

WHERE DOES EVIL RESIDE? A COMPARATIVE STUDY OF HANNAH ARENDT AND ANTJIE KROG

by Lizelle le Roux*

1 Introduction

Two significant twentieth century female philosophers, Hannah Arendt and Antjie Krog, critically evaluated two of the most egregious humanitarian crimes of the past hundred years. In the essay 'Personal responsibility under dictatorship',¹ Arendt (1906-1975) used the trial of Adolf Eichmann, who was convicted and executed for crimes against humanity committed during World War II, to explain the connection between existence and thought and the necessity of a commitment to thinking; it was also a mouthpiece to voice her opinion on judgment, punishment, vengeance, collective responsibility and morality.

In her book *Country of my skull*² Krog (1952-) reported on and analyzed the history, process and effects of the Truth and Reconciliation Commission ('the TRC'), a commission established to assist the new democratic South Africa in dealing with Apartheid crimes.

2 Background

Arendt reported on the Eichmann trial for the American magazine *The New Yorker*, and later controversially reflected on the trial in 1963 in the book *Eichmann in Jerusalem: A report on the banality of evil*. Arendt's concern and focus falls not on political action, but rather on the activities of judging and thinking.³

Eichmann, being a Nazi and Schutzstaffel (SS) colonel, was often considered to be the architect and executioner of the Holocaust. He headed, facilitated and managed the logistics of deporting Jews to concentration camps. After the war he fled to Argentina but was captured and tried in an Israeli court for, amongst other things,

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¹ H Arendt 'Personal responsibility under dictatorship' in J Köhn (ed) *Responsibility and judgment* (2003).

² A Krog *Country of my skull: guilt, sorrow, and the limits of forgiveness in the new South Africa* (2000).

³ <http://www.utm.edu/research/iep/a/arendt.htm#H6> (accessed 22 February 2009).

crimes against humanity and war crimes. During 1962 he was convicted and hanged.

'Personal responsibility under dictatorship' was originally prepared for oral presentation by Arendt; an abridged version was published in *The Listener* in 1964 and the full version was published in 2003. The title of the essay was not chosen by Arendt but was the subject of a symposium held in 1968 at a meeting of the American Philosophical Society.

Krog not only reported, but was actively involved in the post-Apartheid reconciliation process in South Africa.

Since the day Nelson Mandela was released from prison in 1990, South Africa has been undergoing revolutionary transformation, with the most significant and important change being the dismantling of the whole Apartheid system. During 1995, Mandela, as first democratically elected president, created a court-like body, the TRC, headed by Archbishop Desmond Tutu. The TRC's purpose was to promote reconciliation by exposing human rights violations of the Apartheid government, to tender reparations to those affected and to grant amnesty to those who committed the violations.⁴ Anybody who felt they had been a victim of violence could come forward and be heard; the perpetrators of violence were also allowed to give testimony.

Three committees were appointed to do this work: the Human Rights Violations (HRV) Committee, the Reparation and Rehabilitation (R&R) Committee and the Amnesty Committee (AC). Amnesty could be granted if the crimes were politically motivated and if the person seeking amnesty told the whole truth. Any person could be charged including members of the African National Congress (ANC), the ruling party at the time of the trials.

Krog worked for more than two years on the TRC project - from the initial legislative genesis to the testimonies by the victims of the atrocities, from the appearance of Winnie Mandela to former South African president PW Botha's courthouse press conference.

Country of my skull is not only a collection of accounts from the TRC hearings, but also an analysis of moral and political philosophy that developed from and through the TRC process. The book can also be regarded as biographical in that the author is open, critical and self-analytical about her own position and experiences relating to the TRC - as a white Afrikaner, as a professional radio journalist and as a South African dealing with her country's past.

⁴ <http://ujdigispace.uj.ac.za:8080/dspace/handle/10210/1439> (accessed 25 March).

