" of the perpetrators by approving their actions through theologically justified values of separation (Botman 1999). Furthermore, the religious justification for apartheid *inspired* its political institutionalization as a system, based on already-constructed values held by the DRC. As early as in 1857, Botman states, these values can be traced in written statements, showing that "Christian status and European decent were identified in the minds of the people of the seventeenth-

century Cape Colony, with the term 'Christian' used to denote an *ethnic identity*. 'Christian' became a synonym for 'settler' (Botman 1999, 127, my italics). This analysis, together with the statistical make-up of religiosity in South Africa, indicates that politics and religion, rather than being separate forces, influenced one another in the South African context.

The ecumenical South African Council of Churches (SACC) exemplified religious *opposition* of the apartheid system. Another well-known example of a Christian contribution to the struggle against apartheid, was the 1985 statement titled the Kairos Document. The document, which primarily was written by black pastors and church leaders, was a theological critique against the apartheid regime and the DRC's "state theology". The document also "shamed" the churches who remained apolitical and silent during the struggle. The statement, which got more than 150 signatures, has widely been regarded as influential in the faith communities in the quest for a democratic transition (Chapman & Spong 2003, 8).

2.3 TRC Faith communities Special hearing

The TRC dedicated some of its final Special Hearings to groups and institutions affected by apartheid on either side of the divide (e.g. institutions, Businesses, children), and to the Faith Communities of South Africa (Meiring 2002, 146-147). Recognizing their role during the apartheid era (Chapman and Spong 2003), the Special Faith Community hearings aimed at addressing the three following questions:

To what extent has the community suffered under apartheid? Were there some in the community that overtly or covertly supported the racist policies of the past? Was the community – or some in the community – involved in the struggle against apartheid? Lastly, What contribution may be expected from the community in the process of nation building and reconciliation? (Meiring 2005: 148)

Answering these questions, spokespersons from the different faith communities were invited to make statements. Altogether, more than 40 submissions were made. Some

contributions remained written statements, while other faith community representatives decided to speak on the internationally broadcasted truth hearings. These hearings functioned as a platform where various religious leaders and places of worship shared their experience of apartheid. Some used the opportunity to apologize and others to confront wrongdoings. The very fact that special hearings took place demonstrates the central role that the faith communities played in the apartheid years, and also provides a possible reasoning for why religion ended up being a central focus in the TRC's design.

Chapter 3.0 Religion, secularism and peacebuilding

As the TRC was a fairly unique post-conflict justice mechanism, it has been subject to evaluation, debate and praise across disciplines including political science, sociology, anthropology, and religious studies. The first part of this literature review explores the relationship between religion and politics in the post-modern / post-cold war era. The majority of scholars whose work I will assess point to religion as an overlooked element in politics and international relations. I will then present arguments posed by thinkers of “religious peacebuilding”, who calls on religion to form part of peacebuilding. Lastly, the discussion will be narrowed down to an exploration of the relationship between religion and the South African TRC. I will tentatively map out what has and has not been said about its alleged religious character. The literature that in some way recognizes a religious aspect of the TRC point to biblically resonant rhetoric. Others have pointed to the truth-commission as a national ritual. There is however a gap in the literature, as religion in the TRC has not been examined as an instrument. This thesis offers the argument that religion was instrumentalized through the creation of sacred space.

3.1 The re-emergence of religion in the post-modern nation state

A substantial number of scholars, mainly positioned in the West, ranging from politics to peace-studies, religious studies, and international relations, have since the early 1990’s written on the re-appearance of religion in the secular space of politics. While some of the thinkers simply observe the ways in which religion is reoccurring in the political scene, others are *calling* for it to happen.

In the context of post-apartheid democratic South Africa, Leatt writes that “Religion is clearly returning to public and political life” (Leatt 2017, 193). Pauletta Otis, in her chapter in *Religion and Security*, opens with a familiar statement that “the twenty-first century will be a time of religious violence and warfare” (Otis 2004, 11). Otis writes that the Western world is in denial of the reality of religion re-emerging as “the single most important political-ideological default mechanism in global conflict” (Otis 2004, 11). She then goes on to call for western, secular states, especially the US, to recognize the power of religion as the “spiritual

dimension” of several conflicts in which the US has been involved with surprising effects. Foreign policy efforts can therefore “not afford” to overlook religion anymore. Religion is in this way considered a component, or cause of political *conflict*. Otis suggests three possible reasons for religion’s re-emergence into the political scene. The first is the “failure” of other institutions and ideologies. The second explanation is that religion provides ideological resources, for supporting “social justice”. Otis’ third reason is the “power of religion in providing ideological basis for coherence and comprehensiveness” (Otis 2004, 11).

Another reoccurring argument in the contemporary literature on politics and religion, is that the post-enlightenment division between church and state is outdated and ought to be replaced with a collaborative model. A combination of the secular and the spiritual is according to many thinkers meaningful for the time we live in. These thinkers, therefore, are not only observing the alleged reoccurrence of religion, but are arguing that it should play an even more substantial role in politics. For instance, Nukhet Sandal claims that religion’s relevance in the current political scene calls for a reconsideration of the church/state division under which the previous “epistemic era”, which was the modern era, strictly and systematically excluded religion from politics:

The post-modern episteme... will be the one that acknowledges the scientific advances [from the modern era] but focuses on the human spirituality and how man can relate himself to the outside world without being alienated. The expert communities of that particular ‘episteme’, therefore, would have to include the faith leaders (Sandal 2011, 934)

In *Religion, the Missing Dimension of State Craft*, Douglas Johnston points to a similar issue. He believes that underestimating the relevance of religion has led the United States to political illiteracy, especially in matters of foreign policy:

...the rigorous separation of church and state in the United States had so relegated religion to the realm of the personal that it left many of us insensitive to the extent to which religion and politics intertwine in much of the rest of the world. Such an insensitivity, I further speculated, could lead, and probably had led, to uninformed and potentially costly foreign policy choices (Johnston, 1993)

This changed perception of the place of religion in society and in politics is informed by what appears to be three main historical waves. The first being the end of the cold war, the second being the emergence of conflicts with a religious dimension, and the third being contemporary terrorism motivated by extremist beliefs. In 'Religion and conflict', Reychler identifies a shift in international relations after the Iranian revolution and after the cold war (Reychler 1997). Before these events took place, there was a general conception that religion was irrelevant to politics. In the communist bloc, this can be explained through the belief in Marxist ideology which considers religion the "opium" for the people. In western societies, on the other hand, religion was considered irrelevant because of the separation between church and state. Religion was treated as a private matter. Furthermore, amongst the western elite, religion has long been considered an irrational phenomenon. Reychler goes further in claiming that the Western world has underestimated religion as a political force based on its "incomprehension and misconception of modern Islam", whereby we assume that the distinction between state and religion neatly fits two distinct categories in all world religions. He argues that Islam is by nature structured to inform law and state affairs. "Consequently, the explosion of nationalist and ethnic conflicts were a great surprise" (Reychler, 1997).

In a world where many governments and international organizations are suffering from a legitimacy deficit, one can expect a growing impact of religious discourses on international politics. Religion is a major source of soft power. It will, to a greater extent, be used or misused by religions and governmental organizations to pursue their interests (Reychler 1997)

However, it should be noted that the above set of thinkers are, for the most part, positioned in western society. The history of religion in relation to politics is very different in the US than in South Africa. Not only did Christianity come into play in the process of transition from apartheid to democracy – it constituted a central part of the rationale behind the creation of apartheid as a system, the moral justification that was employed to maintain the racist ideology, and the basis from which many anti-apartheid activists drew their inspiration. Religion, therefore, did not necessarily resurface in the South African political

scene in the 1990s as much as it rather took on a more noticeable form. Thus, scholars of religion have been able to explore aspects of the transition in religious terms.

3.2 Religion, peacebuilding and post-conflict justice

Other scholars have addressed the relevance of religion in international politics from the position of peace-building . Although “Religious differences” are often recognized as a key component, a cause, or the pretext to conflict, the viewpoint offered by the following set of thinkers suggests otherwise. Some scholars who addressed the relationship between religion and politics in the 1990’s argued that religion has the potential of *preventing* conflict and *promoting* peace in a number of ways. The idea was therefore to challenge the dominant approach, but also to acknowledge that in cases where religion has formed part of a conflict, it can and should also form part of the peace-process. In other words, not only do the thinkers of this trend view religion as inseparable from politics, they also consider religion a legitimate force of peace.

Scott Appleby (1999) was one of the first scholars to recognize that a new wave of conflict transformation was arising, namely “religious peacebuilding”. Appleby argues that religious agency can contribute to post-conflict peacebuilding. Taking apartheid South-Africa as a central example, he points to ways in which religious actors can promote peace. Douglas Johnston and Cynthia Sampson’s *Religion, The Missing Dimension of Statecraft* (1995) also addresses the potential of religion as a peace tool. Their study is a collection of case studies where the role of religion is analyzed. Although the cases differ in nature, magnitude and causes, the underlying message of the book is that religion has and is being underestimated as a means of peace-promotion. Sampson also expresses her belief in what has been referred to as “religious peacebuilding” in her chapter in *Peacemaking in International Conflict* . Like previously mentioned thinkers, she argues that religious peacebuilding is an “untold story” (Sampson 2007, 273). Sampson proposes that religious communities can play a variety of roles in peacemaking, including top level peace negotiations as well as grass root initiatives like trauma healing, mediation and reconstruction. However, she calls for religious peacebuilding to take on a more structured, systematic and institutionalized nature in the

future, as initiatives in the past often have been of a spontaneous character. Alger, alike, considers religion an effective 'peace tool' which potentially can form a significant asset in the existing peacebuilding tool box (Alger 2002).

The literature suggests that there are many reasons, both principled and pragmatic, for a state's interest in inviting religion into a peacebuilding process. Pointing to identity markers as an essential "compass" dictating human behavior, Sandal writes that: "One's religious perspective determines his/her view of the others and religion is a powerful tool for legitimacy, providing a cultural framework that cannot be easily counter-balanced by a reference to any other element of identity" (Sandal 2011, 936). Marc Gopin, in his chapter titled "When the fighting stops: Healing hearts with spiritual peace making", proposes that justice ought to always include a spiritual or emotional aspect: "The acceptance and cultivation of emotions and spirituality is a crucial aspect of making peace and security. It is a matter not just of theory but of practical results; peace-making that ignores the spiritual does so at its own peril" (Gopin 2004, 134). He contrasts this spiritual and emotional justice with that of "rational" or "constructive" conflict resolution strategies, characterized by the traditional conviction that criminal and economic justice leads to peace. Gopin disagrees with the latter form of justice, arguing that criminal justice depends on the use of force. Force translates to violence, which his pacifist philosophy does not support. Secondly, Gopin points out that a rational understanding of peace is not sustainable, as it ignores the "matters of the heart" (Gopin 2004, 134). The matters of the heart can only be appeased through symbolic measures. Symbolic, spiritual aspects of justice, he argues, are just as important in the establishment of peace – if not more, than "justice" per se. (Gopin 2004, 134).

Pauletta Otis has also identified noteworthy ways in which religion can be considered a legitimate force of peace: Religious leaders are considered trustworthy in their communities; They are good at communicating messages of symbolic value; They have "in-depth knowledge of people, places, and communities" (Otis 2004, 21). In line with this, Johnston has pointed to the aspect of legitimacy and high levels of integrity which faith

leaders retain. According to Johnston, religious organizations have the trust of the people: Religion evokes a deeper and more significant level of trust than does the secular /real-politik (Johnston 1995, 5). In the foreword of Johnston's *Religion – The missing Dimension of State Craft*, former US president, Jimmy Carter, writes that religious communities “possess moral and social characteristics that quip them in unique ways to engage in efforts to promote peace” (Carter 1994, foreword in Religion, the missing dimension of state craft).

The above mentioned scholars promoted a kind of faith-based diplomacy, advocating the strategic use of religion as a resource in peace-building, and also conflict prevention. I will be showing that the TRC in South Africa may also be seen as strategic faith-based diplomacy. How did religion come to expression in the TRC?

3.3 Religion in the South African Truth And Reconciliation Commission

I will now narrow down the review of literature to that which concerns religion in relation to the South African TRC specifically. Firstly, I will look at the role which faith communities played in the TRC. I will then presents arguments which point to the politics of religion in the TRC. This is followed by a presentation of arguments pointing to the TRC as a “performance”, a “national ritual”, and a space for “confession”.

