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THE SOUTH AFRICAN TRUTH AND RECONCILIATION COMMISSION AND THE USE OF ITS DOCUMENTATION: AN ANALYSIS

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THE SOUTH AFRICAN TRUTH AND RECONCILIATION COMMISSION AND THE USE OF ITS DOCUMENTATION: AN ANALYSIS

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INTRODUCTION

This paper investigates the extent to which the documentation that was generated by the South African Truth and Reconciliation Commission (SATRC) is being used to promote the healing of a post-apartheid society. Truth and Reconciliation Commissions (TRCs) are considered a primary human rights tool for post-conflict reconciliation and reconstruction. They investigate gross violations of human rights and international humanitarian law, uncover the truth, and promote forgiveness. In this regard, TRCs use restorative justice which focuses on the rehabilitation of perpetrators through reconciliation with victims. They offer a platform for victims and perpetrators to share their experiences in an endeavor to repair the social fabric damaged by violent or structural conflict.¹ TRCs are expected to help post-conflict societies transition from a past of human rights violations to a democratic and peaceful post-conflict society where human rights are respected. TRCs, through the documentation they produce, make it hard for the perpetrators to deny the truth.²

The SATRC was established by the South African government according to the terms of the Promotion of National Unity and Reconciliation Act No. 34 of 1995. It was based in Cape Town and concluded its work in 1998 with a presentation of its final report. Its mission was to reconcile the people of South Africa and uncover the truth about the atrocities that were committed during the apartheid era.³ The TRC was meant to foster forgiveness through the creation of a platform where the victims of apartheid violence testified publicly, and the perpetrators confessed and applied for amnesty. Its mandate, however, excluded investigations into the impact of the apartheid system's racial policies of socio-economic engineering that constituted: land dispossession and forced removals, restrictions on movement, and the denial of the right to vote.⁴ Van der Walt, Vije, and

Stevens⁵ therefore argued that national unity and reconciliation in South Africa were pursued at the expense of economic, social, and psychological reparations to the majority of South Africans.

VanAntwerpen⁶ also confirmed that the SATRC master narrative has been vigorously and repeatedly criticized because of its approach, which embraced amnesty and forgiveness. He argued that there are two ways of looking at reconciliation; one which connotes a process of transformation of social relations and another which acts as some form of acceptance and resignation to the existing order. The SATRC has been critiqued for creating a sophisticated amnesia of the greater structural and historical violence of apartheid by only focusing on human rights violations from 1960 onwards. Mnjama⁷ argued that to avoid amnesia, the past must be documented and that Africa needs champions who will ensure that records documenting human rights violations on the continent are preserved. He stated that, since 1997, the United Nations Human Rights Commission (UNHCR) has taken measures to ensure that records documenting human rights violations are preserved and made accessible to the public. Measures such as the Joinet/Orentlicher Principles were adopted by the Commission and relate to the protection and promotion of human rights, including the collection, preservation, and access to the records.

Field,⁸ further contended that the past should not be silenced or forgotten. Instead, the making of public memory (which in this case was achieved through the creation of the TRC documentation), should be pursued as a long-term and sustainable social process that should include future generations. The documentation of human rights abuses should be managed and used in a manner that fosters remembering and understanding of the conflict. This is expected to lead to forgiveness and national reconciliation. Therefore, huge investments are made in African TRC processes but research shows that the management of their documentation is hardly well-planned and their findings are not effectively disseminated and used.⁹ TRCs generate huge volumes of documents based on research, public hearings, interviews, and investigations. This documentation includes audio files, paper and electronic records, and video footage, not to mention the information that is left on the hard drives of computers that are used during the implementation of the TRC missions. The documentation is a historical record and evidence of the processes that are undertaken constitutes the TRCs' archives.¹⁰ It is believed that human rights archives can help societies deal with the painful past and build a peaceful future. However, for this to happen, archives need to be easily accessible and used in a manner that promotes meaningful dialogue to promote the rights of the victims.¹¹

