

# **The Truth and Reconciliation Commission and Community Reconciliation: An Analysis of Competing Strategies and Conceptualizations**

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## **Appendix A Interview Data**

More information about the informants interviewed regarding the TRC's intervention in the two communities is presented in this appendix. The data is organized in terms of the categories of interviewees.

1. Victims
2. Ex-combatants
3. Community Leaders (and Key Informants)
4. TRC Commissioners and Staff
5. NGO and Church Organization Staff

### **1. Victims**

The sampling strategy (using Khulumani, snowball, and TRC cases - explained in more detail elsewhere) gave me access disproportionately to women and people living in ANC dominated areas. Khulumani meetings appear to be mainly attended by women, the unemployed, and those more actively involved in seeking assistance.

Some of those counted as among the 27 victims were interviewed as community leaders (1) key informants (1), or perpetrators (1), but because they made significant comments reflecting directly on their experience of being human rights abuse victims, their comments are also reflected in this category.

Victims were understood both in relation to direct victims or in terms of people who suffered severely in terms of the death of a family member or the suffering imposed by the injury/disappearance of a family member. The disappearance of a child, for example, can be a form of victimization in that it causes emotional pain, as well as the possible burden of forcing the family to take on the burden of raising the dependents of the missing relative.

A total of 27 victims were interviewed. Ten were from Duduza and 17 from Katorus. Sixteen were female and 11 male. Their ages ranged from about 25 to 65, with the mean age of about 45 (Not all interviewees were asked their age). Most of the women (12) were over the age of 50 while most of the men (9) were under the age of 40.

A brief quantitative overview of victim experiences and interaction with the TRC is included below.

#### ***a) Victims' Stories***

Most people testified about their own victimization (15), while the others testified about the victimization of their son (9), their daughter (1), brother (2), husband (1), or sister (1). The number of victimization stories totals more than the number of victims interviewed because some told of the victimization of more than one person. While the interviews were open-ended regarding experiences of victimization, many of the interviewees experienced different forms of victimization. Some also suffered both through the victimization of a family member (e.g. the killing of a close relative) as well as directly in person. Many of the interviewees related mainly the stories of their relatives rather than focusing on their own victimization. Women particularly related more the stories of their relatives (9), rather than of themselves (8), while the men's stories were almost exclusively about their own victimization (9/11).

Most of the interviewees were ANC aligned. Twelve however described themselves as not directly involved in politics. Some who identified themselves as ANC aligned also claimed that they were presently less allegiant to the party than at the time of victimization. Many of the stories also cast the victim as an innocent bystander. While some victims were directly targeted for playing prominent political roles, the more common pattern is for the victim to be attacked randomly while, for example, on their way to work.

The interviewees suffered a wide range of different types of abuses. Some of these can be classified gross human rights violations while others do not fit the official TRC categories. Six stories were about a relative being killed, 5 cases were of disappearances, 15 involved severe injuries, one involved being labeled as an informer and thus ostracized by the community, and one involved the destruction of their home and property. Many involved secondary forms of victimization (being verbally abused, threatened with death, etc.) that usually emanate from the initial incident of victimization.

The interviewees had been victimized by different perpetrators, mainly the South African Police (15), and the IFP (9), while two were victims of the ANC. In some of these instances the interviewee was not completely certain, but had strong suspicions that the perpetrator was a member of had some affiliation with these groups. In three cases (involving the disappearance of a family member) the interviewee did not have strong suspicions regarding who was responsible.

***b) Duduza and Katorus***

The two communities display somewhat different patterns of victimization.

The date of victimization related by interviewees range from 1976 to 1994. The highest incident of cases were for the 1984-86 period (9 cases) and 1990-1993 (10 cases). The 1984-86 period is mainly Duduza cases (seven out of nine) while the 1990-93 period is exclusively of Katorus cases. These reflect the most intense periods of conflict in the respective communities.

While most of the Duduza cases were of victimization by the SAP (9/11), Katorus also reflects a high proportion of IFP perpetrators (9/17), with only five stories fingering the SAP. The Katorus sample also contained all five cases of disappearances.

In Duduza many cases involved perpetrators that were known to the victim (9 out of twelve cases). Some of the police perpetrators were local police known by name (four cases), while those who were victimized by the ANC in Duduza also know the perpetrators (or those suspected of being perpetrators). Six out of the twelve cases of victimization in Duduza involved perpetrators from the local community. Ten of the twelve cases involved outside perpetrators (all cases involving the police).