One of the thinkers presented in subchapter 3.1 speak about religion in South Africa and the TRC specifically. Pointing to the influential role of South African faith communities in the struggle against apartheid, Sandal argues that religious leaders ought to offer advice for policy – as well as decision-makers in dealing with conflict-transformation in this day and age. Religion is in this way considered a political *force*. The way in which faith communities in South Africa influenced and demanded a transition from apartheid to democracy, she argues, can be applied to other cases where religion is or potentially could play a central role: “I argue that the role of religious actors in today’s political scene and conflict settings qualifies them as an ‘epistemic community’, primarily due to their high level of expertise, status in the society and shared norms of validity” (Sandal 2011, 930). In his chapter in

Religion and Reconciliation in South Africa, Van der Merwe explores the role of the church in promoting reconciliation in Post-TRC South Africa. He looks into the ways in which religion was involved both in the TRC and in the aftermath of its completion.

The TRC itself, in fact represents a very interesting combination of religious and secular approaches... Without the input of religious figures, the TRC would have been quite a different phenomenon. While the conceptualisation of the TRC legislation and the drafting of the act were essentially political processes driven by *pragmatic political concerns*, the lobbying activities of churches and other NGOs did bring about some key adaptations in the final legislation. (Van der Merwe 2003, my italics)

Van der Merwe also makes note of the overlap between secular and religious influence in the TRC. Furthermore, he looks into how the endeavor to reconcile South Africa affected the church, or rather how did the church affect reconciliation?

The apartheid era presented the church with the challenge of fighting the fundamental source of this division – apartheid. In many respects, this battle for justice was one that built the legitimacy of the church as a political actor with real power to promote social change (Van der Merwe 2003).

Van der Merwe acknowledges that the church and the Christian community played a number of roles in the TRC. The most noticeable example was the religious commissioners and the chairperson, Archbishop Tutu. He also identified the extent to which the use of church networks, including the South African Council of Churches, enabled the TRC to be effective and smoothly run. In his article, he finds that many church leaders “claim to understand [reconciliation] better (or at least more deeply) than other actors in (political) society. (Van der Merwe 2003). However, Van der Merwe does not agree with the general conception that there is a significant difference between the religious and secular approaches to reconciliation. According to Van der Merwe, social-psychological (religious) approaches to reconciliation does not stand in contrast to political-legal (secular) conceptions of what he calls “behavioral change” (reconciliation). Naming a number of theologians who agrees with this view, he proposes that “In practice, these are different

sides of the same coin rather than contending approaches to social change. They also interact in complex ways that need to be further explored rather than contrasted and rejected” (Van der Merwe 2003)

In his chapter “The baruti versus the lawyers: The role of religion in the TRC process”, Piet Meiring, like Van der Merwe and Appleby above, addresses the blurred lines between the secular and the religious within the TRC. He identifies four of the commissioners as *baruti*, meaning pastors, and contrasts their view on the inclusion of religious elements with arguments posed by the lawyers, politicians and academics involved in the TRC process who were against the inclusion of religion in the commission’s design. Referring to hearings that had been held in East London and elsewhere, the latter group had stressed the need for the commission to be carried out in a more juridical matter, as the first hearings had been “...far too ‘religious’ for their taste” (Meiring 2000, 123). The Christian elements included the prayers that were conducted in the opening and closing of the hearing, the singing of hymns, as well as the archbishop’s attire. Similarly, historian and religious studies scholar Ebrahim Moosa argues that the TRC, rather than resembling a court “...played the role as if it were taking confession and offering redemption” (Moosa 2000, 117). Furthermore, Moosa regards the TRC a religious experience more than a judicial matter:

In short, the TRC defied all our accepted conceptions of justice, law, order and fairness. It required a faith in the *mysterium* of the event, a faith in the rite of reconciliation, a belief in the rituals of confession, rather than an expectation in the outcome of the process. The key to understanding this version of truth and reconciliation lies locked into the drama and performance of the TRC itself... The metaphors of morality to which we had become accustomed previously have been radically changed, by an event (Moosa 2000, 118)

Anthropologist Bergström also recognizes that the TRC was unique in its “...prevalence of Christian discourse which permeates the TRC hearings, meetings, leadership, and internal logic and philosophy.” (Bergström 2010, 236).

My assessment of the literature above is that religion has been recognized as a central part of the TRC's construction, symbols, and values. However, this notion has been critically questioned: Was this the right way to build peace in a post-conflict society? What happens when religion is invited into a secular space?

Secular employment of religious rituals in the TRC

While the scholars introduced have provided insights into the relationship between religion and politics, religion and conflict, as well as religion and peace, they have overlooked three notable things. Firstly, there needs to be a differentiation between what religious communities *can* do, what faith communities are *willing* to do, and *how* the faith communities' involvement in peacebuilding practically *plays out* when invited in by secular instances. Secondly, there is a need for an evaluation of the outcome of such a process. This evaluation ought to address the *effects* of including religion in a secular space. Fourthly, and most interestingly with regards to the central research question of this thesis, *a critical assessment of the politics of faith-based diplomacy is missing from the literature: What political incentives were there behind a secular government's choice to include religion in peacebuilding? In whose interest is it to invite what is considered private into contemporary politics? Leatt stands as one of few thinkers who directly touches on the use of Christianity as a resource for nation-building within the South African TRC.*

The development of a South African national public over the course of the transition and the efforts of the new political leadership to consolidate a nation also drew on the resources of Christianity as the pervasive and majority religion in the country. Nowhere was this more apparent than in the processes of reconciliation and transformation (Leatt 2017, 142)

Leatt points to many aspects of the TRC that "was informed by Christian practice and theology" (Leatt 2017, 146). These include the church-community's involvement in the debates that led to the National Unity and Reconciliation Act; Mandela's choice to appoint commissioners with religious background; the involvement of local churches as providers of venues as well as spiritual guidance for victims and perpetrators; and also the rhetoric that

was employed throughout the process of transition as well as in the TRC as a political transformation mechanism. According to Leatt, the very design of the TRC followed a Christian understanding of what reconciliation looks like. It was expected to come into realization somewhere “between confession and forgiveness”:

The model for reconciliation was thoroughly Christian in that it was the duty of the perpetrators to make a full disclosure of their activities, confess them and repent their actions. Victims, on the other hand, were given a chance to voice their experiences and the impact of those experiences on them and their families; to testify about their suffering... The idealised objective of their interaction was forgiveness (Leatt 2017, 146)

In this way, religion became a central feature in a space that essentially is a secular creation.

Truth and Confession

Through an analysis of the South African TRC, Rosalind Shaw explores the biblical and symbolic value of testimony, confessions and truth. Writing on the case of post-civil war Sierra Leone, Shaw connects the core of the concept of truth commissions to Christianity (Shaw 2007, 190). She does so by pointing to the religious character of the South African TRC, which internationally became the blue print for many of the truth-commissions that followed in the years to come. Pointing to an example from the 5-volume published report, Shaw demonstrates how Tutu’s writing and reflections on the relationship between truth-telling (confession) and reconciliation is biblical. The example from the report reads as follows: “However painful the experience, the wounds of the past must not be allowed to fester. They must be opened. They must be cleansed. And balm must be poured on them so they can heal.” (Tutu, the TRC report, quoted in Shaw 2007, 190). Based on Tutu’s writing, Shaw states that “This image of a sentient, feeling body suffering from infected wounds that must be reopened and cleansed through truth-telling represents the TRC as both a surgical procedure and a form of *spiritual healing* through the application of biblically resonant substances such as balm and oil.” (Tutu, the TRC report, quoted in Shaw 2007, 190, my

italics). Furthermore, the biblically resonant *rhetoric* as well as other elements, she argues, served nation building purposes.

The TRC – a performance or a national ritual?

Taking on a more skeptical approach, Ebrahim Moosa proposes that TRC was a “performative event”, whereby it played out a scenario that was planned and decided in the negotiation process. Moosa defines a performance in the following way: “A performance is when the actors have already configured the purpose of the play and there is a hope that other participants and viewers will also understand its message (Moosa 2000, 114). Given that the ‘truth for amnesty’ agreement was negotiated and agreed upon before the creation of the TRC, the commission’s “message” is expressed through the performance of the “actors”, who can be categorized as perpetrator and victim.

Moosa also points to the theological rhetoric that shaped the transition-phase, and marks a shift in the emphasis on “obedience” and justice during the struggle, contrasted with the moral language of “the Christian spirit of love” and reconciliation in the time of the negotiations as well as the democratic transition. It is suggested that the Christian undertone which intensively had shaped the political discourse in the 1980s shifted when the compromises of amnesty for truth had been put in place: “Once the compromise had been struck it became apparent that the discourses of liberation on which were based the dreams of future utopias and expectations of vengeance and justice would have to be modified, amended or, at times, abandoned.” (Moosa 2000, 117). While Leatt and others are observing that the TRC bears elements of religion, Moosa is claiming that the presence of religious elements is not a coincidence. Rather, it is a performance where religion, as a tool or instrument, is used to generate the expected message.

Scholar of religion, David Chidester, has pointed out that The TRC was a national ritual of contrition, confession, and forgiveness. In his article “Stories, Fragments and Monuments”,

he writes: “Informed by his own profound Christian faith, however, Archbishop Tutu established the narrative framework of the Commission as an essentially Christian story of contrition, confession and forgiveness” (Chidester1999, 135). The Christian process of confession was set to take place within the TRC in order to produce truth and to facilitate national reconciliation and healing. Through this observation, Chidester acknowledges the religious character of the TRC, while also criticizing the commission for not recognizing the expressed needs of victims who wanted perpetrators be brought to justice. This was denied to them as their desire did not conform to the Christian narrative that the TRC promoters were trying to produce. Chidester specifically points to an episode where a victim of torture says that she hopes her torturers will be brought to justice, and the commission responded “thank you... for contributing your story to the national process of reconciliation” (Chidester 1999, 135). Chidester writes that “calling for justice, retribution, or even revenge, a witness could easily be absorbed into the master-narrative that governed the commission” (Chidester 1999, 135). In other words, the master-narrative which produced truth through contrition, confession and forgiveness, ended up overriding individuals’ understanding of justice, as it did not have space for retributive justice

Antjie Krog is one of the few scholars who to some extent considers the TRC a sacred space. Her article “The Truth and Reconciliation Commission – a National Ritual” is about the extent to which the TRC produced a national ritual. Her spatial analysis includes the description of the seating, whereby she considers the area where victims are seated the sacred space. While she insists that several rituals, including the marking of a sacred space, did take place *within* the truth commission, she criticizes the commission’s failure to adequately involve South Africans in the ritual on a national scale.

The above mentioned scholars point to how the secular and religious meet, or collide, within the TRC. However, the question as to *how* this takes place is to a great extent an untold story. Chidester did mention that the ritual of contrition, confession and forgiveness was *validated* by the presence of faith community representatives from the DRC and the Zion Christian Church. Indicating that the presence of certain personalities can facilitate a

ritual to take place. Leatt is *observing* that the TRC drew on, and was informed by religion, but I am taking this observation one step further by making the claim that this *influence* amounts to a political strategy of instrumentalization through the formation of sacred space. Essentially, my thesis aims at exploring the extent to which concepts from religious studies can be applied to better understand how religion and politics influence one another. Although religion has been recognized as a component of the TRC by the scholars pointed out in this literature review, my analysis will provide a deeper understanding of the concepts which others have touched on, yet not adequately unpacked. This will happen through an analysis of the TRC as a sacred space.

Chapter 4.0 Theoretical Framework and Methodology

Given the cross-disciplinary nature of my question, my thesis will apply theories from both political science and religious studies to grapple with the case at hand. I will use political instrumentalization theory to investigate the reasons behind the Mandela administration's *choice* to design the TRC in a specific way, as a dual mechanism embracing both the secular and the religious. Exploring the ways in which the alleged religious atmosphere was created, sacred space theory will be applied. The concept of sacred space within the discipline of religious studies is generally concerned with places or spaces where religious activity can be traced. Tracking religion, whether it be in physical places of worship, pilgrimage routes, or social religious movements, is at the heart of this concept (Knott 2008, 1103-1104). The theory of political instrumentalization will be employed to explore the *political incentives* to invite religion into the secular and political space of the TRC, while Sacred space theory will shed light on *how* the TRC was a sacred space.

