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Restoring Social Order in Post-apartheid South Africa:

The role of public confession and private repentance in the administration of transitional justice

This article examines the correlation of public confession and private repentance within the realms of South African literature and recent history. Parallels can be drawn between the South African writer J.M.Coetzee's Nobel prize winning novel *Disgrace* - a realistic novel set in the years following apartheid - and aspects of the contemporary endeavour for transitional justice by the South African *Truth and Reconciliation Commission* (TRC). These analogies help understand the interrelationship of history and literature; the important role of dignity, the difficulties of establishing the truth, the complexities of forgiveness and the process of reconciliation.

Attaining global political and social order is a fundamental objective. Yet defining "order" and then synchronizing the various interpretations of it, followed by a suitable implementation is a labyrinthine undertaking. Social order is culturally, nationally, historically (pre-) determined and therefore complex to establish but undoubtedly the first step toward a better future is in coming to terms with the past. Achieving reconciliation in a deeply divided society starts with accountability for the past.

Because of the many evils of apartheid and their all-pervasive nature the transition was not going to be easy in South Africa. The TRC offered a national solution for implementing transitional justice, not merely retribution but restoration. It was set up with the aim of: returning the victims their civil and human rights, restoring the moral order, recording the truth, granting amnesty to those who qualified, creating a culture of human rights and respect for the rule of law, preventing the violations of human rights of the past from ever happening again.

The TRC was unique not only because it included amnesty hearings but also because the hearings were held publicly. In a truth commission, as opposed to a trial, the accused *has to* speak because accountability and acknowledgement are crucial parts of

the process. “There is a difference between pleading guilty to a charge and admitting you were wrong...” (54), claims a member of “the committee of enquiry” in *Disgrace*.

Admittance helps reveal *a* truth and as such can facilitate forgiving and ease transition.

Public acknowledgement therefore matters in a social context. Theoretically, its function is to help restore the moral order. However, reconciliation is also an individual process and repentance, remorse also have a metaphysical or even a religious frame of reference. As David Lurie, the main protagonist of *Disgrace* suggests when he protests against a public confession. “ I won’t do it”, he says. “I appeared before an officially constituted tribunal, before a branch of the law. Before that secular tribunal I pleaded guilty, a secular plea. That plea should suffice. Repentance is neither here nor there. Repentance belongs to another universe of discourse.”(58) It is the nature of the latter “another” discourse of private repentance and its covenant with the expectations of public confession that I examine in this paper.