In Katorus the perpetrators were much more anonymous. Of the 17 cases, seven people know who the perpetrators are, and only four of the perpetrators live in the community (all IFP), while the other three known perpetrators are policemen. All the victimization by IFP supporters were (victims believe) carried out by residents of the community.

***c) Interaction with the TRC***

Thirteen of the 27 victims made statements to the TRC. A further five still wanted to make statements at the time of the interview and four had attempted but failed . Two interviewees did not make statements because they saw themselves as participants in a war

and therefore not as "victims," one person did not see it as right for him to be the one to report the case of his brother to the TRC, one person was unsure whether they wanted to or not, and one person knew that they did not qualify under the TRC category of gross human rights violation victim. (Also worth noting is that one of the people wanting to make a statement would not have qualified as a victim under the TRC legislation.)

Half of those who made (or attempted to make) statements did so at the TRC regional office in Johannesburg while the rest made statements at various locations in their communities. Four interviewees reported going to the regional office and not having success in having their statement taken down. One person similarly failed to get a statement taken at a local statement taking location.

Interviewees expressed different reasons for making (or wanting to make) a statement to the TRC. In response to an open-ended question, eighteen explicitly mentioned the desire for reparations, seven highlighted the need to locate their missing relative (or his body), five wanted to call the offender to account, five wanted to tell their story in public and be heard, four wanted the TRC to find out the truth, two wanted to clear their name, one wanted the opportunity to tell of their pain, one to seek punishment for the offender, and one to have the lawyer they hired to represent them in their case to be investigated.

## **2. Ex-Combatants**

Ten interviews were conducted involving 25 ex-combatants. Eight of the interviews were conducted in Katorus and two in Duduza. The two Duduza interviews were however with interviewees classified as a community leader and key informant. Their responses regarding questions related to their own involvement in the amnesty process was however reflected in terms of their ex-combatant status.

The 25 people interviewed included two ex-MK members (ANC military wing) from Duduza, interviewed individually. From Katorus interviews consisted of: one ex-SPU (IFP aligned self protection unit) commander interviewed individually, two ex-SDU (ANC aligned self defense unit) commanders interviewed individually, one interview with an ex-SPU member, one interview with an ex-SDU member, one interview with three ex-SDU members, one interview with nine ex-SPU members, and one interview with a group of eight youth (of whom two were ex-SPU, two ex-SPU and the other four more informally involved in the conflict). While the ex-MK members were in their thirties, the Katorus interviewees were mainly in their late teens and early twenties with three in their late twenties. All interviewees were male.

The category of combatant is a very problematic one. Just as many of the victims could be said to be involved in perpetrating abuses, the perpetrators of abuses can to an even greater extent be classified as victims as well. Most of the combatants interviewed had suffered some direct victimization or the victimization of a friend or relative. To label them perpetrators (as is done by the TRC process) would thus not be acceptable to them as this emphasizes only the negative aspect of who they are. The more neutral term of ex-combatant is used in the dissertation.

The interviews did not try to obtain information about the actions of the interviewees that relate to human rights abuses or other illegal deeds. While some of the interviewees are proud of the role they played and feel little remorse for anything they did, others were involved in committing abuses for which they now feel ashamed. The interviews focused on their perceptions of the conflict in their communities, their understanding of reconciliation and on their views of the TRC and its processes.

### **3. Community Leaders**

Most of the interviewees were people in present leadership positions within the local community, while others were people who had played significant leadership roles in the past. Key informants were people who were deeply involved in local politics, either because of their position in an organization that was involved in local affairs or because they had a long history of involvement in politics and knew a lot about the various dynamics within the community.

Of the 21 interviewees in this section, fourteen were from Duduza and seven from Katorus. Three were local councilors, one an ex-councilor, three were council officials, two were church ministers, two were civic leaders, three belonged to NGOs, one was a businessman, one was a community-police forum chair, two were traditional leaders, one was a party leader of the local women's brigade, and two were chairs of their local political party. Of the overtly political leaders, six belonged to the ANC, two to the NP, and four to the IFP. Those not in official party leadership capacities were often also strongly aligned to one or another political party and had strong views about the political process. Two of the council officials were, for example, generally regarded as political appointees.

Some NGO and church interviewees are treated as key informants in this section and others are used in the section on NGO and church leaders. Those featured as community leaders were respondents with specific knowledge of their local community where they work (either Duduza or Katorus). They were used in the other

section if their work was specifically focused on reconciliation initiatives.