4.1 Political Instrumentalization of religion

What I will be referring to as “political instrumentalization” or just “instrumentalization” is the strategic *use* of someone's identity as an *instrument* in the pursuit of reaching political goals. The term encompasses what essentially can be categorized as identity politics. Looking at conflicts which have been diagnosed as “religious” or “ethnic”, it is crucial to question *in what way the identity-markers form part of the conflict*. Is religion the cause for the conflict itself? Is religion a fueling, prolonging or intensifying factor? Instrumentalization theory provides a lens through which we can view the role of an identity marker (i.e. religion, ethnicity or race) in a conflict principally as something that can be *instrumentalized* in the quest for reaching a political goal (Hagg & Kagwanja 2007, Kaldor 1999, Richards 2005). Instrumentalization stands in contrast to theories of primordialism, i.e. Samuel Huntington's 1996 “Clash of Civilizations?” which insist that human beings are inherently different and are therefore bound to end up in conflict with one another. As an alternative, instrumentalization of identity proposes that differences need not be the *cause* for the outbreak of conflict per se, but is rather considered to be a powerful source of *motivation* to

mobilize a group with a shared identity to pursue the realization of a political goal. However, this can only happen *if* the identity-marker is used strategically.

Essentially, violent political action can therefore be understood to be motivated by an individual's belonging to an in-group (the group one is a member of), and the simultaneous de-humanization of an out-group (a group one is not a member of). An identity-marker can also be instrumentalized in favor of peacebuilding. In this regard, the potential *function* of an identity marker as an instrument is at the core of this theory. This is because an individual's sense of self, sense of belonging and sense of safety is deeply rooted in their identity (Ysseldyk et. Al 2010, 60).

An identity can be made up of several layers, or components which mark a person's values, worldview, culture and so forth. In turn, the way in which that person positions herself, or responds to her circumstances is, to a varying degree informed by their identity. Identity-markers include language, territorial boundaries, race, class, gender, religion and more (Hagg & Kagwanja 2007, 12). While an individual might identify with several identity-markers and be part of a variety of in-groups, *religion* is arguably an identity marker which potentially defines an individual and/ or a group more profoundly than other identity-markers. Bruce Lincoln is one of the scholars who has recognized religion as a powerful source of a collective identity which can and has been "used for mobilization" as an instrument by violent militant groups who are looking to reach political goals (Lincoln 1998, 66). Supporting this position, Ysseldyk et. Al, in their study on religion and social identity write that

As a social identity anchored in a system of guiding beliefs and symbols, religion ought to serve a *uniquely powerful function* in shaping psychological and social processes. Religious identification offers a distinctive "sacred" worldview and "eternal" group membership, unmatched by identification with other social groups (Ysseldyk et. Al 2010, 60, my italics)

In my thesis I will apply the theory of political instrumentalization to the study of peace-building or post-conflict justice in South Africa. I will propose that religion, as a “*social identity* anchored in a system of guiding beliefs and symbols” (Ysseldyk et. Al 2010, 60, my italics) was instrumentalized politically by the South African government for the purpose of nation building. This, I will argue was done through the construction of a sacred space within its truth-commission. In other words, in the same way identity can be instrumentalized in the creation of conflict, identity can be used in the establishment of peace, through the re-construction and instrumentalization of a national identity which promotes unification instead of separation. In my analysis, I will make reference to church services and court proceedings as points of comparison to the TRC’s nature, as I consider the TRC somewhere in-between the two.

4.2 Sacred Space as substantial and situational terms

Sacred space is a critical term in Religious studies, which is concerned with identifying *where* religious activity can be traced, or rather *how* religion manifests in a given place or time. According to Kim Knott, there has been a shift in the understanding of “space” in humanities and social sciences since 1991, when Henri Lefebvre’s *The production of Space* was translated into English. Religious space has traditionally been understood to manifest in territory, body parts, streets or other physically observable areas marked by symbols and things associated with a belief system. In contemporary writings on space, on the other hand, Sacred space is understood to be socially constructed through practices, speech, and movement. Informed by Foucault, who writes that our epoch “... is one in which space takes for us the form of *relations* among sites” (1986, 23, my italics), Knott considers the contemporary understanding of space *dynamic* and conditioned by *simultaneity*. Another central thinker in contemporary space theory is J. Z. Smith, who writes that “Human beings are not placed, they bring place into being” (Smith 1987, 28). Furthermore, Smith argues that it is rituals, or religious *practices*, that transform a space into that of the sacred. In other words, a space becomes sacred when human beings interact in ways that create the sacred. Religious practices are therefore not a response to the sacred, rather, the space becomes sacred when religious practices are carried out. Thinkers like Smith reconstructed the understanding of sacred space by bringing in the social aspect of how human beings

operate within places marked off as sacred. Smith was interested in exploring how the sacred is *created*, or *produced*.

Religious studies scholar, David Chidester, has been a leading thinker on the concept of sacred space. Thus, I have found several of his articles fitting in my thesis. "The Poetics and Politics of Sacred Space: Towards a Critical Phenomenology of Religion" revolutionized the two distinctive categories of sacred space. Chidester defines the two above mentioned poles of sacred space theory as *substantial* and *situational* definitions of the sacred. These two categories reflect the development of sacred space theory within religious studies. Categorizing the "substantial", Chidester writes that "the sacred has been identified as an awesome, powerful manifestation of reality, full of ultimate significance" (Chidester 1994, 211). This reflects how the early scholars of religion thought of sacred space. It was understood to be given in the world, in places like a church, a mosque or a temple. The situational understanding of the sacred, on the other hand, propose that that which we consider holy "...is nothing more nor less than a notional supplement to the ongoing cultural work of sacralizing space, time , persons, and social relations. In other words, the sacred is a byproduct of *sacralization*" (Chidester 1994, 211, my italics).

Nevertheless, Chidester challenges these distinctions that have been made between substantial definitions of space (traditional definitions) and situational definitions (constructivist definitions), arguing that both essentially are political. Drawing on Van Der Leuw's writing, Chidester demonstrates how the substantial and situational perspectives of sacred space actually *connect*. Sacred space is political in both substantial and situational terms, because politics take place wherever power is contested. Through the exploration of position, property, exclusion, and exile as central elements in the making of sacred space, Chidester brings the poetics and politics of sacred space together: The *Position* of sacred space is political because a place is *contested*; Sacred space is political in what it *excludes* through boundaries. Boundaries are what defines what is *within* and what is *outside* of the marked sacred space, and what separates the profane from the sacred; the sacred space is political in the sense that it is *property*. Who owns a sacred space? Is it at risk of being

claimed by somebody else? The fourth mechanism in the creation of sacred space is *exile*, which speaks to the cases where a holy place which is out of reach is the symbol of belonging for a group of believers (i.e. Jerusalem from Jews or Mecca for Muslims). These four categories will be applied to the TRC in Chapter 5 and 6.

4.3 Methodology

The TRC completed its work in 1998, which makes it impossible to physically be present at a hearing to observe the event. I initially planned to observe footage from a variety of hearings in order to compare and contrast the formation and re-formation of the space at the TRC-hearings. I was interested in analyzing the practices that were carried out, what appeared to be the power-relations amongst TRC participants, what emotions were being expressed, and how they were responded to. I was interested in finding commonalities and the variables in the different hearings. Given the scale of literature on the TRC, I expected there to be a lot of footage available. However, when I started doing my research, I soon discovered that raw or unedited footage was extremely difficult to get a hold of. The SABC covered the TRC through a program running every Sunday for the two years that the TRC was doing its work. The program was called the TRC Special Report. These “reports” are all available online, but they focus on highlights of the hearings, not the whole hearing as they took place in real time. The original order of the proceedings is not clear, and the distinction between amnesty committee hearings and Human Rights Violation hearings is seldom made explicit. The focus is mostly on the story, not so much on the structure of the TRC process. Therefore, the information which I have extracted from that which is observable does not amount to a complete picture of how a specific hearing came about. I have also viewed a number of documentaries in order to observe the space, where the same problem occurs. The documentaries and the TV shows are a telling a story which draws on footage from the TRC, but it is not a precise reflection of the actual event and space. Many of my reflections are based on these recordings which are a form of retelling. Another challenge is that many practices that played a role in the formation of the space were not captured on camera. In these cases, I rely on literature which describes these practices. For instance, the opening prayers were seldom captured on camera. The glimpse of the chairperson greeting and shaking hands with the participants have been captured by some of the special reports,

episodes and documentaries I have made use of this, but the alleged repetition of this throughout the hearings is based on commissioner Piet Meiring's writings: "...the Archbishop placed the hearing of the day in the Lord's hands, asking that Jesus Christ, who himself is the Truth, guide us in our quest for truth, that the Holy Spirit of God grant us the wisdom and grace we need" (Meiring 2002, 330). However, my careful selection of relevant and well-covered cases has enabled me to do a thorough analysis, despite the sources being secondary. For each case I have chosen, I have extracted information from tv news, reports and documentaries, which gives me an audio-visual insight. I have also assessed transcripts from the hearing and articles written by people who were present, giving extensive description of the interaction within the space.

Given the scope of this thesis, I have chosen three cases as my main events for analysis. Winnie Madikizela-Mandela, the Gugulethu Seven, and the Amy Biehl hearings. I have chosen these as there is a significant amount of footage available on these cases in comparison to other cases. They reflect the TRC's very diverse nature, both in terms of demographics, interaction between participants in the space (amnesty applicant, victim and the commission). I also chose these cases because the venues, the setup and the seating is very different in all three cases. They make up an interesting set of cases for comparison of how space is produced. Furthermore, practices I will argue amount to religious rituals were observable in hearings associated with all three cases.

4.4 Three cases

The Gugulethu Seven

The Gugulethu Seven was one of the first cases of the commission, starting in April 1996. On the third of March 1986, seven young activists were killed by the police in an ambush. Mandla Simon Mxinwa, Zanisile Zenith Mjobo, Zola Alfred Swelani, Godfrey Jabulani Miya, Christopher Piet, Themba Mlifi and Zabonke John Konile, who were all actively involved in anti-apartheid activism, were targeted and killed by the government's security police's "Death Squad".

The assassins appeared as amnesty applicants before the TRC. The police involved in the event were Warrant Officers Barnard and McMaster, Majors Johan Kleyn, Dolf Odendal, and Stephanus Brits, Captain Charles Brazzelle, Sergeants John Sterrenberg, Andre Grobbellar and Rian Bellingan, and Constable Thapelo Mbelo. Claiming that the killings were politically motivated, the murderers of the Gugulethu Seven pleaded for amnesty from the commission. The hearings took place over several days, and included testimonies from nine police officers as well as the mothers of the deceased young men. Being one of the cases which evoked most media attention, I have chosen this case mainly for the reason that there is a lot of footage from the hearings on this case. Also, it was one of the very first cases the TRC dealt with, which means that the formation of the TRC space, as well as the practices that would henceforth shape its outlook were featured for the first time in some of these hearings.

Amy Biehl

Hearings on the Amy Biehl case took place in July 1997. Amy Biehl was a white American anti-apartheid activist who was murdered in Gugulethu, a black township near Cape Town, on 25. August 1993. She was stoned and stabbed to death by a mob. Four men were convicted: Mongesi Christopher Manqina, , Ntombeki Ambrose Peni, Vusumzi Samuel Ntamo, and Mzikhona Eazi Nofemela. All four appeared before the TRC applying for amnesty, as they identified their actions as politically motivated. The four applicants, all of whom formed part of Pan African Students Organisation (PASO) and the Azanian People's Army (APLA) and the Pan African Congress (PAC), stated that they were neither aware of Ms. Biehl's anti-apartheid political views nor her American background. Assuming she was a white South African "settler", she was perceived as a legitimate target of "Project Great Storm", which aimed at

...mak[ing] the townships ungovernable, more particularly by preventing government and company supplies and services from coming into the townships and also by killing, maiming and injuring what was popularly known as settlers and this was a term that was used to refer to White persons (Gozo 1997, in TRC 1998)

Having stepped out of a meeting with PASO a few hours before the attack on Biehl, applicants including Mr. Ntamo said they were motivated to act in that moment: "I was

highly politically motivated that day and I did what other PASO people around me were doing” (Ntamo 1997, in TRC 1998). Parents of deceased Amy Biehl were present at the hearing.