3 Crimes against humanity: Where does evil reside?

Arendt discusses the transformation of what a ‘moral understanding’ was to a society before 1933⁵ in stark contrast to the post-war struggle where some sort of sense had to be made of a horror that seemed to transcend all moral categories and standards of justification: ‘it was something men could neither punish adequately nor forgive’.⁶ She distinguishes between a crime that outrages but doesn’t morally disturb and crimes of speechless horrors from which there is nothing to be learned. For Arendt it was not the bestial performances by the secret police who tortured and murdered or the armies that stormed the concentration camps that she found most shocking. This was a mere intrusion of criminality into the public realm which only posed a complex political problem.⁷ What she found most disturbing was the manner in which German friends who did nothing to bring this situation about, became impressed with the Nazi triumphs and couldn’t ‘pit their own judgment against the verdict of History, as they read it’.⁸ Arendt refers to the ‘universal breakdown, not of personal responsibility, but of personal judgment’.⁹ She depicts evil as the failure to exercise one’s capacity of thinking, the failure to self-reflect and to use that as a basis for personal judgment.

From Eichmann’s trial in Jerusalem Arendt concluded that he was not a malicious anti-Semite (which would to a certain extent explain his participation in the Holocaust), but rather an insipid individual who operated unthinkingly, purely following orders and carrying them out efficiently. His victim’s suffering was at no point real to him. He gave no consideration to the possible effect on those whom he targeted or imagined the nature of his deeds from the experiential standpoint of his victims. He never exercised his capacity to think and thus the activity of exterminating Jews became indistinguishable from any other responsibility assigned to Eichmann. The banality of evil, according to Arendt, resides in the human’s incapacity to have an internal dialogue with himself, which in turn doesn’t permit a self-awareness of the nature of one’s deeds.

For the TRC it was of first and foremost importance to recognise both the Apartheid regime’s and the liberation forces’ actions as crimes, not only of a criminal nature, but crimes against humanity. It had to be emphasised that Apartheid was evil; evil was committed by both sides and that evil of the system was the evil of institution and

⁵ Arendt (n 1 above) 22. Where moral conduct was a ‘matter of course’.
⁶ Arendt (n 1 above) 23.
⁷ Arendt (n 1 above) 24.
⁸ Arendt (n 1 above) 25.
⁹ Arendt (n 1 above) 23.

not of individuals. Apartheid was thus criminal because of the actions of individuals and the state: evil resided in individuals and state institutions.

The prime criminality vested in the state's attempt to establish a government that didn't treat their citizens as equals, who denied the full participation of the majority of citizens in a political arena and whose ideology was grounded in racial superiority.

The TRC mainly provided an opportunity to the victims of the Apartheid struggle to tell their stories, stories of unimaginable cruelty committed by both sides of the struggle. The deeds described by the victims before the TRC were often filled with unnecessary force and bloodshed - far beyond the actions of a 'normal' warfare. The actions of the perpetrators were overflowing with a hatred for a race based on the mere existence of that race: 'Apartheid made people lose their humanity. It dehumanised people to such an extent that they treated their fellow human beings worse than animals'.¹⁰

Evil therefore resides in the de-humanisation of people of a particular colour and by the materialisation and objectification of a person based on a particular race. By failing to acknowledge the importance of each individual as a subject of utmost significance to the self, one materialises such a person to a mere object.¹¹ But for the victim-narrative, whereby those who suffered had the opportunity to tell their stories of gross inhumanities committed against them, there were also the need for a second narrative, the 'balance of the antagonist'¹² – a narrative that proved to be mostly male, white and in denial. The application for amnesty became a way of forcing those who 'indulged in their separate dynasties of denial' to explain their action without a cultural buffer.¹³ From the narrative of these perpetrators it became clear that evil really resides in the further degradation of humans to mere statistics and figures: 'you reel off statistics as if it's nothing. People, human beings died there'.¹⁴ Dimitrina Petrova of Bulgaria referred to the refusal of the intellectual society to touch the files of the Bulgarian security police: 'These files expose only the shallow, puny souls of those who wrote

¹⁰ Krog (n 2 above) 58.

¹¹ Every person exists as both a material and as a subjective being. For the self, the subjective will be the most important whilst the other will initially only recognise the material aspect of another human being. Due to the fact that we are most important to ourselves we can understand that in others and therefore the ideal would be to know your own significance, to recognise the material aspects of others and to understand and respect the importance that each person allots to himself.

¹² Krog (n 2 above) 56.

¹³ Krog often refers to the Afrikaner cultural context which made it possible and fed this racial segregation.