#### **4. TRC Staff**

Nineteen TRC staff and commissioners from the Johannesburg TRC office were interviewed. Those interviewed included all the commissioners and committee members (nine) who were not on the amnesty committee of the TRC. Nine staff members were interviewed from different departments and levels of seniority. Seven of the 19 interviewees were white. Only four of the eighteen were not ANC aligned.

#### **5. NGO Data Overview**

Thirteen interviews were conducted with church and NGO employees involved in reconciliation and victim support work. While some of the interviewees had particular knowledge of the two communities examined in previous sections, the interviews focused more on their understanding of the role of the TRC in engaging communities and promoting reconciliation more generally. Interviewees were chosen because of their experience in working with victims of gross human rights violations and/or for their knowledge and experience in dealing with reconciliation processes and the TRC's role in these.

The thirteen interviewees were composed of three church leaders/employees, two NGO staff involved in conflict resolution/reconciliation work, three NGO staff involved in reconciliation/victim empowerment work and five Khulumani employees (a community-based organization involved in support work for victims of human rights violations). Two of the interviewees were white, and four were female.

## **Appendix B**

### **Research Instruments**

Attached are the following interview schedules:

1. Interview Schedule for Victims
2. Interview Schedule Victim-Support Organization Staff
3. Interview Schedule for TRC Staff
4. Interview Schedule for Ex-Combatants
5. Interviews Schedule for Community Key-Informants
6. Interviews Schedule for Community Leaders

#### **1. Interview Schedule for Victims**

**Background:** age, sex, race, language, job, leadership position, political affiliation,

##### ***Human rights abuse details***

What happened/What was your statement to the TRC about?

Prompts: victim: self/relative

- date
- nature of incident (murder, disappearance, torture, attempted murder, etc.)
- extent of loss/harm (emotional, physical, financial, etc.)  
present situation
- identity of offender (police, political opponent, gangster, unidentified, traceable)
- relationship with offender (previously known, have seen after incident, regular interaction)
- legal history of case (charges laid, court case, prosecution, punished)

How did the victimisation experience affect your relationships with others in the community?

Were you or your family at any time involved (or suspected of involvement) in human rights abuses?

##### ***Interaction with TRC***

Why decide (not) to go to TRC? (Prompts)

- influence of other victims
- prospect of reparations, justice, having the truth revealed
- duty to country/community

What other alternatives considered or pursued (court, etc.)? Why?

Did you give a statement to the TRC?

- Do you feel that they were keen to help you?
- Were they sympathetic to your needs?
- How should your case have been dealt with differently?
- Were they fair and impartial?
- How did it make you feel to give a statement

Have you attended a human rights violations hearing? How did this affect you?

Have you testified at a human rights violations hearing?

- Did you get to tell your full story?
- How did it make you feel at the time?
- How did the audience respond?
- Were the commissioners sympathetic?
- How should the hearing have been handled differently?
- What purpose did the hearing serve?

Were there victims testifying from the other side? What did you think of them?

Have you attended the amnesty hearing or have you heard anything about the hearing (of the person who victimised you)?

- Did the full truth come out?
- What questions were not answered?
- Did the commissioners condemn the actions of the applicant?
- Was the applicant made to explain the reasons for their actions?
- Do you think they were honest in their response?
- Did they apologise? To whom? Were they sincere in their apology?
- Did they say things that made you angry? What?
- Did they make any kind of offer to compensate you or others for your loss?
- How did the process make you feel?
- Did it make you more inclined to forgive or to hate them?
- Did it change your attitude towards whites/blacks/police/NP/ANC in any way?
- In what way and why?

What do you know about the motives of other victims in coming/not coming to TRC?

Do you know if the TRC has investigated your case? How important is this to you?

Do you feel differently now about being a victim than you did when the TRC started? Why?

Did the elections change the way you feel about your experience as a victim?

Has the human rights violation hearing changed anything in the community?

Is the TRC system appropriate?

- Is it just?
- Whose needs does it address?
- Do you expect them to be of assistance in meeting your needs?
- What do you expect will be the outcome?

***Views on Justice and Reconciliation***

What would justice mean to you in your case? (Prompts)

- reparation, punishment, apology, forgiveness Do you feel differently about this now than you did at time of offence? When change?