This case is spatially interesting when looking at how *interaction* between perpetrator and loved ones of a deceased victim played out within the hearings. The case is paid special attention to in the documentary “Long Night’s Journey into day”, which not only screens moments from the hearings but also Biehl’s parent’s journey of forgiveness as they chose to interact with the amnesty applicants and their families outside the space of the TRC (Reid and Hoffman 2000).

Winne Madikizela-Mandela

The Winnie Madikizela-Mandela proceedings unfolded in November 1997. The hearings took place over nine days, and included more than forty witnesses. Winnie Madikizela-Mandela was faced with accusations of four serious assaults and six murders. One of the central assaults was the murder of 14 year-old Stompie Seipei by “The Football club” allegedly instructed by Mrs. Madikizela-Mandela. In December 1989, four teenagers were abducted who were accused of being spies by the unofficial branch of ANC called the Football Club, which Mrs. Madikizela-Mandela was in charge of. Her lengthy hearing took place in several venues and was one of the cases that received the most media attention. I have chosen this case for reasons including the fact that it is a great example of how the TRC dealt with people who had dual victim/perpetrator status. It is also an interesting case as Mrs. Madikizela-Mandela’s interaction within the space was of a “VIP” applying for amnesty. The case is also unique as her participation affected the concentrated space *within* the TRC, but also the environment outside of the hearings, as her supporters from the ANC women’s league were demonstrating outside.

Chapter 5.0. The Sacred Space of the TRC

In Chapter 4, I introduced the concept of political instrumentalization: The strategic use of an identity marker as a means to reach political ends. Arguably, by orchestrating a sacred space within the TRC, the government attempted to reach political goals. In other words, religion was used as an *instrument* through the TRC. In this part of the thesis, I will provide an analysis demonstrating that the TRC created a sacred space which was designed to establish and to *justify* reconciliatory justice. The first part of my analysis grapples with observations of the TRC's set up as well as the nature of its proceeding. This will essentially serve to show *how* religion was instrumentalized. Secondly, I will explore the *political incentives* which created the *need* to carry out post-conflict justice through sacrality of the space in the TRC hearings.

5.1 The TRC's staging

In most situations, the TRC hearings would normally be set up as in a standard format, but the seating of the participants, the media and the commissioners varied from hearing to hearing. Also, the proceedings were set up at assorted types of venues in each case. The size of the place and also the distance between people engaging in the space varied significantly from one hearing to another. Some of the cases would proceed over the course of several days, and would be hosted by more than one of the committees (the Human Rights Violations committee, the Amnesty committee and the Reparation and Rehabilitation Committee). The very first hearing took place in East London at a community hall. Other hearings took place in conference rooms, public centers and in some cases church buildings.

The commissioners would be seated in the front center of the room, facing the audience. Sometimes they would make use of a stage which elevated them from the rest of the participants as well as the audience. In all the hearings I have come across, a banner promoting truth-telling as a means to reach reconciliation would be placed in the background of the commissioners. The victims were seated between the commissioners and the audience. The amnesty applicants were in most cases seated in front of the audience, on the commissioners either left or right hand side.

Before the opening of the hearings, Chairperson Tutu would personally greet the victims. He approached them and shook hands with each person to welcome them into the space. In a significant number of hearings, Tutu opened the proceedings with a prayer “Let us pray...God for as much as without you we are not able to please you, mercifully grant that your Holy Spirit may inverse and in all things direct and rule our hearts through Jesus Christ our Lord. Amen” (Tutu 1996). A moment of silence often followed the prayer. In most cases, neither the moment of silence nor the prayers were captured on camera. However, according to the description of people who were present, and according to the TRC report, this was the norm rather than the exception (Krog 1998, Meiring 2002, TRC 1998). The name of victims and deceased would then be read out loud. Before giving a testimony, the speaker would be asked to swear under oath. Another recurring practice in the TRC was the singing of hymns. On the first hearing in East London, a very emotional testimony by a victim who had been tortured inspired a wave of emotional reactions from also Archbishop Tutu, who broke down in tears. The Xhosa hymn “Senzani na...”, meaning “what have we done” was then sung by the commission and joined by the majority of the audience (Meiring 2000, 126). Furthermore, in contrast to a conventional judicial proceeding, one was not necessarily brought up to testify on one’s own. Even if an individual was giving a testimony, he or she was allowed to stay seated with a group of victims who were linked to the case. All the mothers of the Gugulethu seven who participated in the TRC went through the hearings together. They were seated together while they were giving separate testimonies.

The first hearing on the Gugulethu Seven case took place in the City hall in the Eastern Cape. The commissioners were seated at the center of the stage, facing the audience. A table which was set up for testimonies was placed on the left hand side of the stage, next to the commissioners. Behind the commissioners, there was a big banner attached to the blue stage curtain with an image of a dove carrying an olive branch. It read “The truth and Reconciliation Commission...Let the Truth be heard” (Lindy 2000). The chairperson, Desmond Tutu, was seated in the center of this, as well as most other set-ups, and stood out from the rest of the commissioners as he was wearing a purple gown. This colorful attire stood in contrast to the black suits and generally neutral colored formal wear that the rest

of the commissioners were wearing. The victims (widows and loved ones of the deceased) were seated in the front row of the audience. They were the very center of the formation, facing the commissioners. Their role in the hearing could be seen by the space between them and the rest of the audience, as they were placed in a separate lane. On a different day, the same case was dealt with in a venue which was more spacious than the first (it could be a community hall). In this space, the commissioners were seated on stage, and the distance between them and the audience was significantly bigger.

One of the TRC's first hearings on the killing of American activist Amy Biehl, the three amnesty applicants were seated in the front on the right hand side on a table marked by a sheet of paper saying "applicant". The parents of the murdered victim were seated amongst the rest of the audience. The applicants and the parents were making use of headphones, as they depended on translations to understand one another and to enable the participants to speak in the language which was most natural and comfortable to them. The use of translation was a central part of the process. This happened through the use of headphones, whereby a translator interpreted what was being said in the speaker's mother tongue. This technical aspect of the communication also became a part of the repeated practices. Hence, in most of the transcribed hearings the first sentence was usually something in the line of "Can you hear me"? the use of translation also created some level of delay.

5.2 Constructing a Sacred Space

Exploring the court-like body of the TRC as a religious construct, I will look into both symbolic indicators as well as relational aspects of sacred space. This section will illustrate that the TRC brought about sacred space in a variety of ways including its very design, its high-profile Christian commissioners, and the rhetoric associated with the structure, set-up and the nature of the proceedings.

Sacralizing practices

As mentioned in the theory chapter, scholars including J.Z Smith have stated that a place only becomes sacred when we socially engage in a way that carries out the “sacred” (Smith 1987, 28). Smith holds the view that ritual (actions or practices carried out repetitively), rather than being a *response* to the existence of something sacred, actually *creates* the sacred. Taking this theory into account, it can be argued that certain practices that were carried out, which would be echoed throughout TRC proceedings over its two year lifespan, amounted to rituals that brought about sacred space.

The commission was a mobile concept, and was thus set up and re-constructed several times in different parts of the country. However, elements which I will argue amount to *sacralizing practices* were carried out across all hearings in one way or another. The practices include the opening and closing prayers, the hymns, the seating arrangements, and the symbolism on the walls (posters and banners), and in the archbishops. Looking at these repeated acts through Smith’s lens of social construction of sacred space, social interaction create sacred space, in what at first glance comes across as a judicial, political, or even secular platform. The practices are best seen as aspects of sacralization when compared to practices which are associated with the space of a conventional trial. We can see this by looking at each act individually and ask ourselves whether the occurrence of this practice would be appropriate in a strictly judicial proceeding. I.e. Would the center of authority (the judge) pray together with all participants before and after a trial? Would candles be lit and hymns be sung? Moreover, would an emphasis on inter-personal forgiveness and healing be of central concern? In his opening statement on 18. June 1996, Tutu demonstratively said “we pray that the offers to forgive will not go unhidden, that they will inspire others to be ready to say we are sorry, please forgive us, then - then this miracle will be complete” (Tutu 1996). Statements like this were frequently made throughout the process.

It has been observed that some of the repeated practices which brought about a religious atmosphere became a significant part of the TRC’s design even *before* the commission had

started its work. Thus, on the 16th of December 1995 former president Nelson Mandela appointed each commissioner of the TRC their position at a ceremony which took place at St. George's Cathedral in Cape Town (Chesslet 1997). This date is now a public holiday, the Day of Reconciliation. Each commissioner was appointed their honorable position through the practice of receiving and lighting a candle. As they entered the stage and faced the audience, each commissioner was handed an olive branch. The commissioners were prayed for, and the congregation sang hymns and songs of praise associated with both African Traditional Religion as well as Christianity (Leatt 2017, 144). This initiation of the TRC thus set the tone for what would follow in its proceedings.

The iconic Archbishop Tutu's uniform arguably had symbolic religious value (Meiring 2002, 167). The purple gown is one worn by powerful and influential church leaders, and therefore has the potential of bringing about associations to religious authority. Tutu's presence was not the only church-related personification in the TRC. Churches in several local communities were actively involved in the hearings, providing psychological and spiritual support services for the participants of the TRC. Moreover, as stated by Grunchy et al., "faith communities, and their members helped shape the consciousness within which the idea of the TRC was nurtured" (Grunchy, et al. 1999, 4). These religious influences include former president of the Methodist Church of Southern Africa, Alex Boraine, who was one of the main architects of TRC. Boraine also filled the role as deputy chairperson under Tutu. Other religious thinkers who served as commissioners under the TRC are Reverend Bongani Finca and Reverend Khoza Mgojo. These are indicators that strengthen the idea of the truth commission as a religious event and space.

The sacred space did however not replace the commission's judicial work. Rather, it supplemented, if not coexisted with that which was juridical. Therefore, the TRC serves as an example of how the secular and the religious were mixed in a judicial-political body. This notion is recognized by anthropologist Bergström, who writes that "The TRC's duality between judicial purposes and spiritual ends was a hybridization of society's most powerful and authoritative sectors: the social structure of state legal systems and cultural authority of

Christian philosophy.” (Bergström 2010). In what other ways did the TRC differ from a conventional judicial proceeding? In what ways did it resemble a church service?

A sense of community

The TRC allowed for participants to share testimonies while seated together. Therefore, a sense of community was accepted within an otherwise individualized space of a victim or perpetrator. The singing of hymns in response to one’s expressed suffering was another element of community, one which is more likely to happen in a church service than in a traditional court set-up. The structure was also partly flexible due to this sense of community in that there would be breaks and/ or changes in the program whenever the experience became overwhelming for participants. The TRC staff provided moral and psychological support for cases like these, and led people who broke down out of the space on several occasions. An example of this kind of scenario include the very graphic hearing where policemen associated with the Gugulethu Seven killings were brought in to watch footage which included the screening of the dead bodies of some of the young men. A scene from the documentary “Long Night’s Journey Into Day” shows how the mothers of the seven deceased freedom-fighters react when nine security policemen were brought in to view footage and to testify. As footage from the news reports that announced the death of the seven men are shown, one of the mothers cries out loud and screams “no, no,no!”. While the video is playing, many of the mothers start screaming and has to be assisted out of the room (Reid and Hoffman 2000). Another one throws her arms in the air and falls to the ground screaming as three TRC staff members hold her and attempt to calm her down. One of the commissioners then say “we should take a break now. We need to stop the video right at this moment” (Reid and Hoffman 2000). This episode also highlights my next observation, which is that the social construct of the space was also shaped by the presence or absence of the people directly related to the hearing. This variable would determine whether a confrontation potentially could take place or not.