¹⁴ Krog (n 2 above) 57. General Deon Mortimer rattled off attacks on the ANC by SA forces in Mozambique during 1983.

them. These files never contained the great narrative of Bulgaria!¹⁵ By becoming too comfortable with the details of the horrors one 'wrenched the heart out of the horror'.¹⁶

And the idea of truth? Problematic to this is the issue around the word 'truth' and what 'truth' means as 'one person's vigorous search for the truth is the other's witch-hunt'.¹⁷ A big concern was whether a commission of truth would be sensitive to the word 'truth' as there is really no collective or absolute truth. One builds the image of the self around a central truth and that truth shapes your life, moulds your viewpoints and dictates your actions. At the risk of finding your whole life to be a lie, you would often rather keep on denying any wrongdoing than to expose a lifetime of uncritical thinking, of merely accepting a false consciousness. So to what extent should a person then be allowed to believe his own version of what he deems to have happened, as, in the end, you really believe 'your own lie'?¹⁸ If the TRC's interest in truth was only to calculate amnesty and compensation 'it will have chosen not truth, but justice'.¹⁹ They had to see truth in the widest sense of the word, encompassing the widest possibilities of perceptions, of experiences and thus 'it will have chosen to restore memory and foster a new humanity, and perhaps that is justice in the deepest sense'.²⁰ The evidence of human rights violations, whether by the ANC or the regime at the time, forced the TRC to formulate a new discourse on reconciliation which included all the peoples of South Africa.

4 Collectiveness: the I become we become no-one

For Arendt there is no such thing as collective guilt or even collective innocence: 'guilt and innocence make sense only if applied to individuals'.²¹ It wouldn't be fair to be trapped within guilt forever due to the sins of our fathers for deeds we haven't done. Arendt argues that it is morally as wrong to feel guilty about nothing done as it is not to feel guilty about something done: to feel this collective guilt without having done something specific as opposed to not feeling guilty about an actual action that you should feel guilty about. She refers to the phenomena where post-war Germans who were completely innocent constantly assured each other and the rest of the world of how guilty they felt, but very few of the real criminals were

¹⁵ Krog (n 2 above) 57.

¹⁶ Krog (n 2 above) 88.

¹⁷ Krog (n 2 above) 24.

¹⁸ Krog (n 2 above) 89.

¹⁹ As above.

²⁰ Krog (n 2 above) 16.

²¹ Arendt (n 1 above) 29.

prepared to show a glimpse of remorse. Arendt argues that this collective admittance to some sort of guilt caused a situation where suddenly all were guilty: those who in reality were guilty became part of collectiveness where if all are guilty no one is.

The mission of the TRC was never to enforce an acceptance of specific discrete events, but rather to bring about an historical understanding or interpretive truth. Within a broader perception of the larger social context one might find an understanding of the reasoning behind institutionalised forces which allowed abuse to take place.

But where does culpability then rest?

Jürgen Habermas²² stated that collective guilt doesn't exist and that whoever is guilty will have to answer individually. But what about the collective that makes such crimes against humanity possible? What then about a collective tradition or mental and cultural context that provides and feeds gross violations of the rights of humans of another race or culture? Before the public hearings many Afrikaners denied that these atrocities happened at all, but after the broadcasts thereof on national TV and radio denial shifted to a rejection of the knowledge of these acts. They would comment that these portrayed perpetrators were 'deranged freaks',²³ and had nothing in common with the average Afrikaner. 'Bad men do what good men dream',²⁴ and although these perpetrators were indeed out killing people, many whites dreamt of 'a life without black people: separate laws, separate amenities, separate churches, separate homes, separate towns, separate countries ...'.²⁵ The common denominator between these perpetrators and ordinary people is a culture, an inherent understanding, an automatic knowledge by just listening to an accent or a surname of an Afrikaner context and tradition – unfortunately a tradition which 'hatched the abominations for which they are responsible'.²⁶ So, in a sense, it was not only these men, but rather a culture that needed to ask for amnesty.²⁷

After various interviews with some of the political leaders of the Apartheid era it became quite clear that their applications for amnesty were, instead of an attempt to rectify previous wrongs and admit to a morally unjust system, rather a desperate effort to escape criminal prosecution and impending court cases. Krog compared a leader like Verwoerd, who mesmerised a nation to blindly follow, to

²² Krog (n 2 above) 24.