Gossman,¹² who captured the narratives in Afghanistan, argued that no single report or archives can provide the definitive truth. The SATRC documentation could provide vital evidence for understanding the human rights violations that took place during the apartheid era and the need for reconciliation. Documenting human rights violations further helps to preserve the narratives that emerge and promotes an understanding that is critical to building a new inclusive and just society. The public's access to the TRC documentation is crucial to reconciliation and democratization processes. However, TRCs usually wrap up their work very quickly, which complicates the preservation of their documentation and the follow-up and evaluation of their work. They hardly have time to separate confidential from non-confidential information.¹³

Henry¹⁴ postulated that the SATRC is often described as a successful model that should be followed by countries that are interested in building a peaceful and democratic post-conflict society. In a newspaper article written by Archbishop Desmond Tutu and published in Swedish newspaper *Svenska Dagbladet*, he lamented that twenty years after the end of apartheid, the same socio-economic injustices still prevailed, especially among black South Africans.¹⁵ This study of the SATRC is organized in six sections: the objectives of the study, literature review, the method, findings, analysis, and the conclusion.

RESEARCH OBJECTIVES

The South African government established a TRC with the objectives of uncovering the truth about human rights violations during apartheid and facilitating the healing of its people. Research, however, shows that, while TRCs generate a lot of documentation and even publish their findings in the form of reports, the dissemination, management, preservation, and use of their documentation is still a challenge.¹⁶ The objective of this study is to investigate if the documentation that was generated by the South African Truth and Reconciliation Commission (SATRC) is being used to promote national healing. Understanding the past is expected to help post-conflict societies avoid making the same mistakes and build a society that rests on democratic values and respect for human rights.

THE SATRC DOCUMENTATION: OVERVIEW OF THE LITERATURE

Peterson¹⁷ observed that TRCs varied in their structures, origins, and jurisdictions. They have different legal, political, and archival questions when it comes

to the documentation that is generated. Caswell argued that records documenting human rights abuses constitute human rights archives. She noted that it was the documentation of power and state-sanctioned abuse that qualifies the archives as human rights records. These records need to be appraised, selected, described, digitized, preserved, and disseminated if they are to be meaningful to post-conflict societies. Therefore, the archivists and archival institutions have a critical role to play in helping post-conflict societies deal with the traumatic past.

When TRCs are formed, the professionals that are usually missing are the archivists and most national archives are not usually involved in TRC processes. Good examples here include the Sierra Leonean and Liberian TRCs.¹⁸ Svärd's work on both TRCs—which were set up after the establishment of the SATRC—identified challenges related to the management, preservation, and dissemination of the documentation that was generated in both conflict-affected Sierra Leone and Liberia. She argued that access to information was crucial to the reconciliation and democratization processes of the two post-conflict countries.¹⁸ However, obstacles such as lack of political will to make information accessible to the people, widespread poverty, illiteracy, lack of information management skills, information technology, electricity, and the lack of the involvement of archivists and information institutions hindered the democratization of documentation. Research on the Liberian and Sierra Leonean TRCs confirmed that the management of their documentation was not planned in advance, which complicated the effective capture, management, preservation, and dissemination of the findings to the people.¹⁹

Svärd²⁰ argued for the need to put in place robust information management infrastructures before Truth and Reconciliation Commissions embark on their missions. This would facilitate the management of their documentation in a manner that would promote dissemination and diffusion of their findings to citizens of post-conflict societies. She further argued that the international community needs to step up its support at the end of the TRCs' missions since they are, in most cases, the moral guarantors of these processes. She was of the view that, since the victims of war atrocities contribute to the findings of the TRCs, the recommendations that are made should be used in the formulation of policies that address the social and economic injustices that cause the conflicts.