In the case of Amy Biehl, while the amnesty applicant’s defense attorney read the applicants statement out loud, amnesty applicant Mongezi looked down - avoiding eye contact with

anyone. At a later stage, the parents stepped forward to give a statement which was meant to familiarize the audience and the perpetrators with the biography, the personality and the political views of their deceased daughter. They were then seated at a table in front of the audience, facing the commissioners directly, with the perpetrators to their right. At that moment, when the parents of Ms. Biehl started speaking, Mongezi looked up and revealed his facial expression. His eyes were now filled with tears (Reid and Hoffman 2000). Another example of this interaction between victim and perpetrator was an episode in Mrs. Madikizela-Mandela's hearing, whereby a survivor of torture, who was facing Ms. Madikizela-Mandela, was unable to express words in his testimony as he started crying. As he is guided out by the TRC staff, Mrs. Madikizela-Mandela also starts crying. They then bring out the next person to testify while the initial speaker is given psychosocial support outside of the space. (AP Archive, 2015). When both a victim and an amnesty applicant were present, confrontation at times occurred. The participants at hand were now able to interact, demonstrating the disagreements which sometimes came with truth-seeking. The above mentioned examples indicate that the emotions that were expressed in the TRC also formed a powerful part of its sacred space. A reaction could lead to a change in the space, as some would be assisted out, or it could call for the practice of singing hymns.

Christian symbolism in the TRC's rhetoric and (graphic) design

David Chidester has compared the TRC to the Christian ritual of *contrition, confession and forgiveness* (Chidester 1999, 135). Firstly, contrition, in Christian theology, refers to a person being *contrite*. Meaning that he or she is sincerely remorseful of a wrongdoing. Accordingly, in his book, *No Future Without Forgiveness*, The TRC's Chairperson Desmond Tutu, writes that the commission hoped there would be remorse "...or at least some contrition or sorrow for that wrong" (Tutu 1999, 218). While it could not be demanded that a person showed remorse, the TRC provided a space for it to happen. Mongesi Christopher Manqina, who was involved in the murder of Amy Bihel showed signs of remorse both through emotion (he shed tears when confronted by her parents) and also apologized (Reid and Hoffman 2000). Secondly, a confession, in the Christian doctrine means that a person admits and acknowledges a sin to God or to a priest. the ritual of confession is most prominent in the

catholic church but does take place in other denominations as well. Fittingly, testimonies in the TRC were *confessed* to the commission, with the Archbishop as its most central member and leading figure. Thirdly, Tutu writes that “Forgiveness means *abandoning your right* to pay back the perpetrator in his own coin, but it is a loss which liberates the victim” (Tutu 1999, 219. My italics). Therefore, the concepts of amnesty is closely linked to forgiveness in the TRC. In the context of the TRC, forgiveness represented the opposite of vengeance. Tutu has on several occasions compared and contrasted the path that post-apartheid South Africa took on to the alternatives of bitterness and revenge, indicating that forgiveness, as an act of mercy, facilitates peace (Tutu 1999, 91). These three mechanisms of contrition, confession and forgiveness, according to Chidester, took place within the TRC as a national ritual.

Furthermore, one can read a lot into the rhetoric and symbolism of the posters and banners that were used to advertise, promote and invite people to take part in the TRC in the different communities which it visited. The brief message on the posters functioned as a means to attract people *into* the space. The gigantic banner that would hang behind the seated commissioners and undoubtedly catch the eye of anyone facing their direction *within* the space (either physically present or TV watchers), promoted truth-telling, healing and reconciliation. Although the banner would vary in design and phrases, the consistency of its placement behind the commissioners made it a central part of the staged space. The dove and the olive branch, which we can see on the banner in the first hearing on the Gugulethu Seven case, are both symbols that heavily resonate with a Christian idea of peace, with the end of the flood and the hope for peace demonstrated by the dove’s ability to bring Noah an olive branch. The symbol of the olive branch was also formed part of the 1995 St. George’s Cathedral TRC opening event. In the “Cradock 4 case”, which also unfolded in one of the first hearings in the Eastern Cape in 1996, the venue appeared to be either a church or a theatre of some sort (from what I can see in the recordings). Behind the commissioners, a gigantic banner with two of the new south African flags on it which read “Truth and Reconciliation Commission – Healing our past” was attached to the red curtains on the stage. The latter part of the statement was outlined.

Alongside “forgiveness” and “reconciliation” I will argue that the use of the word “healing” is biblically resonant. Also, the comparable ideas of the commissions “truth-telling” and that of religious “confession”. The commission’s aim to map out the “wrongdoings” of individuals debatably amounts to the religious idea of admitting “sin”, and the link between the secular term “amnesty” and the religious concept of “forgiveness” highlight the use of biblical rhetoric. These ideas and terms were not only similar in an abstract sense, but were repeatedly spoken of and used synonymously in the hearings. An illustrative example of this is the following statement, taken from one of the hearings:

Commissioner: ... but I want to ask you one question concerning this matter. If the perpetrators, the police are *forgiven, are given amnesty*, do you see any danger concerning people's lives in Adelaide?” (TRC 1998, quoted in Van der Merwe 2003, my italics)

The mere fact that forgiveness and amnesty, in this specific sentence, is spoken of as synonymous, sums up the argument I have posed. The police being “forgiven” and the police “given amnesty” are undeniably looked upon as the same. Anthropologist Bergström has pointed out that some of the TRC terminology, including “amnesty” is “seen within the Christian paradigm as linked to Christ’s *sacrifice* on the cross for the sake of reconciliation (Tutu, 1999:289-96, in Bergstrom 2010, 237, My italics). Bergström interprets this as “blending of Christian charity and political amnesty...” (Tutu, 1999:289-96, in Bergstrom 2010, 237, My italics). How did the use of the secular idea of amnesty mixed with the religious, inter-personal idea of forgiveness affect the hearings? The above mentioned words do not form part of a juridical vocabulary, which again demonstrates how the TRC drew on both judicial and moral-philosophical elements.

Chidester: Sacred space as a substantial, situational and political concept

While the points I have raised above all point to the *symbolic* value of repeated practices, rhetoric and structure of the TRC-hearings, one can also measure the extent to which the TRC amounted to a sacred space through David Chidester’s four categories of positioning (selection), exclusion, property and imagination (exile) in his (re)definition of sacred space.

In what follows, I will show that TRC, seen through this theory, was not only political in symbolic measures, but also through its positioning, its control of space and through exclusion. Firstly, a sacred space is a position which finds its place through orientation and limitation. “Appropriated, possessed and owned” by the newly established South African government, the TRC was arguably a sacred space of meaning and power in both symbolic and judicial terms. Politically motivated perpetrators of human rights violations and crimes against humanity would be granted amnesty if truth be told with full disclosure in the constructed space. In this way, the TRC resembled a courtroom. Symbolically, the space was set up as a platform for reconciliation. Transforming an otherwise neutral space into one where quasi-judicial power would be executed in the name of the new constitution can be considered acts of *positioning*.

The TRC also operated in accordance with Chidester’s second category, which proposes that space can be a site of the sacred only if it *excludes* the profane through boundaries: “It was precisely the relation between insiders and outsiders that was contested at the center and the boundaries of the sacred place” (Chidester 1994, 218). Before anyone enters the space of the TRC, regardless of the venue used, everyone is searched by security. This is arguably a practice of inclusion and also a practice which separates the safe and sacred space of the TRC from the outside world. Exclusion is the act of being “left out, kept out or forced out” (Chidester 1994, 218). In Winnie Madikizela-Mandela’s case, supporters - mainly veterans from the ANC’s women’s league - sang and demonstrated in large numbers outside of the building. On the fifth day of the hearings, some of her supporters approached the commissioners and left a letter with the chairperson, which according to SABC was of “threatening” character. The three women, who were wearing matching ANC uniforms, were then rejected by a furious chairperson who said: “How can you just come and bring this note here? Can you please leave!” (Tutu, in Reid and Hoffman 200). The applicant’s supporters were thereafter excluded from the place. This did not, however, stop them from demonstrating outside the physically marked off space. This act of exclusion contributes to the formation of the sacred space. The symbolic, moral support for Mrs. Madikizela-Mandela also demonstrates how the presence of TRC participants need not be physical, but can be heartfelt or “in spirit”. At the same time, it can be argued that the TRC

was inclusive in its nature because its media coverage allowed for anyone who wanted to, to take part in the hearings in some way. The practices happening within the space where therefore intended to have an effect outside of the space as well.

The aspect of exclusion can also spatially be explored *within* the isolated space. According to Krog, the only space that was sacred in the TRC was the area where the victims were seated. She writes that the production of the sacred space happened when “The Commissioners enter the hall in procession and this procession creates a sacred space for the victims. That sacred space is separated from the rest of the audience and even from the Commissioners themselves.” (Krog 1998, 10). Interestingly, Mrs. Madikizela-Mandela would at times be seen in the commissioner’s area in the breaks, hugging and being embraced by Tutu. The act of approaching the area of the commissioners and giving the chairperson a hug shows that Ms. Madikizela-Mandela is allowed to enter the space of the commissioners while still remaining a perpetrator whose information the commission is trying to extract. She is thereby *included* in an otherwise exclusive area of the space. She is both an ordinary applicant and a friend of the chairperson. While other participant have engaged with – and shook hands – with Tutu, it has happened in a manner whereby *Tutu has approached them* in their given seat or position. – not by them walking up to the area which is occupied by the authority figures of the space.

Thirdly, the TRC can be considered the successor government’s *property*. In the words of Krog, “The Commission has been *sent* to the people from the newly elected government.” (Krog 1998, 10). It was in fact a product designed to deal with, or at least initiate the National Unity Act. As previously mentioned in this thesis, each commissioner was appointed their position personally by the president. The TRC was the governments extended arm. It was an institution set up to deliver the type of justice that the government had decided to pursue. People who had engaged in politically motivated violence from either side of the apartheid divide sought amnesty and reconciliation from this extended arm of the new government. It was thus a space of politics, power and religion.

The TRC constructed a sacred space through routinized practices associated with church service, through its symbols, and through its staging. The sacred symbolic elements include the archbishop's attire and the rhetoric on healing and forgiveness. The rhetoric was also seen on posters and banners promoting truth-telling, sometimes showing a dove carrying an olive branch etc. Most importantly, the TRC became a sacred space through prayers, hymns, and its very formation.

Chapter 6.0 The political instrumentalization of religion

Now that we have identified the TRC's religious character, I would like to look into the political incentives which motivated the government to design the TRC in the way demonstrated above. Why was the TRC constructed as a sacred space? In who's interest was it to blur the lines between what is secular and what is religious? Based on the analysis provided above, questions as to *why* what I have identified as a sacred space was constructed is my next subject of analysis. This chapter will provide reasoning for the creation of sacred space within the TRC. The political goals I have found that the government sought to achieve through the *instrumentalization of religion* include (1) the justification and promotion of restorative, as opposed to retributive or distributive justice (2) the facilitation of nation-building and (3) the nation's need for spiritual reconciliation, and (4) a way to include influential religious institutions in the peace-building process, as they had formed part of the conflict on both sides of the divide.

6.1 Transitional Justice: The politics of past evil

A society emerging out of conflict or authoritarian rule can be identified as a transitioning society, a society in transformation, a post-conflict, or a post-crisis society. In the wake of a transition, a government's scope of mechanisms to deal with atrocities from the past in the creation of a peaceful future is frequently referred to as *transitional justice (TJ)* by political scientists. TJ as a concept deals with the confrontation of the past in the creation of the future: Be it a transition from a violent conflict into peace, such as the case of the 1994 Rwandan genocide, or a transition to democracy like the case of South Africa in 1994. The UN Secretary-General in 2004 presented an annual report to the Security Council, in which he defined TJ as comprising

the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. These may include both judicial and non-judicial mechanisms, with differing levels of international involvement (or none at all) and individual

prosecutions, reparations, truth-seeking, institutional reform, vetting and dismissals, or a combination thereof (Schabas 2011: 3).

Interests between relevant stakeholders, competing versions of history, different understandings of justice and contested power are all factors that shape a post-conflict context, and South Africa was not an exception. In this chapter I will grapple with the complex TJ objectives the Mandela administration faced as a successor government, including nation building, truth-seeking, justice and reconciliation. Against the backdrop of my analysis of the TRC as a sacred space, I will apply what I have identified as political instrumentalization to demonstrate how the strategic use of Christian rhetoric, Christian moral-philosophy, as well as Christian dogmas were coupled with the TJ *goals* of the first democratic government of South Africa.

