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The Imperatives and Challenges of Promoting Reconciliation in Divided Societies: The Experience of South Africa

Charles Villa-Vicencio

I have over the years endeavoured to understand the history and developments of your country. I have particularly sought to understand the conflicts of Northern Uganda, the West Nile and other discordant areas. Not least, I have sought to monitor the mutations of the Lord’s Resistance Army and the gaping wound that has resulted from its encounter with the Ugandan armed forces. Given that my understanding is necessarily an ‘interpreted’ and ‘mediated’ one, please forgive such historical inaccuracies and nuances of struggle that a person entrenched your situation can fully grasp. I cannot, for example, inject myself into the psyche on the Acholi victim, or the survivor who has become part of the LRA or the Ugandan armed forces – who are often branded as perpetrators.

I am at the same time conscious that there is often a thin line between victim and survivor in Uganda, as there is in South Africa and the many complex conflicts in other parts of Africa.

This is what makes the pending iconic trial of Dominic Ongwen by the ICC so important and so intriguing. Not only is Ongwen on trial for his deeds, imbedded as they are in the LRA, his trial is also a metaphor or symbol of the Ugandan conflict. As I have followed the media debate (always ‘interpreted’ from one perspective or another) there are those who remind us that Ongwen was abducted by the LRA at a young and tender age, being required to kill in order to survive. Without letting him off the hook, this suggests it is
the LRA who is the major perpetrator, rather than him. Others ask why the Ugandan government did not adequately protect the children of Acholiland. Still others remind us that other abductees accepted death as an alternative to killing and that he should be judged as any other alleged killer.

So what are the options as Ongwen appears before the world court? Is the ICC a form of globalised justice (like globalisation per sé), which is under the dominance of the world’s dominant powers. This poses the question as to how universal and inclusive of the world’s morals and values is international justice? How much complementarity is there between international justice and Ugandan or African norms of transformative justice? Why, one might ask, is there no obvious nexus point between international accountability and the cleansing and cooling ritual embedded, for example, in traditional Acholi culture? Can the two be fused? Some, in fact, tell me that the Ugandan government does not want Ongwen to appear before the international crimes division of the Ugandan high court, because he may qualify for amnesty. So the plot thickens! And this debate aside, what about the thousands of victims of Ongwen and others in the LRA and government forces?

My point is a simple one: It is extremely difficult for me and maybe for you to suggest what to do with Mr Ongwen – not with a view to demanding revenge and with a view to meeting the varying needs of victims and to reconcile a deeply divided society -- while holding Ongwen accountable for his deeds. I ponder this question conscious that we in South Africa face similar questions on a regular basis. In this sense at least, Uganda and South Africa face similar challenges. Indeed, the more we differ, the more are we the same.

I worked as the national research director of the South Africa Truth and Reconciliation Commission, which heard the stories of victims and perpetrators of our apartheid years. We heard the stories of those who were undoubtedly perpetrators of unspeakable atrocities. I was left in no doubt that many of them were perpetrators of gross violations of human rights. There were also cases where I asked myself whether some among them were also victims of a vicious apartheid system, reduced to being cogs in the apartheid killing machine – while politicians and the nation’s top generals walked away free. I cite but one of the less prominent cases I was involved in. It involved a colonel in the military intelligence. He was a particularly aggressive man who we interviewed in an investigation into the destruction of state documents prior to the ANC coming to power. We
parted company in that phase of the investigation on strained and confrontational terms. Surprisingly, he phoned me two weeks later, inviting me to dinner. I refused his invite but did agree to meet with him when I was next in Pretoria. He told me of this childhood, the son of an impoverished farmer in the northern Cape, whose father managed to get him a temporary job at the police station in the nearest village. He impressed the station commander, excelled in the tasks and was sent to police college to begin a career as a police officer. Again he excelled and was sent on specialised courses, before being transferred to military intelligence, where he was assigned to tracking down so-called ‘terrorists’.