²³ Krog (n 2 above) 92.

²⁴ Krog (n 2 above) 93.

²⁵ As above.

²⁶ Krog (n 2 above) 96.

²⁷ Krog (n 2 above) 24. Habermas suggested that South Africans, like the Germans, need to develop a certain mistrust and ambivalence around tradition and cultural context.

De Klerk who was merely doing the 'right' thing without really convincing a nation of his motives. Verwoerd formulated a course of action to protect the honour of white South Africans, even though it meant a dishonourable policy. A politician's dream is the obedience and unquestioning following of a group with no sense of individual responsibility; the unconditional clinging to a false tradition of honour instead of morality. Where such honour is the keystone to a society, any other choice than that implied by this code of honour is unlikely and therefore the dishonour of a leader means the dishonour of a group.²⁸ Should leaders then not take the blame even though they never explicitly asked anybody to commit these deeds in their name or in the name of their party?²⁹ Many perpetrators responded to this question and said that they did it for the party and is therefore not solely to blame for their actions: they believed in and felt obliged to protect and answer to a morality created by a party, and therefore it is difficult for them to feel any guilt. Is it then not precisely the responsibility of a leader to create an environment wherein a culture can confront themselves and their pasts, to take the blame and enable a group of people to move forward with some self-respect and dignity?³⁰

It seemed though that in the end it all boiled down to survival and that leaders like PW Botha and Afrikaners like him did not feel guilty because they did something wrong, but rather that they felt ashamed because they had been caught out.³¹ By targeting only certain individuals as scapegoats for past atrocities, other citizens (like the leaders of parties) are allowed to deny any complicity.

The refusal of Winnie Madikizela-Mandela to admit to any wrongdoing during the Apartheid added another aspect to the idea or ideal of personal responsibility as she denied every allegation of human rights abuses made against her: 'I am an ordinary human being - they did things to me that is not acceptable. While many sat comfortably in their houses, we fought a just war'.³² Contrary to the goal of the TRC, to establish a dispensation characterised by a new morality and integrity, by truthfulness and accountability, Madikizela-Mandela became the symbol of a collective honour of a culture and clan opposed to the principle of virtue a democracy demands. She held the new government accountable for their failure to deliver and to provide for the poor, but couldn't feel accountable for killing the same poor people. She had to cling to this code of honour representing a 'kind of self-deceit wrapped up in self-interest'³³ – if she admitted

²⁸ Krog (n 2 above) 262.

²⁹ Krog (n 2 above) 97.

³⁰ Krog (n 2 above) 98.

³¹ Krog (n 2 above) 262.

³² Krog (n 2 above) 257.

³³ Krog (n 2 above) 260.

to any wrong doing she would dishonour them all. Tutu begged her to admit in an honourable way that she and her followers committed atrocities against others. She finally admitted: 'I am saying it is true: things went horribly wrong and we were aware that there were factors that led to that. For that I am deeply sorry'.³⁴ Again one was confronted by the tragic ambiguity of honour where 'the killer becomes the chief and the tyrant the minister'.³⁵

'From victims to the masterminds, from the powerless to those in power'³⁶ – it became a burning point of debate whether there was a need for any ANC members to be considered for amnesty as there was a thin line between those who fought against Apartheid and those who defended it – the one was right and the other wrong and therefore no new morality would be possible without the clear distinction between the perpetrators and the victims. It became clear that the ANC preferred a sort of moral obligation towards colleagues within the party and of unity rather than truth and morality.³⁷ Alex Borraïne³⁸ replied that 'unjust acts can be committed within the framework of a just war, no less than just acts in an unjust war'.³⁹ Tutu threatened to resign from the ANC if it granted itself amnesty. He refused to be abused by a party that was not interested in accepting equal treatment before a TRC.

Although such an argument for the need to distinguish between those who had to fight an unjust system versus those who did everything in their power to maintain a dishonourable *status quo* could be valid, it gives no guidance as to the way forward for the individual. It freezes any debate into an issue of race and consequently denies any effort to reconcile. What was needed was a sort of levelling of the crimes committed by perpetrators – an indiscriminate look at atrocities, at times out of a specific context, but within a universality of crime and crimes committed against human beings by other human beings.