6.2 Identity politics: God's Rainbow nation

At the heart of post-Apartheid South Africa's reconciliation-project, was the ideal of a unified "Rainbow Nation". Building a national identity which would include all races set the stage for reconciliation to take place (Leatt 2017, 143). Apartheid as a system was based on an identity construction where race determined which group one belonged to. Apartheid, therefore, can also be seen as subject to political instrumentalization of identity in the form of race. People were not only divided by race in geographical regard, but also by the ideas of what "the other" were. For instance, as the apartheid National Party controlled the media and censored publications that had to do with the resistance movement, many whites say that they were unaware of what was going on. Also, frequent use of words like atheist, communist, and terrorist in description of the liberation movement contributed to the demonization of blacks and categorization of them as a sub-human category (Goodman 2004, 12). This notion also demonstrates that the fear of groups associated with atheism was considered a threat. Apartheid also became a way of protecting the Christian belief system generated by the DRC.

However, by constructing a new national identity which embraces that which previously had separated people (and by changing the understanding of what a diversity of races actually mean), diversity had the potential to no longer form the ground for separation or clash, but rather a “rainbow” of difference. A rainbow arguably has a positive connotation, and is therefore a desirable identity and an effective nation-building block.

Moreover, this ideal of a nation made up for a diverse people who resemble a rainbow was strengthened by the religious authority of Christianity: The biblical argument that all human beings (all the shades of the rainbow) are equal before God legitimized the new national identity (Goodman 2004, 12). This connection between Christianity and recognition of all races were explicitly stated at several occasions by both the government and the TRC. An example of the religious rhetoric can be found in the first Volume of the Final Report, where Tutu encourages the people of South Africa to

...move into the glorious future of a new kind of society where people count, not because of biological irrelevancies or other extraneous attributes, but *because they are persons of infinite worth created in the image of God ...* (TRC 1998, Volume one, paragraph 91, my italics).

The rationale for this statement indicates that the worth of a human being should not be determined by racial categories, but *rather* the idea of all human beings having been created *equally* in the image of God. Put in other words, the belief in *equality before God* can be seen as the *alternative* to Apartheid. This demonstrates the political instrumentalization of religious ideas.

Arguably, using religious rhetoric, symbolism and rituals as a part of the reconciliation-process was widely accepted by the public. Based on demographic numbers, Christianity was already an in-group with which 80% of South Africans identified. Although Christianity previously had played a role in both the theological justification for Apartheid and as a source for liberation theology, it increasingly became a source of cross-racial peace-building in the years leading up to the transition. Several statements and conferences of both

Christian and inter-faith character addressed the injustices happening under apartheid in solidarity with the liberation movement. Statements resurfaced and started gaining more support in the time leading up to the transition. These theologically based political statements include the World Council of Churches' (WCC) *Cottlesloe Statement (1960)*, SACC'S *The Message to the People of South Africa (1968)*, and the anonymous *Kairos Document (1985)* (De Gruchy et. Al 1999, 50-51). The faith communities' response to apartheid has been said to have inspired, if not pushed, a shift in the mindset and public theologies of many church communities including the DRC (De Gruchy et. Al 1999, 4-5).

Moreover, it can be argued that not only does Christianity amount to a an in-group which can form the grounds for the construction of a national identity in demographic numbers, but it is an identity-marker which, in the words of Ysseldyk et. Al "offers a stronger sense of self-enhancement and safety" (Ysseldyk et. Al 2010, 61) than other variables, including the one South Africa sought to abolish (race). Moreover, the identity of the rainbow nation would not be strong enough to stand on its own. This is because a group's sense of belonging must be anchored in elements tracing back to the past: shared ancestry, rituals, myths, shared memories, traditions, and ownership to territory are some of the most powerful elements keeping an in-group together (Hagg & Kagwanja 2007, 12). In this regard, I have observed that Christianity as a common identity marker holds more weight than the newly constructed "Rainbow Nation" . Marrying the two was a way of legitimizing the latter as "the newcomer".

According to Ysseldyk et. Al "...religious identity may be especially important when an individual's sense of safety and security has been undermined" (Ysseldyk et. Al 2010, 61). This aspect is highly relevant for the context from which the *need* for nation building came. Political violence and instability had for many become a part of their existence in South Africa. The violence came in the form of both *direct* harm and *structural* harm. The political struggle had taken on a violent character on both sides as the conflict intensified, causing people's "*sense of safety and security...[to be] undermined*" (Ysseldyk et. Al 2010, 61). Also, apartheid as a racially discriminating political *system* caused severe structural harm for

every person of color. Structural violence is not caused by direct, physical harm, but rather by the structure of a system. Structures that partly or wholly excludes parts of the population from i.e health care, education, and the ownership of land, arguably produces social injustice (Evans 2016, 3-4). National issues regarding safety is what eventually drew the National Party to open up the possibilities for negotiation and eventually the agreement to transform into a democracy (O'Malley 2018). The political tension South Africa was facing during the time of negotiations led many to believe that the country was on the brink of civil war. Hence, the post conflict context itself called for something that could provide a sense of safety.

6.3 Reconciliatory justice and Christianity

Arguably, the political tool-kits the Mandela administration had accessible at the time of transition resided well with Christian theology on forgiveness and healing (Bergström 2010, 237). The transitional justice mechanisms that a post-conflict government implements is often a reflection of its limitations. In the South African case, the Mandela administration's scope of TJ efforts was limited by compromises that came out of the pre-transitional negotiations as well as financial constraints. The negotiations leading up to the first democratic election on 1994 were heated and highly pressurized. The question of amnesty versus criminal trials as a means of addressing wrongdoings of the past, as well as disagreement between the National Party politicians and African National Congress and Pan Africanist Congress made the negotiations tense (Leatt 2017, 143). The NP demanded conditional amnesty for politically motivated crimes (Niehaus 1999, 87). There would not have been a transition had the ANC not agreed to this specific clause (Van der Merwe & Lamb 2009, 8).

According to Van Zyl, a successor government's scope of alternatives to deal with human rights violations committed by the former government is determined by how much power it holds. The NP, during the time of the negotiations, still had control over the military and police force, and therefore had the *power* to demand amnesty. The ANC on the other hand was not in the position of denying the NP's demand given the fact that they had not defeated them militarily. Van Zyl points to the two contrasting cases of Chile and postwar

Germany to demonstrate the effect power has on the way justice is carried out in a transition:

The Nuremberg trials were possible in postwar Germany only because the Allies had militarily defeated the Nazi regime and therefore possessed sufficient power to ensure the prosecution of leaders of the Third Reich. Conversely, when the transition to democracy occurred in Chile, the newly established government was unable to prosecute those who had committed gross violations of human rights during military rule because the military still commanded considerable authority... (Van Zyl 1999: 2-3).

The TRC, it has been said, “was the deal that brought a breakthrough”(Verdoolaege 2006, 28, in Leatt 2017, 144). This “breakthrough” was needed, as the political tension South Africa was facing during the time of negotiations led many to believe that the country was on the brink of civil war. The escalation of violence occurred around the time political prisoners, including Nelson Mandela, were released as president F.W. De Klerk publicly announced that there would be drastic political reforms. The tension is evident in the high number of killings that took place within that timeframe, as well as the many attempts made on sabotaging and storming the meetings where the negotiations took place: ‘Sources other than the Commission have reported that, from the start of the negotiations in mid-1990 to the election in April 1994, some 14 000 South Africans died in politically related incidents’ (O’Malley 2016). Out of the approximately 9 000 amnesty applications the TRC received, more than half of the human rights abuses were committed between 1990 and 1994. Based on this, it is logical to assume that the need for an agreement was urgent. The urgent need for a transition, therefore, led to what essentially can be understood as *compromises*. The creation of the TRC came subsequent to the truth for amnesty agreement, some argue, to add *moral value* to the amnesty scheme (Van Zyl 1999, 8). The moral value could arguably be added by inviting Christianity to support the scheme. Reassuringly, Steven Robins writes that “It [the TRC] was about rupture and transition as well as being a state ritual designed to establish and maintain social and *political order*” (Robins 2007, 126, my italics).

In other words, the type of justice the post-apartheid government could implement, namely *restorative justice*, resonates with a kind of *Christian moral-philosophy*. It was therefore advantageous to bring Christianity to the table. Reassuringly, The South African Council of Church (SACC) supported the framework of the TRC fully, as it was understood to turn

...its back on any desire for revenge. Rather than exercising punishment, the TRC would rightfully set the stage for an extraordinary act of generosity by a people who only insist that the truth and nothing but the truth be told...the deeper process of forgiveness, confession, repentance, reparation and reconciliation can take place (SACC 1995, 24).

With an emphasis on reconciliation, restorative, or reconciliatory justice is characterized by its focus on restoring broken relationships through confrontation, truth-seeking and symbolic acknowledgements of wrongdoings rather than punishment of the perpetrator. While punitive justice is carried out through punishment (prosecutions), and distributive justice through financial compensations and/or reparations, restorative justice places human relationships at the centre of justice. The TRC was an embodiment of restorative justice, as it was a platform which facilitated the relational confrontation and healing. Why did the Mandela administration choose restorative justice as the model for the establishment of transitional justice?

By focusing on the religious, symbolic, aspect of reconciliation, the successor government could “distract” believers from questioning the controversial amnesty scheme, which has been viewed by many as unjust. In other words, religious ideals of forgiveness could successfully be instrumentalized in the TRC, as the negotiated agreement to the amnesty clause needed moral value. Anthropologist Bergström has also recognized this observation, viewing Christianity’s role in the TRC as an “alibi”:

...the idea of amnesty for truth can by in large be seen as a strategic decision made by political actors as a compromise which would allow a transfer of power while hopefully quelling potential violence. The profound presence of Christianity within South Africa made the terms of the agreement reasonable and possible. Within Christianity’s definitions of forgiveness through confession and penitence, the scales of justice are restored to balance. Thus amnesty in exchange for truth has a natural *alibi* within the Christian paradigm which

dominated so much of the TRC ideology, hearings and ceremonies” (Bergström 2010, 237, my italics)

Furthermore, delivering justice through the alternative of prosecutions would have created other complex political problems. The trial of De Cock (also known as ‘Prime Evil’), alone cost the South African government more than R5 000 000. This is extremely costly for a country suffering from high rates of poverty. In addition, Van Zyl argues that trials are very *time-demanding*:

If Thousands of people responsible for political crimes committed over a period of several decades were to be prosecuted, it would take literally hundreds of years of pre-trial preparation and court time to compel the cases – and even that would not in itself guarantee convictions (Van Zyl 1999: 6).

In light of Van Zyl’s argumentation, justice served through prosecution was not a feasible alternative for the transitioning government at the time. An emphasis on truth-seeking, healing and spiritual comfort was more feasible mechanisms to work with when facing the past. It can be argued that the TRC, with its Christian truth-seeking emphasis compensated for the (feasible) political choices that were made during the time of negotiation, and thereby ensured a peaceful transition. Through the hybridization of religious ideals and restorative justice, religion was made use of *politically*, for the sake of peacebuilding.

6.4 Blurring the lines between the sacred and the profane: The effect

What does the mix of secular and religious influence lead to? Bergström writes that “Overall, the ambiguity of the TRC simply lay in that the ideological premises which comprise the TRC are both sacred and profane systems.” (Bergström 2010, 241). Building on Bergström and others observation of the TRC as a mechanism which embraced both religious and secular elements, I would like to dedicate this part of the thesis to the exploration of what the consequences of these blurred lines brought about.

When the ordinary becomes sacred

According to Smith, once a space is marked off as sacred, everything that takes place within that space bears the potential of being interpreted as something of significance. Through “...ritual repetition and routinization” a space becomes clarified and transforms into a channel of communication between men and the gods (Smith 1982, 54-55). There are no longer any coincidences. Referring to Israel as the extended holy temple of the Jews, Smith writes that the occurrence of an accident automatically will be “...understood as either a miracle, a sign that must be routinized through repetition, or it will be interpreted as impurity...” (Smith 1982, 54-55). How does this relate to the TRC as a case? Based on the observation that practices associated with Christian faith were *repeatedly* performed in a *routinized* manner, participants of the TRC also perceived the space as a “focusing lens” of which God could be communicated with. If nothing which takes place within this temporal temple is accidental, the commission’s push towards forgiveness and healing, through the religious authority figure of the archbishop, were experienced as more than a mere endorsement. The effect of the focusing lens which sacralization provides is that communication between humans in the space and the gods is enabled. Thus, a participant arguably becomes more responsive to the Christian moral-philosophical message of reconciliatory justice than he or she would be had the symbols associated with religion been absent. Smith rightfully finds that “The ordinary...becomes sacred by having our attention directed to it in a special way”, not by it inherently *being* extraordinary (Smith 1982, 55).

