

## Research Brief

# Truth-Telling, Identities and Power in South Africa and Guatemala

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**Research Project**

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**Identities in Transition**

In post conflict societies, histories of exclusion, racism and nationalist violence often create divisions so deep that finding a way to agree on the atrocities of the past seems near-impossible. This project seeks, first, to ensure that transitional justice measures are sensitive to the ways in which targeting people on the basis of their ethnic or religious identity may cause distinctive harms and, second, to clarify the difficult political challenges that arise in societies where communities are not ready to cooperate, or even agree on a definition of who the victims are. If transitional justice can find ways to act as a means of political learning across communities, foster trust and recognition, and if it can serve to breakdown harmful myths and stereotypes, then this will be at least a small step toward meeting the challenges for transitional justice in divided societies. The project is managed by Paige Arthur, Deputy Director of the Research Unit at the ICTJ.

Truth commissions can provide a stage for a potentially powerful encounter with the past (and present) at the level of public discourse. While their capacity to effect transformation in societies marked by patterns of identity-related marginalization and exclusion is limited (and the expectation that they should do so is unrealistic), their engagement with citizenship issues in particular can open significant discursive space for new public positions and forms of agency.

In particular, we argue that truth-telling initiatives are vehicles through which “acts of citizenship” may be performed, especially by those historically marginalized—acts that may prefigure different identities and altered power relations. Political power and contestation, as well as their particular histories, are at the center of the ways in which identities are formed and mobilized. Thus, truth-telling initiatives, which are generally part of new alignments and struggles to reorganize power, may disrupt existing identifications. The acts of citizenship to which they can give rise may not redistribute power among groups on the political level, but they can do so symbolically by calling attention to power inequalities.

## South Africa

The first democratic elections held in 1994 marked the formal transition from white rule to democratic government in South Africa. The history of racial exclusion in South Africa has popularly been understood through the lens of apartheid. However, racialized forms of domination were part of longer histories of exclusion and marginalization constructed along fault lines of race, class, ethnicity, religion and gender.

The Truth and Reconciliation Commission (TRC) was framed by various concessions reached during the period of multi-party talks in the early 1990s. These included amnesty for politically motivated offences, which was later linked to the idea of a truth commission. The TRC’s enabling legislation was written in the universalist language of human rights, in which the relevant categories were “victims” and “perpetrators” of politically motivated crimes. These categories served to organize, summon and exclude

particular identities. Perhaps the most significant exclusions were those of the everyday violence of apartheid and of race, barely mentioned in the TRC's mandate.

As the TRC did not directly address questions of race, this article looks more generally at the ways in which identities were performed and produced through the public hearings. The TRC dramatically moved much of its work into the public domain, holding public hearings for both victims and amnesty applicants.

The ways in which the TRC acted as a platform for expressing or contesting identities include:

- It consciously selected victims for public testimony who reflected a wide demographic and political spectrum, providing visual outreach to all identity groups. This strategy aimed to construct a community of victims based on shared suffering rather than on racial, ethnic, gender, age or political identity.
- Race still registered within many victims' testimonies, in spite of its having been "written out" of the TRC mandate.
- Some testimonies demonstrated how people crossed identity boundaries as "righteous dissenters."
- Testimonies sometimes challenged the simple and neatly packaged categories of state/perpetrator vs. liberation movement/victim. Public testimony of diverse experiences was key in this regard, particularly regarding years of inter-civilian violence that ultimately led to roughly 14,000 deaths in clashes between members of liberation movements and conservative black groupings.
- Gendered identities were also performed in sometimes unexpected ways. Notwithstanding concerns by gender activists that the focus on direct political action and violence placed male agency at the center of the TRC's accounts of violence, perhaps the most iconic and enduringly memorable figure from the TRC victim hearings is a woman, usually a mother, testifying to the harm of a child or husband in ways that were not always without agency.

Taken together, the TRC's public hearings enabled the visible construction of citizenship in the new democracy. The black South Africans' testimony—covered live on radio and TV—shattered their previously ordained identities as mere labor providers and potential threats to privilege. The immediate impact was profound. These visible expressions of human pain, the grim accounts of torture and killing by perpetrators and the exhumation of bullet ridden skeletons marked a distinct rupture in the highly segregated forms of historical knowledge that had helped to reproduce conceptions of South African citizenship across generations.