5 Who are we and should we judge?

For Arendt the question remains as to who should be qualified to discuss these matters. She argues that in society there exists the fear of judging, which is in no way connected to the biblical understanding thereof, but rather to a fear that 'no one is a free agent'⁴⁰ and that

³⁴ Krog (n 2 above) 259.

³⁵ Krog (n 2 above) 260.

³⁶ Krog (n 2 above) 103.

³⁷ Krog (n 2 above) 116.

³⁸ Krog (n 2 above) 116. Alex Borraïne issued this statement after Mathews Phosa said that ANC members did not have to apply for amnesty because the war against Apartheid was just.

³⁹ Krog (n 2 above) 116.

⁴⁰ Arendt (n 1 above) 19.

in the end we are all alike, we are equally bad. It seems wrong that one should rather trace the actions of a dictator like Hitler back to a history or chain of historical events within a specific cultural and dialectical movement, than to accuse him directly of being a mass-murderer. There seems to be a general agreement that such a judgment is wrong as the perception exists that no one can judge who has not been there.⁴¹ But, by restricting judgment to only those that were 'there', does it imply that no outsider ever has the right to judge and would it exclude any universal ideas around justice and judgment?

Arendt suggests that thinking remains the precondition of judging. The incapacity to imagine oneself in the situation of another, the failure of imagining the person that this judgment represents inevitably 'invites evil to enter and infect the world'.⁴² Essentially thinking is the only action that keeps us from slipping into a general acceptance of even the most evil crimes, where all becomes fair in love and war and immorality becomes tolerable in a robotic society where thinking only belongs to those giving the orders.

Who then has the ability or capacity to judge and what happens to the human faculty of judgment when faced with such horrific crimes as Arendt herself refers to as crimes for which there is no punishment is severe enough? According to Arendt the mysterious nature of human judgment should be analysed only when we assume that there does exist a human capacity to judge without being a victim of self-interest or when emotionally we can 'risk ourselves on this very slippery moral ground with some hope of finding a firm footing'.⁴³ Such a faculty to judge is of a dualistic character: on the one hand it must function spontaneously without any pre-conceived standards and subsumed ideas and on the other hand produces its 'own principles by virtue of the judging activity itself'.⁴⁴ Arendt suggests that we judge in a Rawls-like manner where we strip ourselves from any subsuming cases or particulars, rules and standards because only 'once you are empty you are prepared to judge'.⁴⁵

If you refrain from judging him, you kill off the awareness that you should avoid certain ideologies, certain people, because they represent evil ... that you should have nothing to do with them.⁴⁶

⁴¹ Arendt (n 1 above) 39. This was Eichmann's own argument. He insisted that there was no other way of fulfilling his duties and these accusations were 'post war legends born of hindsight and supported by people who did not know or has forgotten how things actually been'.

⁴² J Köhn (ed) *Responsibility and Judgment* (2003) xxix.

⁴³ Arendt (n 1 above) 27.

⁴⁴ Arendt (n 1 above) 27.

⁴⁵ Kohn (n 42 above) xxvii.

⁴⁶ Krog (n 2 above) 261.

But then, how will it be clear to compartmentalise a deed as evil or not, as good and evil are never absolute? Within every good there is deficiency and every evil has an underlying potential to be good.⁴⁷ In believing that a tyrant like Hitler was evil you deny him his humanity – you refuse to recognise the fact that he was a human like you and thereby refusing to even consider the possibility that you might also be capable of similar actions.

Paul Russel remarked that:

If truth is the main casualty in war, ambiguity is another. One of the legacies of war is a habit of simple distinction, simplification and opposition ... which continues to do much of the thinking for us⁴⁸

Once again we are confronted by the true ambiguity of the human being – we cannot remain untouched by deeds of gross human violations and the inhumane nature of them, but we cannot be utterly blind to the ambiguity within oneself where a good or normal person may commit horrifying crimes under particular circumstances. By refraining from judgment one elevates oneself from the responsibility to face the reality of a false morality embedded in a struggle and a tradition sustaining it. Another false consciousness is created by the refusal to take part in a sometimes painful process of finding and facing the evil core and those beliefs that made such a foundation possible.