Extending this observation to the TRC, “ordinary”, neutral, or even profane practices associated with a proceeding becomes subject to our attention *in a special way* as it is now transformed into dogmas of confession, forgiveness and healing. In *No Future Without Forgiveness*, Tutu writes that “We know when a church is redolent of sanctity, of holiness; When it has been prayed in. We can almost smell the holiness, sense the energy... A prayed-in church is qualitatively different from one that has the atmosphere of a concert hall” (Tutu 1999, 211). Thus, the qualitative difference between the “atmosphere” of a church and a concert hall is the ritual of prayer. Could it not then be assumed, that Tutu held this view on the space of the TRC? Piet Meiring has written about an episode in the early days of the TRC

whereby the commission had agreed to leave the ritual of prayer out of the hearings to make the space more neutral. The disagreement between the “Baruti and Lawyers” led to an agreement that the opening prayer would be replaced with a moment of silence. However, on the day where this change was executed for the first time, Tutu changed his mind. Meiring quotes the following in his diary:

...Tutu was patently uncomfortable. He was unable to start with the proceedings. He shifted the papers on the table in front of him. He cleared his throat. When he spoke to the audience, he said: “No! This is not the way to do it. *We cannot start without having prayed. Close your eyes!*” In his inimitable way, the Archbishop placed the hearings of the day in the Lord’s hands, asking that Jesus Christ, who himself is the Truth, guide us in our quest for truth, that the Holy Spirit of God grant us the wisdom and grace we need. After a resounding “amen”, he announced with a disarming smile: “So” Now we are ready to start the day’s work...”...From that day onwards all TRC hearings were to start – and be closed – in a *proper fashion*. (Meiring 2000, 330, my italics)

The importance of prayers as a means to facilitate a sacred space which is to be opened and closed in “a proper fashion” is captured in the statement above. At least to the Archbishop, this ritual was crucial. In Tutu’s opinion, the ordinary venue needed to be filled with the spirit of God in order to properly facilitate a process of truth-seeking.

The space of the TRC, therefore, was continuously transformed from a neutral to a sacred space throughout the commission’s two year lifespan. At each hearing, the ordinary, court-like setup was to become an extraordinary, holy space where believers could respond to their circumstances from a spiritual point of view. What happens when a believer’s desire for retributive justice, through punishment, collides with the TRC’s focus on, and expectation of forgiveness?

Moral dilemmas posed by the overlap of Christianity and secularism

Was forgiveness a requirement? Tutu writes that “The victim, we hope, would be moved to respond to an apology by forgiving the culprit...” (Tutu 1999, 219). This hope, or expectation, it can be argued was felt more by Christians than others. Van der Merwe speaks of the parallels between Christian rhetoric and TRC terminology as not only confusing, but also problematic as it presents moral dilemmas for believers who might feel entitled to forgive as a Christian virtue, yet feel unfairly treated because of the amnesty scheme (Van der Merwe 2003). The moral dilemma of forgiveness and amnesty is also discussed as a core concern of Carl Niehaus in “Is religion Relevant?”. Niehaus in this article criticizes the morally conflicting idea of inter-personal forgiveness in relation to amnesty in the TRC by arguing that amnesty ought to have a more political, ‘rational’ focus, rather than personal and emotional: “... The amnesty process might be necessary for the sake of general political stability in South Africa, but surely we cannot demand of them, and many other victims, that they personally have to forgive!” (Niehaus 2003, 90). By comparing the issue of forgiveness in the TRC with Christian victims in the cases of Bosnia and Rwanda, Niehaus demonstrates the problematic dilemma of morally feeling obligated to forgive as a Christian duty, while being faced with the trauma of re-victimization (re-living the trauma of the past). In this way, the combination of political and religious approaches to reconciliatory justice becomes complicated and problematic for some.

The exclusion of non-Christians

The TRC has also been criticized for not embracing other belief systems than Christianity in its design. This was recognized by the commission in the final report, where it is stated that:

All the hearings were to have a ceremonial aspect: the chairperson’s opening remarks were often preceded by prayer, by the lighting of a memorial candle, by hymns or songs. When Archbishop Tutu presided, he wore his purple robes, lending his own special presence to the occasion. This religious aspect of the hearings was sometimes criticised, especially for its mainly Christian focus. It became clear, however, that this was not inappropriate in a country where a considerable majority of the population is Christian. In later hearings, when Archbishop Tutu himself was not present, other religious leaders were often asked to pray. Often, too, local community groups would introduce songs and ceremony... (TRC 1998)

This quotation interestingly acknowledges the religious elements which shaped the TRC's outlook, yet justifies its exclusion of other faiths by pointing to the demographic makeup of South Africa.

A need for spiritual appeasement?

It can be argued that Christianity ought to form part of the TJ process because it was a central part of the conflict. As previously have been pointed out in this thesis, Christianity formed part of the experience of apartheid on both sides of the divide. Theology was a force of inspiration for the creation of apartheid policies, and it was a force of the anti-apartheid struggle. Furthermore, central personalities of the transition, including Desmond Tutu, were at the forefront of the struggle - arguably paving the way for a transition. The demographic of South Africa also demonstrates the central role that Christianity plays in people's lives despite race, class, gender, or other identity-markers. Is it then not only fair, if not logical, to include religious elements in post-conflict efforts? Perhaps there was a need for spiritual reconciliation when so many had been left in the dark? If one looks at the instrumentalization of religion from the point of view of reconciliatory *needs*, it becomes clear that religion, for some, might have been a necessary asset. Tweed's theory of what religion essentially *is*, goes well with my understanding of how it relates the TRC as a case: Religions are "flows, translocative and transtemporal crossings" (2006, 158). Furthermore, Tweed writes that religion, as the junction of cultural flow, (1) "intensifies joy" and (2) "confronts suffering" (2006, 158). Through the construction of a mobile sacred space, which set the stage for the confrontation of suffering to take place, the establishment of truth, closure and spiritual appeasement had the possibility of happening. Whether that amounts to the intensification of joy is questionable, but the immediate post-apartheid era was characterized by sparks of hope, harmony and general optimism.

Momentary Healing

Many have described the immediate post-apartheid era as “euphoric”, with efforts like the TRC as central symbols for the reconciliatory vision. The spark of optimism and hope which characterizes the immediate aftermath of South Africa’s transition did not last for a very long time, should one take South Africa’s current state into attention. It remains one of the most divided societies in the world, with an extremely high rates of inequality, poverty, crime, and unemployment. Shocking reports on violence in the country from 2017/2018 revealed that the murder rate per capita borders on war zone (Cele, in Merrington 2018). With regards to nation building, the youth have expressed intense frustration regarding structural violence. By protesting against the supposed continuous colonization of academia and the exclusion of mainly black disadvantaged peoples in the education system, movements including #Feesmustfall have once again brought South African political struggles to the world’s attention. Interestingly, the protesting youth point to the ideals of *reconciliation* and *the rainbow nation* as central stumbling blocks on the path towards social justice and empowerment of people of color. A leading figure in the #mustfall movements, Rekgotsofetse Chikane, in his book *Breaking a Rainbow, Building a Nation* writes that “The *rainbow nation* no longer exists. Its hold on our national consciousness is being taken apart, piece by piece, by a generation of young people no longer enamored with it nor in awe of it” (Chikane 2018, my italics). The contrast between the euphoric moment of transition and the political grievances facing South Africa today interestingly highlights the difference between political ideals and political action.

I would suggest that the spiritual focus on justice and reconciliation through Christian dogmas of contrition, confession and forgiveness in the TRC hearings momentarily distracted those who believe, leaving the compromises which it represented unnoticed for a limited amount of time. With the dismantlement of the temporary sacred space, and the moment of euphoria having passed, the youth of today now critically look back at the negotiated, peaceful transition and notice that justice was left insufficiently addressed at the time.

However, it should be noted that also the facilitators of the TRC look back with a critical gaze. The TRC never was not meant to facilitate the entire process of reconciliation alone. It was meant to deal with an *aspect* of justice and reconciliation. Thus, apart from establishing a record of truth about the past, one of the main objectives of the TRC was to develop a broad set of recommendations for the president. The challenges South Africa faces today indicates that these recommendations, which addressed many of the issues pointed out above, were not implemented to a satisfactory extent. In his memoir, Tutu writes that “true forgiveness deals with the past, all of the past, to make the future possible” (Tutu 1999, 226). His further goes on to acknowledge that inequality, poverty and general economic injustice in South Africa’s is the biggest threat to reconciliation. 20 years after the TRC, Tutu remains critical of the government’s priorities:

I maintain that healing is a process. How we deal with the truth after its telling defines the success of the process. And this is where South Africa has fallen tragically short. By choosing not to follow through on the commission’s recommendations, government not only compromised the commission’s contribution to the process, but the very process itself (ICTJ 2016)

As the chairperson of the commission, and as the main religious personality and enabler of the sacred, Tutu demonstrates that his Christian moral-philosophy on forgiveness, while offering an alternative to retribution, does not undermine social justice. In that regard , I would like to emphasize that this thesis is not a critique of the TRC per se. It is a critical assessment of a secular government’s *incentive* to use religion as a tool in peace-building, and a study of how sacred space was produced in that regard. As Tutu’s many statements demonstrate, the production of a sacred space offered contrition, confession and the possibility of forgiveness. The space, which mirrored the reconciliatory justice the government sought to achieve, made the abandonment of *retribution* possible. The aspects of reconciliation which has to do with socio-economic justice was not meant to be addressed by the truth commission. Therefore, I would argue that the sacred space, which allowed religion to be instrumentalized, did not only momentarily distract believers, but perhaps the commission itself.

Although I have argued that the instrumentalization of Christianity in the TRC legitimized political compromises, including the amnesty scheme, a post-conflict government's choice to include religion and address spiritual needs does not have to *replace* any other aspects of justice. In fact, it can and ought to function as a reconciliatory *supplement* in cases where spiritual comfort is an expressed need. Unfortunately, religion is completely overlooked as a facet of peacebuilding in most TJ cases. This, I would argue, demonstrates a failure to customize the "package" of mechanisms one can apply to build sustainable peace. Reconciliation efforts that do not take this notion into consideration bear the risk of being ineffective. On the post-conflict case of Northern Uganda, Macdonald writes that "...there has been little space for genuine debate about the needs of the affected communities in post-conflict Acholiland" (Macdonald 2015, 307). Former soldiers of the terrorist organization Lord's Resistance Army (LRA) who have been granted amnesty and returned to their communities, struggle to reintegrate into society as many hold the belief that they are possessed by evil spirits (cen). This is an issue which only local religious leaders can address. Similarly, religion played an important role in the personal and political lives of most South Africans on both side of the apartheid divide prior to 1948, during the apartheid era, and in the process of transition. It is therefore reasonable to include it in some way, shape or form post-conflict. However, it does not have to affect the questions of justice. Firstly, in the case of the TRC, the legal and religious mechanisms were mixed, arguably causing confusion as the court-like space transformed into a sacred space of utter significance. Secondly, the post-apartheid government's failure to thoroughly transform the structures which continue to uphold inequality along racial lines (and to implement the TRC's recommendations) has led people to frustration. The consequence is the delegitimization of all the ideals associated with passivity, including reconciliation, rainbow nation, not to mention the TRC itself.

Chapter 7.0 Conclusion

In this thesis I have demonstrated that The South African Truth and Reconciliation Commission was a sight of both politics *and* religion. I have done so by investigating the well-known hearings on the cases of Amy Biehl, Winnie Mandela, and The Gugulethu Seven. I have argued that religion was *instrumentalized* through the production of *sacred space* within the truth commission. Based on the constructivist theory that any space can be “sacralized” through practices, I propose that the court-like body of the TRC became a sacred space through biblically resonant rhetoric, symbolism and practices including prayers, lighting of candles and singing of hymns.