Verdoolaege²¹ posited that at a discursive level, the SATRC provided a forum for thousands of ordinary citizens. Additionally, through the testimonies collected during the proceedings, it created an officially recognized archive of abuses committed during the apartheid years. It further offered a template for referring to a

traumatic past and opened a debate on reconciliation. The SATRC recommended that its archive's records be made available to community centers all over the country. However, this was not done and the records were instead locked up at the National Archives, which made access to such proceedings exceedingly difficult.²² Kenosi²³ also confirmed Harris'²⁴ argument that the SATRC's ambition was to make its documented records widely available to all South Africans. The TRC had developed guidelines on how access to its records was to be administered. The documentation constituted paper records, audiotapes and videotapes with hearings, photographs, electronic records, and a database. This documentation is considered a national asset for the reconciliation process. The database was to be owned by the National Archives and was to serve as an electronic repository with historical materials about the TRC's work. Portable formats such as CD-ROM were to be produced to promote the distribution of the TRC's findings to schools, educational institutions, and the public. Kenosi,²⁵ however, concluded that the main challenge that the national archives faced was the management of the electronic records. He was of the view that the true contribution of the TRC records to accountability for past atrocities and human rights violations could only be achieved through citizens' access to them. He further lamented that lack of access to such records was likely to have long-term repercussions regarding issues such as compensation of the victims. The records also contained names of perpetrators that had not yet been tried and were hence vital to the rule of law and political accountability in post-apartheid South Africa. Additionally, he wondered whether there was any political will on the part of the South African government to promote access to the SATRC archives.

In 2009, a workshop was organized by the Goethe Institute in association with the Nelson Mandela Foundation and the Rosa Luxemburg Foundation to discuss key topics that are crucial to a successful Truth and Reconciliation Commission. The two areas were access to information and recordkeeping. The SATRC experience regarding the management of records was shared with members of the Truth and Justice Reconciliation Commission of Kenya (TJRC). It was argued that one of the key functions that had unimagined repercussions at the end of the SATRC's work was record-keeping. Yet, filing systems for both paper and electronic records had been implemented and policies had been adopted. It was confirmed that access to the SATRC documents was far from optimal. The need to reinforce the connection between accessible information and dealing with a country's divided past was emphasized. Another experience that was shared was the fact that, when the SATRC wound up in 1998, a lot of its records had been lost. The need to allocate a budget to recordkeeping was presented as important and so was the creation of an electronic archive to promote access. Even

though it was the National Archives of South Africa that had the custodianship of the TRC records, the Department of Justice controlled access. This complicated the issue of access to the TRC archives and hence they were locked away instead of being made available to the public.²⁶

ACCESS TO THE SATRC DOCUMENTATION

Kennedy²⁷ argued that access to the TRC documentation was vital to the unfinished business of the SATRC, such as the provision of reparations to victims, the persecution of perpetrators who ignored the Commission's amnesty process, and the ongoing truth recovery efforts to understand more about the hidden and unacknowledged aspects of the past. She noted that the SATRC archives were housed in the under-resourced National Archives of South Africa even though they were under the control of the Department of Justice (DOJ). She argued that, according to the archivists at the National Archives, there were no plans or budget to process the documentation nor were there plans to create an archival repository. This was contrary to what the SATRC had recommended, that the government should allocate money to the National Archives to preserve and maintain its documentation and to create decentralized memory centers to facilitate access by the members of the public.

Kennedy²⁸ posited that the South African TRC (SATRC) was internationally applauded for its work because of its approach that was based on the principles of transparency and public participation. Although this was one of the most ambitious memory initiatives, she lamented that, despite its effort, South Africa was still in the grips of what she referred to as apartheid fatigue. Although many South Africans had not seen the findings of the commission, there were calls to stop unearthing the past and encouragement to look towards the future. Yet, in her opinion, the people as a collective had an obligation to acknowledge their past and bear witness to the human rights violations of the apartheid regime. To do this, people needed to have knowledge of their oppressive history which has become part of their heritage. She posited that the SATRC recommended that its archives be made accessible to all South Africans. Despite this recommendation, the state had shown little interest and private organizations such as the South African History Archives (SAHA) run by activist archivists were the ones making the TRC records accessible to the people of South Africa.

Harris,²⁹ problematized the way we look at representations of events through documentary evidence and demonstrated the possibility of silencing certain stories.