Do you try to forget about what happened or is it important to keep the memory alive?

Who is it that should be punished/make reparation/admit guilt/apologise?

- direct offender, local informers, person giving orders, previous govt. etc.
- Do you feel differently about this now than you did at time of offence?

What does reparation from state mean, as opposed to from offender?

- Does it matter who it comes from?
- Do you want the offender to suffer?

What type of reparation would you prefer?

What expectations did you have when you gave a statement?

Have these been fulfilled, or do you still expect them to be fulfilled?

Should the perpetrator be punished?

- What form of punishment would be best?
- What purpose would this serve?
- Do you feel differently about this now than you did at time of offence?

Do you know why the offender committed the offence?

- How do you know?

Is it important that the offender admits their guilt? Will that give you satisfaction?

Should the offender ask you for forgiveness?

- Would you be willing to forgive them if they asked you to?
- Would they have to do something more than beg your forgiveness?

Do you feel a need for revenge?

- Did you feel like this earlier - Why do you feel differently now?
- Is there any alternative that would give you satisfaction?
- Do you feel differently about this now than you did at time of offence?
- What would stop you from taking revenge (if you knew who the perpetrator was)?

Is reconciliation possible?

- Do you feel differently about this now than you did at time of offence?

What would reconciliation require?

- What would the offender and other people need to do?

How would things be different if there was reconciliation?

With whom is reconciliation needed?

- the offender
- a racial/political/ethnic group?
- between leadership and the community

Is reconciliation needed in the whole community/nation?

- what does reconciliation at these levels mean to you?
- will this broader reconciliation help you feel better about the situation/ help improve your relationship with the offender?
- will your reconciliation have any affect on others in the community?
- what kind of relationship do you think can be built among the people in South Africa

Do you feel this way about the incident because of it being politically related?

- Would (/do) you feel differently about it if it was purely criminal?
- What is the most important part of a justice system when dealing with criminals - punishing them or making them pay reparations?

Do you think it is important that leaders of the other side take responsibility for the actions of their followers and apologise for what they did?

- Why?

Have there been any such apologies that you are aware of?

- Which?
- Did they mean much to you? Why?

Are all (whites/blacks) in some way to blame for the human rights committed? Does this imply some form of obligation?

- Did you feel anger or hatred at people other than the person who abused you?
- Do you feel differently about this now than you did at time of offence?

Do you belong to a church? Which? What does your church say about reconciliation?

Has anybody (family, church, politicians, etc.) been important in influencing your views on justice and reconciliation?

Do other family members feel differently about the incident (if family member killed)?

What do you see as the root causes of the conflict in South Africa over the last few decades?

- What was the conflict in Duduza about? Between which groups was the conflict?

Do you think that victims feel differently about themselves now compared to before the elections or before the start of the TRC?

### ***Reconciliation in Duduza***

Do you think there has been some form of reconciliation between Duduza and other communities? What does this reconciliation entail? What is still needed?

Is it needed between different political parties?

- Is it needed between different race groups?

Is Duduza a united community? Has it always been this way? When did it change?

Are there divisions within Duduza that should be (or should have been) addressed by the TRC? Between whom - what lines of division?

- Is it needed between individual victims and offenders?

Is reconciliation needed within Duduza or mainly between Duduza and other communities?

### ***Mediation***

Do you think you could gain anything from discussing the incident face-to-face with the offender?

- What would you want from such a meeting?
- Under what conditions would you be willing to meet?

## **2. Interview Schedule Victim-Support Organization Staff**

Race, political affiliation, position, organisation, church, age, home language

What does your organisation do? How is it structured? How do you relate to the work of the TRC?

- day-to-day
- policy

Where are you a victim of HRVs?

### ***Reconciliation and Justice***

What do you understand as the meaning of reconciliation

- for individuals?
- for the country

What does reconciliation mean to victims?

Relationship between truth, justice and reconciliation?

- Do you see the TRC as compromising justice in order to achieve reconciliation?
- Does one have to choose between reconciliation and truth
- Can you not have reconciliation without justice
- Can you not have reconciliation without truth
- Does reconciliation necessarily happen if you reveal the truth (what more is needed)

What is the main thing that victims want from the TRC?

What does justice mean to the victims?

Do you think punishment or reparations are more important for victims?

Has anybody (family, church, politicians, etc.) been important in influencing your views on justice and reconciliation?

### ***Interaction with TRC***

Do you agree with the establishment of the TRC - Was it the right thing for the political parties to do?