My second finding is that the newly elected post-apartheid government designed the TRC in this way because there were political incentives to do so. Why would a secular government purposefully employ religious elements in a political platform such as the TRC? One reason I have pointed to is that Christian moral-philosophy on equality, forgiveness and reconciliation resonated well with the image which the new South African government envisioned would form the grounds for its “Rainbow Nation”. Another political incentive which I have found is that there was a need for moral justification of political compromises that were made during the negotiations between the apartheid National Party and the African National Congress in the early 1990s. A controversial one being the amnesty for truth arrangement, which has been viewed by many as unjust. By focusing on symbolic aspect of reconciliation – namely healing, forgiveness and spiritual appeasement - as opposed to prosecution, financial compensations and redistribution of goods - the successor government could “distract” believers from questioning the most controversial compromises that they had committed to during the time of negotiations. In other words, the TRC’s (Christian) truth-seeking emphasis compensated for the (feasible) political choices, or compromises made, which had ensured a relatively peaceful transition. Religion thereby became instrumentalized and turned into a political tool, which had the potential of steering Christians (which made up 80% of the population at the time) towards the governments desired position, receptive to reconciliatory justice.

However, taking a closer look at South Africa 25 years after the transition, this political strategy did not ensure long lasting results. Youth who are in the forefront of powerful movements addressing inequality, including #MustFall, refer to the rhetoric I have pointed out as biblically resonant (such as reconciliation, rainbow nation, forgiveness) as stumbling blocks for the realization of social justice. Arguably, this can also be seen as an indicator of the Mandela- administration's success in creating a *moment* of healing and hope for reconciliation through the production of sacred space. Viewing sacred space as a socially constructed *moment*, it is bound to pass, if not reproduced. The TRC concluded its work in 1998, leaving it up to the people of South Africa to make the TRC's work *transcend* into the future. Perhaps, had the spiritual needs of believers been dealt with *separately* from the establishment of justice, and had the reconciliatory ideals of contrition, confession and forgiveness been an individual choice, and not a part of a legal procedure and a national ritual, would the role of religion in the broader scale of the transition been more legitimate.

Bibliography

- Alger, Chadwick F. 2002. "Religion as a peace tool", *The Global Review of Ethnopolitics*, 1:4, 94-109, DOI; 10.1080/18800208405115
- Appleby, Scott. 1999. *The Ambivalence of the Sacred: Religion, Violence, and Reconciliation*. Michigan, Rowman & Littlefield Publishers.
- Avruch, K. & Vejarano. 2002. Truth and Reconciliation Commissions: A Review Essay and Annotated Bibliography. *OJPCR: The Online Journal of Peace and Conflict Resolution* [Internet] 4.(2), page 37-76.
- Bergström, Björn. 2010. "Conflict Reconciliation amongst Diverse Populations: An Anthropological Analysis of the Role of Christianity and the Truth and Reconciliation Commission in South Africa's Path to Democracy", in *The International Journal of Diversity in Organisations, Communities and Nations*. Volume 10, Number 2, 2010, <http://www.Diversity-Journal.com>, ISSN 1447-9532
- Botman, Russel. 1999. "The Offender and the Church" In: John de Gruchy, & Stephen Martin (eds.) *Facing the Truth – South African faith communities and the Truth & Reconciliation Commission*. Claremont. David Philip Publishers. Page: 126-131
- Chesselet, Joelle. "This Crazy Thing Called Grace: Desmond Tutu and the Truth and Reconciliation Commission". Film, DVD. 1997
- Chidester, David. 1999. "Stories, Fragments and Monuments". In: John de Gruchy, & Stephen Martin. (eds.) *Facing the Truth – South African faith communities and the Truth & Reconciliation Commission*. Claremont. David Philip Publishers. Page: 81-90
- Chidester, David. 1994. "The Poetics and Politics of Sacred Space: Towards a Critical Phenomenology of Religion." In *Analecta Husserliana*, edited by A. T. Tymieniecka, 211-31. Netherlands: Kluwer Academic Publishers, 1994.
- Chikane, Rekgotsofetse. 2018. *Breaking a Rainbow, Building a Nation: The Politics Behind #mustfall Movements*. Picador Africa
- Evans, Matthew. 2016. "Structural Violence, Socioeconomic Rights, And Transformative Justice" *Journal Of Human Rights*, 15 .2016, pp.1-20
- Foucault, Michel & Jay Miskowiec. 1986. "Of Other Spaces" . *Diacritics*, Vol. 16, No. 1 (Spring, 1986), pp. 22-27

- Gopin, Marc. 2004. "When the Fighting Stops: Healing Hearts with Spiritual Peacemaking", in *Religion & Security – The New Nexus in International Relations*. Eds. Robert A. Seiple and Dennis R. Hoover. 131-147. Oxford, Rowman & Littlefield Publishers, Inc.
- Hagg, Gerard and Peter Kagwanja. 2007. "Identity and Peace: Reconfiguring Conflict Resolution in Africa". *African Journal on Conflict Resolution*, Special Issue on Identity and Cultural Diversity in Conflict Resolution in Africa, vol. 7, no. 2, pp. 9-36
- Huntington, Samuel. 1996. *The clash of civilizations and the remaking of world order*. New York: Simon & Shcuster
- ICTJ .2016. *South Africa: Impunity, Political Interference Emerge Below Veneer of a Celebrated Reconciliation Process*. 2016
<http://www.ictj.org/multimedia/audio/south-africa-impunity-nokuthula-simelane-justice>
- Johnston, Douglas & Cynthia Sampson. 1995. *Religion, the Missing Dimension of Statecraft*. New York, Oxford University Press.
- Kaldor, Mary. 1999. *New Wars and Old Wars: Organized Violence in a Global Era*. Cambridge: Polity Press.
- Krog, Antjie, Nosisi Mpolweni and Kopano Ratele. 2009. *There Was This Goat – Investigating the Truth Commission Testimony of Notrose Nobomvu Konile*. Scottsville. University of KwaZulu-Natal Press.
- Krog, Antjie. 1998. "The Truth and Reconciliation Commission – A National Ritual?". In *Missionalia 26:1*, 5-16
- Knott, Kim. "Spatial Theory and the Study of Religion" *Religion compass 2*, no. 6 (2008) 1102-1116
- Leatt, Dhammamegha Annie . 2017. *The state of secularism – religion, traditionons and democracy in South Africa*. Johannesburg, Wits University Press
- Lincoln, Bruce. "Conflict," In *Critical Terms for Religious Studies*, edited by Mark C. Taylor, 269–83. Chicago: The University of Chicago Press, 1998.
- Meiring, Piet. 2000. "The Baruti Versus the Lawyers: The Role of Religion in the Trc Process." In *Looking Back Reaching Forward: Reflections on the Truth and Reconciliation Commission of South Africa*, edited by Charles Villa-Vicencio and Wilhelm Verwoerd, 123-31. Cape Town; Londnon: University of Cape Town Press; Zed Books, 2000.
- Meiring, P.G.J. 2002. " Pastors or Lawyers? The Role of Religion in the South African Truth and Reconciliation Commission Process". *HTS: Theological Studies 58(1) 2002*

- Meiring, P.G.J .2005. "Truth and Reconciliation in South Africa: the role of the faith communities". *Verbum Et Ecclesia* Vol 26, No 1 (2005), pages: 146-173. doi: 10.4102/ve.v26i1.217
- Merrington, Zalene. "SA's murder rate borders on war zone: Bheki Cele". *SABC News*. 11. September 2018. (read 15. December 2018) <http://www.sabcnews.com/sabcnews/sas-murder-rate-borders-on-war-zone-bheki-cele/>
- Moosa, Ebrahim. "Truth and Reconciliation as Performance: Spectres of Eucharistic Redemption." In *Looking Back Reaching Forward: Reflections on the Truth and Reconciliation Commission of South Africa*, edited by Charles Villa-Vicencio and Wilhelm Verwoerd, 113-22. Cape Town; London: University of Cape Town Press; Zed Books, 2000.
- Carl, Niehaus. 1999. "Is Religion Relevant?" In: John de Gruchy, & Stephen Martin. (eds.) *Facing the Truth – South African faith communities and the Truth & Reconciliation Commission*. Claremont. David Philip Publishers. Page: 81-90
- O'Malley, Pdraig. 2018. "Chapter 7: Political Violence in the Era of Negotiations and Transition, 1990-1994". *Nelson Mandela Foundation*. Read on 7. January 2019 <https://omalley.nelsonmandela.org/omalley/index.php/site/q/03lv02167/04lv02264/05lv02335/06lv02357/07lv02372/08lv02379.htm>
- Otis, Pauletta. 2004. "Religion and War in the Twenty-first Century". In *Religion & Security – The New Nexus in International Relations*. Eds. Robert A. Seiple and Dennis R. Hoover. 131-147. Oxford, Rowman & Littlefield Publishers, Inc
- Reid, Francis & Reid and Deborah Hoffman "Long Night's Journey into Day". Documentary. 2000.
- Renner, Judith. 2014. The Local Roots of the Global Politics of Reconciliation: The Articulation of 'Reconciliation' as an Empty Universal in the South African Transition to Democracy. *Millennium: Journal of International Studies* 2014, vol. 42, no. 2, page 264- 285
- Reychler, Luc, 1997, 'Religion and Conflict', in *International Journal of Peace Studies*, vol. 2, no. 1, 19-38
- Richards, P. 2005. New war: An ethnographic approach, in Richards, P. (ed), *No peace no war*, 1-21. Athens: Ohio University Press.

- Sampson, Cynthia. 2007. "Religion and Peacebuilding", in *Peacemaking in International Conflict*. Ed. I. William Zartman, 273-327. Washington DC, United States Institute of Peace.
- Sandal, Nukhet Ahu. 2011. Religious actors as epistemic communities in conflict transformation: the cases of South Africa and Northern Ireland. *Cambridge University Press*. Vol. 37, No. 3 (July 2011), pp. 929-949
- Schabas, W .2011. *Transitional Justice and the Norms of International Law*. [presentation to the Annual meeting of the Japanese Society of International Law]. Kwansai Gakuin University, 8 October 2011.
- Shaw, Rosalind. 2007. "Memory Frictions: Localizing the Truth and Reconciliation Commission in Sierra Leone", *The International Journal of Transitional Justice*, Vol. 007, 183–207, doi:10.1093/ijtj/ijm008
- Shore, Megan. 2009. *Religion and Conflict Resolution – Christianity and South Africa's Truth and Reconciliation Commission*. Ashgate Publishing, Ltd. Farnham, England
- South African Council of Churches. 1995. '*The Truth Will Set You Free*'. Johannesburg: SACC
- Smith, Jonathan Z., "The Bare Facts of Ritual," *Imagining Religion: From Babylon to Jonestown*. (Chicago: University of Chicago Press, 1982), pp. 53-65, 143-5.
- Smith, Jonathan .Z .1987. *Map is Not Territory: Studies in the History of Religions*. Chicago University Press, Chicago IL, and London UK
- TRC. 1998. TRC FINAL REPORT: Summary and Guide to Contents. *Truth and Reconciliation Website* [Internet]. Available at: <
<http://www.justice.gov.za/trc/report/execsum.htm>
- Tutu, Desmond. 1999. *No Future Without Forgiveness*. London. Rider
- Tutu, Desmond. 1996. "Truth and Reconciliation Commission: 18 June 1996, Opening Statement, Reverend Desmond Tutu". *TRC Transcript*. 18. June 1996.
<http://www.justice.gov.za/trc/hrvtrans%5Cgeorge/opening.htm>
- Tweed, TA.2006. *Crossing and Dwelling: A Theory of Religion*, Harvard University Press, Cambridge MA, and London UK.
- Van der Merwe, Hugo. 2003. " The Role of the Church in Promoting Reconciliation in Post-TRC South Africa". In Chapman, A. & Spong, B. (eds), *Religion and Reconciliation in South Africa*. Philadelphia and London. Templeton Foundation Press.Pages: 269-281

Van Zyl, Paul. 1999. "Dilemmas of Transitional Justice: The Case of South Africa's Truth and Reconciliation Commission". *Journal of International Affairs*, vol. 52, no. 2

Wilson, Lindy. "Gugulethu Seven". DVD. 2000

Ysseldyk, Renate, Kimberly Matheson and Hymie Anisman. 2010. "Religiosity as Identity: Toward an Understanding of Religion From a Social Identity Perspective", in *Personality and Social Psychology Review* 14(1) 60–71

Avruch, K. & Vejarano . 2002. Truth and Reconciliation Commissions: A Review Essay and Annotated Bibliography. *OJPCR: The Online Journal of Peace and Conflict Resolution* [Internet] 4.(2), page 37-76.