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## Guatemala

The thirty-six years of armed conflict that ended in Guatemala in 1996 were the culmination of centuries of conflict over indigenous people's racialized inequality and dispossession, dating from Spanish colonial rule in 1524. The UN-led peace process between the Guatemalan state and the umbrella grouping of four insurgent organizations, the Guatemalan National Revolutionary Unity, unfolded over a decade from 1986 to 1996.

The peace accords were comprised of a surprisingly radical ensemble of measures aimed at reforming Guatemala's political, economic and social landscape. The agreement that established the Guatemalan truth commission, the Commission for Historical Clarification (CEH), was among the most contested and has been described as a concession to international norms—norms not internalized by the two negotiating parties.

A mere two pages long, the accord that created the CEH established a wide mandate in which the commission was to address all human rights violations and acts of violence during the thirty-six years of conflict. The mandate's failure to define narrowly what forms of violence should be addressed ultimately enabled the CEH to deal directly with the ethnicized character of violence. Indigenous groups in particular lobbied the CEH, pushing its investigations in this direction.

Since the accord specified that the CEH's proceedings should be confidential in order to guarantee the secrecy and safety of sources and witnesses, the commission's work took place behind closed doors. Statements from victims—who were overwhelmingly Mayan—were confidential, as was the minimal information gleaned from perpetrators. There were no public hearings and hardly any media coverage.

It is thus difficult to reflect upon the identities that victims and other participants articulated before the CEH. Given this veil of secrecy, it was the CEH's public presentation of its findings in *Memoria del Silencio* (Memory of Silence) on February 25, 1999, that provided its chief public moment.

The CEH's most dramatic and shocking finding was that “agents of the State of Guatemala, within the framework of counterinsurgency operations carried out, between 1981 and 1983, acts of genocide against groups of Mayan people” in four regions. The CEH was the first and indeed only truth commission to make a genocide finding.

Coinciding with the emergence of an increasingly vocal and organized pan-Mayan movement of indigenous communities and indigenous women in Guatemala, the report and its findings placed Mayans center stage in a national context where they had been largely invisible. As such, the report can be seen as a key official text helping to constitute and consolidate Mayan identity at both national and international levels.

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### About the Authors

**Madeleine Fullard** is a South African historian and was a Senior National Researcher at the Truth and Reconciliation Commission (TRC) in Cape Town, South Africa. Her research for the TRC included extensive archival analysis of the security records of the previous apartheid government, regional studies of political violence, studies of particular perpetrator groupings and analysis of amnesty applications.

**Nicky Rousseau** teaches in the History Department at the University of the Western Cape in Cape Town, South Africa. From 1996 to 2002, she worked as a Senior Researcher at the South African Truth and Reconciliation Commission (TRC) and was part of the team that wrote the TRC's seven volume report.

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The CEH report is one of the first national documents in which indigenous people form an integral part of an account of Guatemalan history.

## Analysis

These two instances of truth-telling and transition suggest some reasonable expectations for truth-telling initiatives in the aftermath of conflicts in which identity has been a factor. There is reason to believe that truth-telling initiatives can provide a counterweight in public discourse against dominant power relations and historical narratives. The TRC's turbulent relations with the new government and the CEH's genocide finding both suggest that they did not serve merely to legitimate new governments or engage in nation building—as has often been said of truth-telling initiatives in general.

Truth-telling initiatives may have specific effects for identity positions in the public sphere. First, they may enable or affirm a collective identity where denial, invisibility, and isolation have marked particular groups. Second, they may call into question perceived boundaries among groups. Finally, and by contrast, they may also result in a hardening of conflict identities, especially if myths that helped sustain the conflict are not directly challenged. In this regard, human rights categories, often criticized for their denuding of political context, may be useful in enabling forms of testimony beyond rote group identities.

Conflicts in which identities are important factors usually involve different citizenship regimes, in which there has been de facto or de jure exclusion of a particular group from full participation in political and economic life. Thus, an important contribution of truth-telling is to open public discussion and debate around citizenship. Moreover, reversing exclusion should be seen to be done. Yet public testimony is not the only effective way for truth-telling to contribute to creating this debate. The exhumation process in Guatemala, where images of mass graves provide powerful visual testimony, suggests that truth-telling may take diverse and multiple forms, and that disruption of long-standing historical beliefs may take place through visual symbols, not only voices.

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