What more should the TRC be doing?

What is the TRC doing to bring about reconciliation? Do you see yourself playing a role in this regard?

Has the TRC been open to input from your organisation? If not, why?

Do you think that the TRC is politically biased?

- Against whom?
- In what way?

### ***Victims***

Do you know of any cases where victims took revenge? Why do victims not take revenge?

Do you know of any cases where victims were revictimised because of their statements to the TRC?

Does the TRC take the needs of victims very seriously, or are there other things that are more important to them? Which?

Do victims feel differently about themselves now compared to before the elections or before the start of the TRC?

Do you think the TRC's work has made victims more willing to reconcile than they were before?

Is it more difficult for victims to reconcile with perpetrators if the political parties are still fighting with each other?

Do you think it might help overcome the tension between political parties if victims and perpetrators reconcile individually?

### ***Your Community***

What are the different types of victims you deal with in your community?

- victims of which parties?
- main patterns of abuse (killing of family member, torture, etc.)

What victims are there in your community who have not come to Khulumani for assistance?

- political affiliation
- MK

Have these people also not made statements to the TRC?

Do you know of any whites who were victims in this area? Have any attempts been made to include them in the work?

Are there people who have been chased out of your community or who have been socially rejected by the community (political party, police, councillors, etc.)?

- Have there been any attempts to re-integrate these people (by TRC or others)?
- How could such re-integration be facilitated?

Are there divisions within your community because of suspicions and rumours regarding who was involved in HRVs or informing to the police?

- Has the TRC had any influence on this?
- What could be done about the situation?

What impact did the TRC have on your community?

Problems of political parties interfering with victims making statements?

### ***Way Forward***

Is the TRC the right body to try to bring about reconciliation at the community and interpersonal level?

What should your and other organisations do in this regard?

What types of structures and processes would be needed to take this work further?

How many case have there been in your community where a victim and a perpetrator have met face to face to talk about the past?

Have you participated in the victim-offender mediation training?

- What did you think of it? - how likely is it to be implemented?

Do you know of anybody who has helped individuals from both sides (and specifically victims and offenders) to come together to talk about their experiences?

- Would such a process be potentially helpful?

Have your ideas about justice and reconciliation changed much since the TRC was formed?

- in what way?
- why?

Who else should I speak to?

### **3. Interview Schedule for TRC Staff**

Position, Race/ethnicity, Age, Home Language, Religious Affiliation, Professional training

Political affiliation (where do you see yourself fitting on the political spectrum)

Why did you join the TRC?

- Have you previously been involved in work specifically to promote reconciliation?

Do you see yourself as a victim of human rights abuses? In what way?

Do you see yourself as morally responsible in any way for human abuses that were committed? Why?

Would you say that the TRC is mainly involved in laying the groundwork for reconciliation, or do you think it is actually doing reconciliation work?

- Do you see reconciliation as a realistic goal to be pursued by the TRC?
- Do you see reconciliation as the central goal of the TRC?
- What is the central goal?

### ***Reconciliation and Justice***

Do you believe in collective responsibility/guilt/shame, or is it only individuals who should be held responsible?

Do you have a clear picture in your own mind regarding the meaning of reconciliation? What is it?/Can you give me some indication what your understanding is?

What are the key elements in a process of reconciliation?

What are the most important aspects of reconciliation? (prioritise the top three)

- a. building a unified national identity
- b. developing sensitivity & understanding among political, cultural & religious groups
- c. building a human rights culture
- d. building non-racism
- e. helping victims heal and reconcile with their past
- f. helping perpetrators come to terms with their past through accepting responsibility
- g. developing a new culture of dealing with conflict in a constructive manner
- h. helping people to let go of the past - assist all sides to forgive and forget
- i. clear up mistrust and suspicion through clarifying responsibilities for past abuses
- j. building public awareness of the costs of violent conflict
- k. building public awareness of the inhumanity of apartheid
- l. Other: .....

Are any of the above not part of what you would see as a reconciliation process in South Africa.

Is the TRC giving sufficient (or too much) attention to reconciliation as opposed to other goals? Why?

How much agreement is there within the TRC about the meaning of reconciliation?

- What are the differences?/What divisions underpin these differences?

Is there an inherent link (or tension) between bringing about reconciliation at the interpersonal, community and national levels?

- are they interdependent goals or competing goals?
- at what level has the commission focused its attention?
- has this been the correct approach?