The essence of his story was that one Saturday morning his twenty-two year old daughter came into the kitchen where he was having breakfast. She said: “Daddy I want to know what you have been doing for the past twenty years? You were frequently away and mommy would not allow me to ask where you had been. You sent me to Sunday school and taught me never to lie. Now I ask you, what have you been doing?” The colonel broke into tears as he told the story. “I realised who I had become,” he said. “I also realised I did not become a perpetrator at eight o’clock one particular morning, I had grown into being a perpetrator over twenty years. When I committed an illegal act I was rewarded, I received medals and I was promoted. Well, twenty years later it cost me my relationship with my daughter and my marriage. I am a broken man. What should I do?” I suggested he apply for amnesty and that he tell the nation his story as he had told it to me. He wiped the tears from his eyes. “No,” he said, “soldiers don’t cry and don’t blame others.” He ended by saying he was going to write book in which he told his story, in answer to his daughter’s question before he died. Was he a perpetrator? By his own account, decidedly yes. I left my encounter with him asking whether he was also a victim of a terrible history, and how many of us, having grown up in his environment, would have revisited the challenges life threw at him.

He never went to jail, never applied for amnesty and I subsequently lost all contact with him. General Johan van der Merwe, commission of the South Africa Police received amnesty in a truncated amnesty hearing. Eugene De Kock, dubbed ‘Prime Evil’ in the media was sentenced to 220 years in prison and was given parole after 20 years. Justice is a difficult and inexact science; maybe not a science at all.
Reflecting on your situation in Uganda and ours in South Africa the question is, can we begin to understand why and how people – both ‘our people’ and our ‘enemies’ resort to acts of radical evil? Whatever the motivation, radical evil is committed on both sides of a conflict. Humanity has the capacity, not least in situations of war, to do terrible things. And when perpetrator is part of the dominant class in an oppressive society as existed in South Africa, it is easy for the perpetrator to choose not to know or acknowledge his or her deeds. Perpetrators are seen as simply doing their job and frequently viewed as heroes by the regime and by those around them.

I want to suggest a very modest definition of reconciliation (which is the topic you have given me to talk about). Before doing so, however, I want to suggest that reconciliation needs necessarily to include a measure of that difficult concept called ‘understanding’. Madame de Stael, the nineteenth century society lady, once said “If you do not wish to forgive too much you must not understand too much.” To understand is not to condone. It is to begin the process of projecting ourselves into the being and identity of the other, opening a space in which to begin to engage the other and to decide how to deal with him or her in the present and in the future. To the importance of ‘understanding’ I return later.

Bluntly stated, there are three ways of dealing with an enemy: (1) We may come to the conclusion that the enemy is so evil that they need to be permanently or temporality excluded from society. (2) We may as a result of some miraculous event in our lives (religious or otherwise) decide to forgive, love and embrace our former enemy. Few accomplish this, but some do. (3) We may decide simply to face the reality that our enemy is ‘not going anywhere’ and that we therefore need to learn to coexist. Unlike in post war Germany where Jewish victims could take refuge in Israel, perpetrators and victims in South Africa and Uganda meet one another in the street. In South Africa terrible acts of racism, prejudice and xenophobia continue to exist – most of us know however that we need to learn to live together. This is a first step in the national reconciliation project.

Conscious of this reality, I offer, as indicated earlier, a modest definition of what reconciliation involves, suggesting that it is useful to distinguish between forgiveness and reconciliation, although the two terms are frequently used inter-changeably. Former President Mandela spent his presidency speaking of forgiveness and Archbishop Tutu entitled one of his books, No Future Without Forgiveness. The theologian in me persuades
me that forgiveness is deep, internal conviction involving a ‘change of heart’. It involves a spiritual journey, which not everybody is able or willing to undertake and, I submit, the danger is that if we place the reconciliation bar too high, many who have borne the brunt of conflict and war, will not be able to cross over it – withdrawing either into morbid solitude or continuing to fight their enemy.

So, herewith my definition of reconciliation: In contrast to forgiveness, political reconciliation does not require us to necessarily forgive one another, hug one another, love and kiss one another or embrace our enemies as intimate friends and members of our family. If we are able to do so, this is more than first prize. But social peace, functional politics and democratic coexistence is not dependent on this kind of change of heart. Reconciliation (and first-time conciliation) does, however, involve a willingness to suspend hostilities, to begin to engage our former enemies, and to explore political options with our adversaries for the creation of a society within which there is no good reason to resort to killing one another. It involves a commitment to explore a level of trust in which we can work together to resolves the very issues that underlie a particular conflict. It involves a middle ground between hostility and exclusion on the one hand and unconditional love and intimacy on the other. I borrow the words of Miroslav Volf to suggest that reconciliation is located “at the boundary between exclusion and embrace”. It is at the boundary of what Martha Minow calls a middle path between “vengeance and forgiveness”.