He argued that archives are constructed windows into personal and collective processes and that they are only a *sliver* of the documentary record. He represented the National Archives during an investigation that was conducted by the SATRC into the destruction of public records of the apartheid era. The investigation exposed a large-scale and systematic sanitization of the public memory and had been authorized by the high levels of the apartheid government. This was part of the attempt to hide its darkest secrets. Therefore, he lamented, that the documentary record provides just a *sliver* of light into apartheid's dark past. Harris' views are supported by Bickford, Sean, and Glaser³⁰, who also argued that the emotional costs of the apartheid system needed to be recorded and interpreted by oral historians. They wondered if the TRC as a generator of the official history had silenced alternative stories and recommended that, given South Africa's conflictual and traumatic past, alternative stories should be recorded and disseminated as a contribution to the democratization of the society.

Based on the arguments above, Robinson,³¹ who carried out an analysis of the history and politics of the principle of documenting human rights abuse in East Timor, was of the view that human rights archives are shaped by the historical and political contexts in which they are created and therefore the conflicts regarding matters of content, mandate, and rules of access are inevitable. Robinson proposed a move away from the model that puts human rights archives under the control of the state and recommended the creation of multiple smaller archives with varied mandates. He also proposed the adoption of a new hierarchy of interest in the management of the archives that puts the survivors of the conflict at the center and that does not focus on the principles of national sovereignty and inalienability. Access to the TRCs' documentation is of paramount importance to the pursuit of justice and Syrrri³², who explored the initiatives in Southeast Europe, confirmed that archives generated by human rights documentation institutions such as tribunals could advance international justice by using the archival information/data by the public. She further argued that new technologies could facilitate the democratization of the archives, their management, and preservation. She addressed the issue of ownership and argued that the subjects of the records should be considered full partners in the record-creating process. The victims of human rights violations contribute to the documentation that is accumulated by TRCs and they hence own it. The documentation is key to reparations and the reconciliation processes. The only way the citizens can interrogate their government on the implementation of the TRC recommendations is through being knowledgeable about the TRC's findings and documentation.

Jones and Oliveira³³ concluded that what was missing in the growing literature on TRCs and their practices was a discourse on the archival information that they generate. They were of the view that archives that document human rights abuses are part of the broader social and political contexts. They further confirmed that access to and use of the archives are problematic and proposed an alternative conceptualization that would make them new democratic spaces. This would constitute two main elements of new democratic spaces that would be participation/ownership and state-society relations. They contended that such an approach would transform TRC archives into spaces of interaction between the society and the state and would facilitate the development of a broader culture of human rights. The literature reviewed above demonstrates the need to seriously address the challenges posed by the management of the TRC archives. The generated documentation needs to be managed in a manner that promotes democracy and true reconciliation, bearing in mind its complex nature. The literature highlights the need to democratize the TRCs' archives. It shows that a lot of work still needs to be done if the TRCs' documentation is to be used in a manner that makes them meaningful to victims, promotes reconciliation, and guarantees an understanding of the past.

For this study, the case study method was applied because it enables the researcher to explore in-depth one research setting, a set of documents, or a group of events. The purpose of this approach is to systematically gather comprehensive information about the chosen case.³⁴ Saunders³⁵ argued that the research product of a case study is heuristic because it enables the reader to understand the case being studied. This researcher therefore used the South African Truth and Reconciliation Commission as a case study to understand the extent to which its documentation was being used to promote a deep knowledge of the country's past and national reconciliation. This type of literature review offers a synthesis of the research studies that are relevant to the study.³⁶ To augment the data from existing literature, interviews were conducted using an interview guide. The interviews enabled respondents to express their own thoughts and share perspectives on the impact of the TRC's documentation.³⁷ An interview guide with open-ended questions was designed to solicit answers to questions regarding whether the documentation by the South African Truth and Reconciliation Commission (SATRC) was being used to promote an understanding of its work. Tongco³⁸ defined purposeful sampling as an informant tool that a researcher applies to deliberately select informants on the basis of their qualities. The criteria used for choosing participants in the study were ethnicity, age, gender, class, and education. The respondents included those with high, moderate, and low levels of education because the researcher wanted to establish whether the use of the documentation was inclusive.