Since the start of the TRC the Nuremberg-analogy of a ‘justice with ashes’⁴⁹ or criminal prosecution was discarded. The ideal was to, although acknowledging the need for judgment and justice, create an environment for reconciliation through restorative integrity. By bringing the victims and perpetrators together there could be an individual realisation that personal survival is inextricably linked to the survival of others. Should we then judge those who fought for a cause they individually believed in and were successfully led to do so by great leaders and by powerful institutions? Or should we judge those who fought against a system that not only denied them their own dignity but also the humanity of the vast majority of people living in South Africa? When in war one is forced to live by a different set of guidelines, a white or black distinction, in order to survive. But during time of peace Wilhelm Verwoerd, not only an employee of the TRC, but also the grandson of HF Verwoerd, remarked that ‘we must try and make space for ambiguity’.⁵⁰

⁴⁷ As above.

⁴⁸ Krog (n 2 above) 99.

⁴⁹ M Mamdani *When does reconciliation turn into a denial of justice?* (1998) 11. Kader Asmal initially campaigned for a process of criminal prosecution similar to the Nuremberg-trials. He eventually realised that in a South African context it will only result in a ‘justice of ashes’ contrary to the ‘ideals of nation-building and reconciliation between the oppressors and the previously oppressed’.

⁵⁰ Krog (n 2 above) 46.

6 Punishment: all it contends to be?

Arendt recognises the problematic situation with regard to the punishment of war-criminals. Where legal sanctions or punishment is essentially designed to warn and deter criminals from even attempting similar crimes, it is highly unlikely, in view of the extraordinary circumstances under which these crimes were committed, that these crimes will ever be repeated. Prison sentence is of no deterrent value to these criminals. Punishment, once again, becomes merely a symbol of an effort to restore what has been grossly violated. Even retribution, Arendt argues, is hardly applicable in view of the magnitude of these crimes. Yet, the human sense of justice will find it unbearable to waive punishment and let these criminals go scot free. Mere revenge will not serve any purpose as it will only continue a vicious circle of vengeance if not saved by the workings and sanctions of the law.

All persons are within this political system and are compared to the ‘cogs and wheels that keep an administration going’.⁵¹ We comment on good and bad systems by the criteria of the degree of freedom, happiness or participation of the citizens. The question of personal responsibility though is marginal.⁵² When everybody becomes a mere cog within a system or bureaucracy, shifting of responsibility becomes a daily routine. This would mean that, within the Nazi bureaucracy, only Hitler would be responsible as all other were mere pawns in his great game plan. Does this now absolve everybody else from any form of punishment due to the fact that they can’t be held personally responsible?

Arendt refers to the court room where the criminal procedures force us to look not at a system, as a system cannot be on trial, but at a person. If the defendant claims to be a functionary he still stands accused as ‘even a functionary is still human, and it is in this capacity that he stands trial’.⁵³ The defendant cannot plead as a representative of a system as this will inevitably make him a scapegoat. If he wishes to shift responsibilities he must then actually implicate and name others who will in turn appear as possible co-defendants and not as the embodiment of bureaucracy or any other necessity. In the end personal responsibility cannot be escaped.

It is true that every organisation of any sort demands a degree of obedience - obedience of the commanders but also of the particular law. In reality this obedience to country and commander constitutes support for a common enterprise. No man can accomplish anything, whether good or bad, without the help of others, and such leaders

⁵¹ Arendt (n 1 above) 29.

⁵² As above.

⁵³ Arendt (n 1 above) 30.

would be helpless without the obedience that supports and helps them to function. Arendt suggests that the question to these participants should not be ‘why did you obey?’ but rather ‘why did you support?’.⁵⁴ Arendt refers to the difference between temptation as a legal excuse for a crime versus temptation as a moral justification. She uses the example where someone compels you to kill another under penalty of death, and out of fear you comply. Arendt argues that this does constitute a legal defence for killing, but it does not morally justify it. You are indeed being tempted, but not forced. A child obeys, but an adult consents and thus supports in obedience. Thus, in obedience lies a powerful tool of rebellion.

