

## A well-rounded book

**Francois du Bois and Antje du Bois-Pedain (eds), *Justice and Reconciliation in Post-Apartheid South Africa***

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This collection, in one sense, is a rather conventional one, dealing with the major themes in South Africa's post-apartheid period. It nevertheless manages to carry itself beyond other works available on the topic. The most obvious way in which it sets itself apart is through its presentation of the post-apartheid period as one which is already closed, an idea "already somewhat dated" (p 2). Arising from this premise, it deals with the transition period as one of which we can fully take stock. As a result, this collection goes further than any other that I have found in addressing all aspects of the transition from apartheid to the democratic model of governance.

Chapter one, by Christodoulidis and Veitch and chapter two, by Gobodo-Madikizela, deal specifically with reconciliation. Chapter two, Gobodo-Madikizela's "Radical Forgiveness: Transforming Traumatic Memory beyond Hannah Arendt", stands out in its ability to convey the emotionally charged work of the TRC, showing it as personally affecting and more than an abstract political strategy, without drowning its content in emotion as does Krog's *Country of My Skull*. Gobodo-Madikizela's argument that no act can be treated as morally beyond forgiveness is convincing and seems as relevant today as it was at the peak of political and social transformation and the TRC. Forgiveness, often portrayed as "leading" (almost directly) to reconciliation in South Africa, is presented as more subtly, and many would say more realistically, leading to the acknowledgement that "at some stage in the future" reconciliation may take place.

These opening chapters lay the foundation for the book's central theme, namely restorative justice (something evident even in the title), without "turning it into an academic fad" (p 153). In fact, restorative justice is only mentioned a few times in the entire collection and it appears that the authors and editors avoid using this as a defining term. By doing so they bring the collection to clearly address the transition period specifically, as opposed to simple concepts of justice. It places the emphasis on South Africa's transition and its dealing with justice and reconciliation.

The discussions on the merits of the TRC and its foundations, found in chapters three through five, are largely in line with papers found elsewhere on the topic by presenting the TRC as a fundamental part of the transition to democracy,

somewhat flawed but still not without its achievements. Through taking stock of the successes and failures of the TRC under the broad themes of responsibility (Du Bois-Pedain, “Communicating Criminal and Political Responsibility”); criminal justice (Nerlich, “The Contribution of Criminal Justice”); and reparations (Du Bois, “Reparation and the Forms of Justice”), the book manages to avoid rehashing previous works available on the TRC. Chapter six, Theunis Roux’s “Land Restitution and Reconciliation in South Africa”, broadens discussions away from the TRC into the wider issues of transformation in South African society. This chapter’s argument that the separation of the human rights (TRC) and land issues acted to the detriment of resolving both issues gives one possible explanation for the limited success of the mission of reconciliation, and shows the compromise inherent in the official process of dismantling the apartheid political system.

Of particular interest, Barnard-Naude’s “For Justice and Reconciliation to Come: The TRC Archive, Big Business and the Demand for Material Reparations”, deals with the economic inequalities of apartheid, the role of “big business” in maintaining the apartheid system, and its role in resistance to transformation. Here again, the compromise necessary for a smooth transition to the democratic model becomes apparent. By dealing with this sorely under-researched topic, *Justice and Reconciliation in Post-Apartheid South Africa* already sets itself apart from most books available on the transition period.

Clarkson’s “Drawing the Line: Justice and the Art of Reconciliation”, is a fascinating read. It addresses the role of art and artistic expression in the context of post-apartheid South Africa and brilliantly shows the reversal of power dynamic necessary for a “healthy” transition to majority rule in the South African context. Here the dynamics of empowerment and disempowerment are expressed clearly, not only on racial issues, but on all fronts of South African society. By drawing mainly on the art of Willem Boshoff, and the work of Jacques Derrida, Clarkson provides thought-provoking insight into the art of the post-apartheid period and its attempts to come to terms with the redefined power dynamics of this period. Clarkson’s central argument can be understood in the words:

My discussion is gradually bringing about a convergence of two lines of force: the force of law and the force of art. I do not wish to make a crude claim that law and art operate in exactly the same way, but the movement of convergence is towards this point: both the force of law and the force of art reach out for the *creation* of a new semantic articulation (p 274)

It is only chapter nine, (Gibson, “The Evolving Legitimacy of the South African Constitutional Court”) which I feel does not live up to expectations. Gibson’s quantitative sociological research, while not without its merits, is dragged out, resulting in a rather tedious read. This social science research paper, surrounded by theoretical discussions, did not combine well with the tone of the rest of the work.

One thing which struck me about this collection is its ability to stand alone as a thought out, “well rounded”, book. It does not come across as a collection of essays thrown together to address individual themes; rather, it comes across as a book which stands in its own right, each chapter building on the last to create a sense of closure when the book is completed. Opening with Christodoulidis and Veitch’s “Reconciliation and Surrender: Configurations of Responsibility and Memory” and

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closing with Du Bois and Du Bois-Pedain's "Post-conflict Justice and the Reconciliatory Paradigm: The South African Experience", the editors manage to give the reader a sense of having come the "full circle". The chapters are skilfully placed, and the editors deserve special mention for this.

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*Kenton on Sea*