This does not mean that reconciliation is an easy process. It is ultimately a hard won process, never linear, and rarely without retreat and regression. The transitional justice debate, drawing on case studies around the world have identified several steps that are required for this to happen. In closing I simply mention these as benchmarks required to create a milieu within which reconciliation becomes a possibility:

**Truth-telling.** We cannot begin the possibility of understanding and reconciliation until the silence is broken on past atrocities and we begin to encourage everyone concerned to engage in discovering the different levels of truth in a conflict. How do we do this in the case of Dominic Ongwen?

**Accountability and Acknowledgement.** Perpetrators need to be held accountable for their needs, recognising that this need not necessarily involve retributive justice. Victims
do, however, need acknowledgment that may involve an apology, an exercise in attempted restoration or a willingness to surrender to a national or international justice process. Again, this is what makes the Ongwen’s case so interesting. It is imperative that the ICC explore his atrocities within the total historical context of his abduction as a child and the alienation by the people of northern Uganda who felt the need to resort to violence.

**Understanding.** At the risk of repetition, the act of understanding the other, not least one’s enemy, involves the difficult exploration of the whether and how to deal with the other.

**Reparation.** This involves the repair and attempted restoration of the violated and denied rights of victims. The options in this regard are vast, involving possible individual material compensation, communal and structural transformation, and symbolic initiatives designed to remember and acknowledge of the loss of lives and rights.

**Memorialisation.** Memorialisation, in its many forms is both a form of reparation and an attempt to perpetrate truth-telling, keeping alive the memory of a past as a basis for minimising its non-repetition.

**Democratic participation and nation-building.** The surest way to persuade an alienated people, whether a majority or minority, not to resort to violence is to ensure that they feel included in the decision-making and government process.

**Private and public dialogue.** Literary critic, Adriana Cavarero, draws on classical and contemporary African literature to draw attention to the importance of storytelling as a means through which the story-teller discovers her or his own identity and in so doing draws others into a discovery of their own values, experiences and understanding of existence. The sharing of this level of speech and writing by everyone involved – perpetrators and victims – is an ingredient that can only enrich the healing process in deeply divided societies. We are back to the importance of **understanding** as the basis for exploring reconciliation. Even where we fundamentally disagree with one another, we need to ensure that there is space in society for everyone’s story to be told. Unless this inclusive sharing of stories happens, we will necessarily be left with the imposition of a single narrative told by the ruling class, to the exclusion of others. The Ongwen trail and the
stories of LRA and government victims provide an opportunity for Uganda to engage in this dialogue. Don’t ignore the challenge, use it as an opportunity for understanding.

In South Africa the apartheid regime banned books. We know today that a restricted society is ultimately unsustainable. As such, we have an obligation in our post-apartheid era to ensure that the freedom of the press and public dialogue is unrestricted, to ensure full public participation in dealing with the issues that we face. Chinua Achebe, the late Nigerian novelist, reminded us that “until lions produce their own history, the story of the hunt will always glorify the hunter.” Dialogue and unrestricted story telling / debate is an essential ingredient of reconciliation.

Let me end. **Reconciliation** is more than coexistence. **Coexistence** essentially involves a cessation to the killing. It involves enemies walking by on opposite sides of the street, while social and political cooperation is kept to an absolute minimum. **Reconciliation** is, however, less than forgiveness. **Forgiveness involves** an inward change of heart, within which the enmity of the past is eliminated. **Reconciliation** does not go this far, while involving a step beyond mere co-existence. It involves a commitment to understand the position of an adversary and a willingness to explore meaningful solutions to problems that have the capacity to destroy a nation. If we get reconciliation right, we might even learn in time to forgive and love one another.

Reconciliation is a tough call. It is something the world has failed to understand. In 2005 the ICC indicted the leadership of the LRA. The Juba Peace Process collapsed and today Joseph Kony is still at large. In 2009 the ICC indicted President Omar al-Bashir, today he is still President of Sudan. In 2011 the West refused to accept the plea of the African Union for a negotiated settlement in Libya. Today Gaddafi is dead and Libya is in chaos. In 2011 President Uhuru Kenyatta was indicted. The charges were withdrawn in December 2014. Now Dominic Ongwen is in The Hague, while northern Uganda continues to suffer. There has got to be another way. The pertinent question asked by Hannah Arendt on the occasion of the Adolf Eichmann trial was that death is not enough to appease victims. The question she posed was ‘what more are you going to do?’ Reconciliation is a vision we should never allow to slip from our grasp. It is the ultimate litmus test of any peace process. It is easier to prosecute and imagine that our task is done, than to reconcile.