Kadar Asmal remarked that ‘by not dealing with past human rights violations we are not simply protecting the perpetrators’ trivial old age; we are thereby ripping the foundations of justice from beneath new generations’.⁵⁵ Contrary to the situation after World War II, the shift of power after 1994 was still not an absolute political take-over where the guilty lost their ‘political power and their guns’.⁵⁶ The overthrown regime had to be and was indeed part of a new government wherein they had enough power to obstruct real inquests into any abuses and crimes of the past. It would be problematic though if the idea of resistance would be seen as synonymous with the history of the ANC; then ‘Apartheid becomes reduced to a terror machine and resistance to an armed struggle’.⁵⁷ Mbeki made it clear that his conception of reconciliation would only be possible after the transformation of black people and the building of a new society – after an African Renaissance.⁵⁸ Tutu believed that true reconciliation is between people of all colours: a true rainbow nation.⁵⁹ Mamdani stated that if the majority who expected to gain from reconciliation are excluded and do not feel that their existence has improved considerably, it may lead to resentment and then this bridge of reconciliation established by the TRC might be of no use.⁶⁰

⁵⁴ Arendt (n 1 above) 38.

⁵⁵ Krog (n 2 above) 25.

⁵⁶ Krog (n 2 above) 23.

⁵⁷ Krog (n 2 above) 52.

⁵⁸ Krog (n 2 above) 110. During 1996 the University of Natal presented Thabo Mbeki with an honorary doctoral degree. Mbeki was to deliver a speech on reconciliation, but decided at the last minute to talk rather about the achievements of his then recent visit to Europe. He did refer to his conception of reconciliation though: a process whereby the black people run a country and continent successfully and transform socially. ‘Reconciliation should take place among all black people with white people in peaceful coexistence.’

⁵⁹ Krog (n 2 above) 111.

⁶⁰ Krog (n 2 above) 112.

7 What to choose or not to choose: that remains the question

For to punish is to recognise man as free in evil as well as in good. It is to distinguish evil from good in the use that man makes of his freedom. It is to will the good.⁶¹

Within this principle resides the contradictory nature and fundamental ambiguity of human existence: on the one hand we desire and demand that such a criminal who denies human dignity must be punished but on the other hand we acknowledge the fact that man, on the inside, is really nothing. Maybe therein lies the true ambiguity of the human condition: in our failure to justify our own existence we appeal to the existence of others.

For Arendt though, no possible mitigating circumstances can serve as excuses. Dictatorship does indeed deprive citizens of their political freedom, but non-political activities and private lives are not necessarily touched. But in the case of a totalitarian government, even people who were considered innocent by the opposition are implicated. As every branch of one's being becomes invested by the demand to accept the ruling principles, the only option to avoid legal and moral responsibility would be to totally withdraw from public life.

There were very few participants who agreed completely with the actions and late crimes of the Third Reich, but in spite thereof they still committed themselves to it. They chose to remain obedient and support something that they did not agree with. They then claimed that those who retired into a private life away from the public sphere and refused any public responsibility of any sort took the easy way out, seemingly forgetting that the choice to retreat was still a choice made. They claim that by staying on and helping at least some people, they 'gave the devil his due without selling our souls to him'.⁶² Not everybody can become a hero or saint, but moral and personal responsibility is everybody's business.⁶³ They therefore chose the responsible option, the lesser evil – to stay on the job with no regard for the consequences or conditions.

The flaw in this argument of the lesser evil is that these participants to a lesser evil quickly forget that they still chose evil. As the monstrosities of the Third Reich was so appalling it seems unbelievable that any part in these immoral crimes could be described as a lesser evil.

Arendt asks what the reason was for the few who did not and could not rise in rebellion, but refused to participate in public life where

⁶¹ S Sanford *How to read Beauvoir* (2006) 251.

⁶² Arendt (n 1 above) 34.

⁶³ Arendt (n 1 above) 35.

'every moral act became illegal and every legal act was a crime'.⁶⁴ Arendt suggests that they were the only ones who didn't merely exchange one system of rules for another system of values that the state prescribed. She suggests that they were the ones asking themselves to what extent they would be able to live with themselves in peace after committing certain deeds and decided rather not to do anything instead. This involves not an intellectual and technical ability to think in a philosophical or clever manner, but implies an engagement with oneself; a reflection on how one wants to live with oneself.