Is there any disagreement within the commission about its role in addressing these various levels?

What can the TRC ultimately realistically achieve in terms of reconciliation at the interpersonal level?

What are the main purposes of justice? (prioritise top two)

- a. deter possible future offences
- b. affirm public values regarding wrong and right
- c. repair the relationships that were damaged by the offence
- d. avoid vengeance being taken by the victim
- e. rehabilitating the offender
- f. other: .....

Relationship between truth, justice and reconciliation?

- Do you see the TRC as compromising justice in order to achieve reconciliation?
- Does one have to choose between reconciliation and truth
- Can you not have reconciliation without justice
- Can you not have reconciliation without truth
- Does reconciliation necessarily happen if you reveal the truth (what more is needed)

There has been a distinction drawn between two ideal forms of justice: restorative justice and retributive justice?

- Where do you fit on the spectrum of restorative versus retributive conception of justice
- a. (punishment is the only real form of justice)
  - b. (punishment is the most important form of justice)
  - c. (punishment and restoration are equally important)
  - d. (restoration is the most important form of justice)
  - e. (restoration is the only real form of justice)
- Where does the commission as a whole fit on this scale?
  - Where does the public fit on this scale?
  - Where do victims fit on this scale?

What are the victims priorities in terms of punishment, truth, material reparations, acknowledgement, etc.? Once the truth is out, what then?

Would you have preferred to see human rights abuse perpetrators being punished rather than receiving amnesty? What would be appropriate punishment?

- a. Very severe punishment
- b. Perpetrator should get imprisoned for an equivalent period to what they would normally get for such an offence in a criminal court
- c. Perpetrator should get punishment, but less than the normal imprisonment imposed by a criminal court
- d. Perpetrator should get punished through some form of public censure (not allowed to occupy public office)

- e. Perpetrators should be forced to do some form of community service
- f. Perpetrator should be fined
- g. Perpetrator should be publicly exposed and shamed (present situation)
- h. Perpetrator should not be negatively sanctioned in any way

Should the commission try to change public perceptions of what constitutes justice?

- Has it done this
- How is this done?
- How effective has this been?

What are the main influences in shaping your personal views on justice and reconciliation?

Have your ideas about reconciliation and justice been influenced by the experience of other countries in dealing with similar problems? Which? In what way?

Have your ideas about reconciliation and justice been influenced by the position papers within the TRC? Which? In what way?

What is the most crucial aspect of the TRC's role in bringing about reconciliation?

- Should it stick to a narrowly defined mandate, rather than attempt to do too much?
- What more should it be doing

#### ***Interaction with political parties and interest groups***

Can reconciliation be based on forced participation of political parties, or is there an inherent contradiction between the idea of reconciliation and non-voluntary participation?

To what extent have the various parties been self-critical and remorseful?

What are the reasons for the reluctance by these groups to participate?

What can be done (or has been done) to overcome this resistance?

Are confessions and pleas for forgiveness by political groups central factors determining the success of the reconciliation process? How could the TRC have done it better?

What efforts does the TRC make to link up with whites at the local level (how successful)?

- Does it direct any of its educational outreach at whites
- How does it attempt to involve whites in public hearings
- Has the lack of success been the result of rejection of TRC at the national level by the NP?

Does reconciliation have implications for people's racial and cultural identity?

- Is reconciliation about building trust between groups or is it also about changing the way people identify with a group?

### ***Interaction with Victims and Perpetrators***

Are confessions and pleas for forgiveness by individual perpetrators a central factor determining the success of the reconciliation process?

Do you see it as your role to encourage perpetrators to confess that they have done something wrong and to apologise?

- Would you see it appropriate to encourage them to do more than this?

Does the TRC see itself as playing a mediating role between victim and offender (at individual as well as community level)? In what way?

- Is it appropriate?

Are the needs of the victims one of (or the major) measuring stick for the success of the TRC? What are the major measuring sticks?

### ***Way forward***

What types of structures and processes would be needed to take reconciliation further?

Should there be a concerted effort to hunt down human rights abuse perpetrators who are identified and have not applied for amnesty?

Have your ideas about justice and reconciliation changed much since you joined the TRC?

- in what way?

- why?

Where you at the Duduza hearing or did you play any role in that community?