The races of respondents interviewed were white South Africans, black South Africans, and colored South Africans (a person of mixed European (“white”) and African (“black”) or Asian ancestry). Respondents included 5 men and 7 women of ages ranging from 25 to 70 years and the interviews were carried out in April 2016. The delay in the publication of the research data has been due to teaching commitments and the complications of the COVID-19 pandemic. However, the issues pursued in the study are still valid, considering that in 2018, the Chairman of SATRC published an article in one of the Swedish newspapers expressing his disappointment in the failure of the government to honor the TRC recommendations (See for example *Ibid.* 15). The total number of interviews conducted was 12. A small sample was chosen due to time constraints. One of the interviews was conducted by telephone. The voices that are represented in the findings are of those respondents that generated data to the study objectives. Williamson³⁹ contended that in qualitative research, there are no strict rules which have to be followed while analyzing data. However, there are techniques that can be used to help with the interpretation of the collected data. These techniques might include transcribing data, reading each transcription to familiarize oneself, categorizing the data, and playing with ideas. The interviews were recorded and were transcribed verbatim. The researcher carefully analyzed the data and subjected it to rigorous interpretation. However, the study may have a limitation because of the small number of informants interviewed, which raises questions about the extent of representation of all South Africans. The researcher also protected the identity of respondents by using pseudonyms in place of their names.

THE SATRC’S WORK AND THE USE OF ITS DOCUMENTATION

Cashwell⁴⁰ posited that human rights archives should be used in a meaningful way to promote an understanding of the traumatic past. Field⁴¹ also argued that the past should be kept alive and not forgotten. The responses regarding the respondents’ understanding of the TRC’s work varied. Among the female respondents, only one understood the work of the TRC. Kennedy⁴¹ also contended that many South Africans were not aware of the findings of the SATRC. Sarah and Mary, two young black South Africans, did not know much about the SATRC process and Mary did not even understand why there was racism in the country. This was one of the reasons the Commission recommended the optimal use of its documentation to inform the public about the history and legacies of apartheid. Sarah argued that people should be made aware of their history to better understand the present. Mary noted that the geographical location

played a role in people's access to information about the SATRC process. She was of the view that people who lived in the rural areas got less information compared to the townships.

John, a white respondent and emeritus professor, argued that, despite what happened during the apartheid era, people did not fully understand the severity of the atrocities that were committed. He noted that the TRC opened an ugly wound by exposing the nature of some atrocities. To demonstrate the crucial importance of the use of the TRC documentation in maintaining and passing on knowledge to younger generations about the evils of the apartheid system, he observed that his students at the university where he was teaching, though mostly young and black, were largely unaware of what transpired during the apartheid era. He lamented the fact the record of atrocities committed during the apartheid era was not well known by those born in post-apartheid South Africa, and its history was being forgotten.

David, a middle-aged black South African, was of the view that the SATRC did not cover all the ramifications of the conflict. He argued that there were unclear cases, such as that of Chris Hani—the leader of the South African Communist Party and chief of staff of Umkhonto we Sizwe (the armed wing of the African National Congress) who was assassinated on 10 April 1993. He posited that nobody could confirm what happened to Chris, despite the widespread belief that he was assassinated. He noted that, apart from Chris Hani's death, other freedom fighters were left to languish in jail. David's view reflected why Kennedy⁴² argued that the SATRC documentation should be used to deal with its unfinished business and to advance international justice.⁴³ David further argued that not everybody was happy with the TRC's work and that some cases were still pending. He gave an example of Dr. Wouter Basson, who was head of the country's covert chemical and biological warfare project during the apartheid era and who had been nicknamed "Mr. Death" by the press. He allegedly killed people suspected to be enemies of the apartheid state despite the fact that he was a cardiologist trained to save lives. David argued that "Mr. Death" was not granted amnesty because he did not tell the whole truth, but he was still a free man. He noted that Dr. Wouter Basson still had some pending court cases at the time of the interview.

Sam, a white South African activist, noted that the predominant view on the SATRC was that it was a waste of time. He argued that, although the TRC effectively promoted a blanket amnesty, reparations were not forthcoming, and people's lives had not changed. His view was confirmed two years later by Bishop Tutu,

who had chaired the SATRC and in 2018 lamented that the socio-economic injustices of the apartheid still persisted, especially among black South Africans.⁴⁴ Sam further explained that the people did not know about the SATRC process because of the bitterness about its shortcomings. He noted that most of the critique had to do with the failure of the government to implement the SATRC's recommendations. The TRC recommended wide-ranging reparations to victims of apartheid, but the South African state chose not to honor them. It further recommended systematic prosecution of those people who did not get amnesty. Sam lamented that, despite the formation of a special investigation unit to pursue the prosecution of perpetrators, only three prosecutions had been made.