Although the TRC failed in many aspects, its greatest achievement was the treatment of the victims who appeared before them: whether white or black, rural or urban there were no first or second class victims. The TRC showed an international public that pain knows no colour, 'that the cut of hurt is the same for all'.⁶⁵ The testimonies of all were respected in the same way. The TRC also succeeded in creating a forum for these people violated by a struggle to tell their stories unhindered: 'no rain, no power, no failure, no men could silence their stories today'.⁶⁶ And this discourse became part of a national psyche and is now imbedded in this country's history and future. The commission brought forth many witnesses giving testimony about the secret and immoral acts committed by the Apartheid government, the liberation forces including the ANC, and other forces of violence that many say would not have come out into the open otherwise. Like Lucas Baba Sikwepere remarked: 'it feels like I got my sight back by coming here and telling you the story'.⁶⁷

Unfortunately, the greater majority perceived the aim to reconcile as not being achieved by the TRC and in fact, surveys stated that people are further apart than before. According to Krog it was not the task of the TRC to reconcile but rather to contribute to it. By opening that of which were not spoken before the TRC forced a nation to look at atrocities of the past on both sides of the struggle in the eye and to acknowledge them as crimes - not against whites or blacks, but against humanity. This is essential in a process of redefinition where the individual has to escape a rigid and frozen identity vested in aggressive forms of nationalism or ethnicity to find himself again in order to 'transform differences into assets'.⁶⁸ Instead of shying away from the so-called truth that made and moulded a person, one should rather accept assets and rebuild a new identity, based on the past, but not constrained by the past:

⁶⁴ Arendt (n 1 above) 41.

⁶⁵ Krog (n 2 above) 209.

⁶⁶ Krog (n 2 above) 190.

⁶⁷ Krog (n 2 above) 31. Mr Sikwepere was part of a small gathering of 20 black people who was forcefully dispersed and shot at by white policemen in Crossroads. He was wounded and lost his sight.

⁶⁸ Krog (n 2 above) 292.

Hundreds of Afrikaners are walking this road - on their own with their own fears and shame and guilt. And some say it, most just live it. We are from here. We will live it right - here - with you, for you.⁶⁹

8 Conclusion

True to a post-modern discourse, one is left with an unsettling feeling of openness, of unanswered rhetoric. One might ask: what then will be the way forward in a South African society where we are still burdened with a loaded history of unthinkable crimes against a particular race? It is clear that the actions of an Apartheid regime constituted evil as the human existence of a particular race was degraded and ignored. The incredible refusal to exercise the capacity of thinking, to imagine the effects on those targeted and the stubborn uphold of an exclusive status quo seems unimaginable now, and yet, it was true for a large segment of the white South Africans for 30 odd years.

Who then is to blame? Are we guilty of a complicit participation by way of silent benefits received even in 2009? And what should we do about it? Is there ever an end to the necessity to repent and to acknowledge our collective wrongs, to shed the burden of guilt for the actions of a generation we barely know? How does one live with one's own ambiguity and try to acknowledge the other's subjectivity? Also, how does one avoid over-compensating for the wrongs of the past, which could reduce one to a lesser object?

Arendt will not excuse the absence of thinking that prevailed in an Apartheid society, as thinking belongs to all and self-reflection is essential to human existence. Only through engagement with one's own thoughts in an honest manner can there be any true choice of action. Maybe Arendt would suggest that we, as South Africans, keep a political memory alive - a memory whereby we constantly reflect on a previous society that we cannot afford to forget. She would maybe suggest an effort to remember the collective past, but also a personal commitment to build a personal and individual morality wherein the notion of thinking and self-reflection, of choice and personal responsibility, becomes a reality.

The final question remains unanswered though: how far should we take punishment and retribution? But also, how can we be certain that punishment will serve the good and will embody the actual outcome of our principles? How can we be certain that this process will ensure that atrocities are never committed again?

From a South African perspective we are obliged to never again merely accept an existing regime or order of any sort. We are forced

⁶⁹ Krog (n 2 above) 99.

by our history to remain sceptical towards any institution and to constantly remind those in power of the impact and value of words, as words are action.⁷⁰ We are reminded of how constant questioning and critique is essential, as, in the end, true morality resides in the painfulness of infinite questioning.

⁷⁰ Sanford (n 61 above) 26.