The SATRC wanted its archives to become an instrument to support national reconciliation. According to Sam, the SATRC had recommended that centers of memory should be established across the country and that the materials should be digitized and used in all kinds of creative ways undergirded by the freedom of information law. He observed that when the SATRC office closed, the records were secured and transferred to the National Archives. The plan was to make guided tours possible so people could visit the National Archives and see the materials. This plan never worked out; the archives were instead locked up and rendered inaccessible to members of the public. Jones and Oliveira, Svärd, and Verbursst⁴⁵ had argued that access to the SATRCs' archives has remained a problematic issue in relation to post-apartheid reconciliation.

Juliet, a colored South African, observed that the national archives only provided access to the TRC records, but it was the Department of Justice (DOJ) that determined whether the requested documents could be made available. Sam had also reported that the DOJ controlled access because the legislation that established the TRC had a clause that stated that all its assets would devolve to it. The assets included the TRC records and the National Archives of South Africa Act only required transfer of the records after 20 years. It has now been 21 years since the TRC ended its work and it was expected that the national archives would gain full custody of and access to the records. The respondent further confirmed that there were several civil society organizations that were working hard to promote access to the TRC records. The South African History Archive (SAHA) had for 15 years been trying to put the TRC records into the public domain. SAHA had considerable success and was able to get a database of the victims of human rights violations released. The database is a public record and can help people to do all kinds of searches and analyses. A lot of materials have been put online by SAHA and other NGOs and are utilized in several educational materials. Access was not being achieved at the scale that was envisaged

by the SATRC and was not supported by the state. The people who accessed these materials were those with resources. It was either the NGOs that were funded by donors or relatively privileged academics and students, usually from the Global North. Research on the SATRC, the books that have been written, the academic articles, and the dissertations (including PhDs) were overwhelmingly produced by academics based in North America. The implementation of policies aimed at facilitating access stopped short of actualizing the SATRC's recommendation that prioritized all South African citizens.

George, a black South African and professor at a South African university, observed that personal requests to access SATRC documentation were made by people seeking information about themselves, especially politicians who were incarcerated, and that few people visited the archives. In some instances, relatives of such people also consulted the archives. He confirmed that broadcasting organizations, producers of documentaries, playwrights, and civil society activists were also users of the archives. The respondent argued that the use of TRC documentation for various purposes was encouraged, such as for scripts for documentaries and plays. Access was regulated through The Promotion of Access to Information Act, 2000 (or PAIA; Act No. 2 of 2000). Juliet, however, reported that the TRC archives were mostly used by students, researchers, people interested in making documentaries, or those writing books. They were also used by individuals who needed them for indemnity purposes. For materials that were not in the public domain, access had to be sought from the DOJ.

Juliet reported that the National Archives provided and facilitated access to materials that were not on the website under the PAIA Section of the DOJ. Audio and audiovisual materials could be accessed at the National Archives by researchers. The Government Communication and Information System (GCIS) made copies of such materials using CD/DVDs that cost between 15 and 35 Rands. There were also post-TRC TV programs of special cases—researchers were only allowed to watch them and write but not secure a copy of the program due to copyright laws. The National Prosecution Authority that was still looking for missing victims and perpetrators was also an active user of the TRC archives. Juliet was of the view that access to the TRC archives worked out well except for sensitive records, which the DOJ often kept private. She identified an example of such sensitive records as information on how to manufacture bombs. The respondent confirmed that many ordinary people did not know about the TRC process and that at a personal level, she felt it was her responsibility to inform them. The TRC documentation was therefore mostly consulted by people with information skills and financial resources.

Sam observed that although the SATRC documentation had not been fully digitized but there were plans to do so. The documentation was well maintained in an archival setting with regulated temperatures. The real concern was the electronic records because the national archives had paper and audio-visual records, but the electronic records were kept by the DOJ. The electronic records might no longer be readable because the last audit was done in 2003 and several of the files were no longer readable at the time. Kenosi⁴⁶ had also expressed the same fears about the electronic records in his dissertation.

DISCUSSION

As Verdoolaege⁴⁷ argued, the SATRC offered a template for discussing the traumatic past and creating an archive of the human rights abuses that took place during the apartheid era. This shared heritage should be made available to all South Africans regardless of their level of education. The TRC documentation should be used in a meaningful way to eliminate political speculations and to educate all South Africans about their past. The documentation is therefore crucial to the ongoing work of democratization and national reconciliation.

The SATRC recommended that its documentation should be broadly used to promote an understanding of the ills of the apartheid system.⁴⁸ The findings based on the interviews conducted showed that some of the respondents did not understand the SATRC's work and did not have access to the documentation. The respondents had different levels of educational and social status, but I argue that, since the TRC process involved all those affected by a conflict, access to its documentation should be inclusive. The information contained in the documentation should be analyzed and made available to all groups of people in society. The interviews confirmed that the SATRC documentation was not being optimally used. It was mostly people with resources and information management skills that had access to it.

As Kennedy⁴⁹ argued, people as a collective have an obligation to remember apartheid's oppressive history. Knowledge about the violent past of the apartheid system should be passed on to the younger generations. Caswell⁵⁰ postulated that human rights archives can help post-conflict societies deal with the past if they are effectively used. This would require the documentation to be organized, managed, and preserved in a manner that promotes access. Compared with the Sierra Leonean and Liberian TRCs⁵¹, the SATRC had at least put in place an information management infrastructure to facilitate the capture of

its records and it had formulated access guidelines. However, this does not seem to have helped in resolving the access challenges since the political will to promote access is still lacking. The records have been deposited with the National Archives and access is regulated by the Department of Justice. This has complicated access to the records because it required resources, time, and knowledge. Instead of being used, the archives became politicized and out of reach for the majority of South Africans.

Research and the interviews revealed that the electronic records that were deposited with the Department of Justice needed to be taken care of and converted to new formats if they are to be made readable. Since TRCs often leave behind unfinished business, the entire documentation needs to be preserved to advance international justice and the payment of the promised reparations to victims. The interview data confirmed that people were bitter about the TRC process and that reparations were not forthcoming. Where the socio-economic injustices persist as lamented by the Chairman of the SATRC, Bishop Desmond Tutu,⁵² the documentation should be used to equip South Africans with the knowledge that will enable them to demand that their government implement the recommendations of the TRC. It should further be used in the creation of policies that aim to address the root causes of injustice and conflict.

The major challenge undergirding all issues of information management amidst post-conflict reconstruction is the lack of political will to make information accessible to the citizens. The issue of recordkeeping should be prioritized and addressed at the commencement of the TRC missions. Failure to do so complicates the efficient management, preservation, and dissemination of the documentation. This is why authors such as Robinson⁵³ envisage a different model that puts human rights archives outside the control of the states that create TRCs and puts them in the hands of smaller archival institutions with varied mandates, making the survivors the owners of the records. This study and others confirm that, without proper recordkeeping, the use of the TRC archives will continue to pose challenges and render the process of documenting human rights abuses meaningless for the victims and post-conflict societies.

CONCLUSION

In conclusion, the study showed that the TRC documentation is not being optimally used as recommended by the TRC to promote reconciliation. The SATRC's case also demonstrates that political will is crucial to issues regarding access

to the archives. The post-apartheid government has not promoted access to the documentation and many young South Africans do not understand apartheid's history. TRCs are costly transitional justice mechanisms and their role is relevant in post-conflict societies where the judicial systems are deemed insufficient, but the management of the documentation that they create should be prioritized and diffused in the documented societies.

RECOMMENDATIONS

- Governments should promote the use of the documentation as per the objectives of the TRCs.
- The TRC archives are owned by the citizens and should therefore be made accessible to them.
- Governments should put information management infrastructures in place to promote access to the documentation and to address the challenges of long-term preservation.
- To promote an understanding of the conflict, TRC documentation should be used as an educational tool by schools and tertiary institutions.

NOTES

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