- What was positive about that hearing
- What could have been done better

#### **4. Interview Schedule for Ex-Combatants**

Background: age, sex, political affiliation, race, language, job, age, leadership position

##### ***Human rights abuse details***

- date
- nature of incident (murder, disappearance, torture, attempted murder, etc.)
- extent of loss/harm
- identity of victim (police, political opponent, gangster, innocent bystander)
- relationship with victim (previously known, have seen after incident, regular interaction)
- legal history of case (charges laid, court case, prosecution, punished)

Do you feel that you are fully or only partially responsible for your actions?

- Who else should share responsibility?
- Do you think that those on whose behalf you were fighting should share the blame?

Why decide to go to TRC?

- influence of other amnesty applicants
- prospect of amnesty
- duty to country/community

What other alternatives considered (court, etc.)? Why?

Do you think the TRC process is just? Why/Why not?

Is it even-handed, or biased in any way?

Do you think a blanket amnesty would have been more fair?

- Would it have had any negative consequences?

Do you think that revealing the truth is necessary in bringing about reconciliation?

Do you think that the TRC will in fact contribute to reconciliation?

What does reconciliation mean to you?

Do you think that it is right that you have been required to apply for amnesty (as opposed to someone else who gave the orders)?

Do you have any fear of reprisal by the victim(s)?

What would reconciliation mean?

- What would be different (in terms of your relationship with others)
- What kind of relationship do you think can be built among the people in South Africa

With whom is reconciliation needed?

- the offender
- a racial/political/ethnic group?
- among people in the community who do not trust each other
- between leadership and the community

Is reconciliation needed in the whole community/nation?

- what does reconciliation at these levels mean to you?
- will this broader reconciliation help you feel better about the situation/ help your relationship with the offender?
- will your reconciliation have any affect on others in the community?

What do you know about the motives of other amnesty applicants in coming/not coming to TRC?

Have your views about reconciliation and justice changed since the event/since the start of the TRC?

- In what way?

Do you feel a need to be forgiven?

- By whom?

Do you think you could gain anything from discussing the incident face-to-face with the offender?

- What would you want from such a meeting?
- Under what conditions would you be willing to meet?

#### **5. Interviews Schedule for Community Key-Informants**

Race, political affiliation, position, organisation, church, age, home language

Do you see yourself as a victim of gross human rights violations?

- Have you made a statement to the TRC?

What does your organisation do?

- How does it relate to the work of the TRC?
- day-to-day
- policy

#### ***Reconciliation and Justice***

What do you understand as the meaning of reconciliation?

What does reconciliation mean to victims?

Does reconciliation for victims imply a change in relationship with specific perpetrator or with political opponents in general?

How do you see the relationship between truth, justice and reconciliation?

- Do you see the TRC as compromising justice in order to achieve reconciliation?
- Is reconciliation dependent on justice OR does the pursuit of justice make reconciliation less attainable? OR are they in fact two independent processes?

What does justice mean to the victims?

In your opinion, is punishment always the best form of justice or is restoration usually more important?

- Does the TRC not provide sufficiently for the need to punish offenders?
- What kind of punishment should it ideally have given to perpetrators of gross violations?

What are the main purposes of justice? (prioritise top two)

- a. deter possible future offences
- b. affirm public values regarding wrong and right
- c. repair the relationships that were damaged by the offence
- d. avoid vengeance being taken by the victim
- e. rehabilitating the offender
- f. other: .....

Have your ideas about justice and reconciliation changed much since the TRC was formed?

- in what way?
- why?

Has anybody (family, church, politicians, etc.) been important in influencing your views on justice and reconciliation?

What do you see as the root causes of the conflict in South Africa (underlying the conflict of the 1960-1994 period)?

#### ***Reconciliation in Duduza***

Do you think there has been some form of reconciliation between Duduza and other communities? What does this reconciliation entail? What is still needed?

- Is it needed between different political parties?
- Is it needed between different race groups?

Is Duduza a united community? Has it always been this way? When did it change?

Are there divisions within Duduza that should be (or should have been) addressed by the TRC? Between whom - what lines of division?

- Is it needed between individual victims and offenders?

Is it needed within Duduza or mainly between Duduza and other communities?

#### ***TRC and Duduza***

Do you agree with the establishment of the TRC - Was it the right thing for the political parties to do?

Do you think the TRC is a good or a bad thing?

- broad concept of justice and reconciliation

- structure and composition of TRC
- specific strategies and focus of TRC
- participation and influence of political parties

Do you think that the TRC is politically biased?

- Against whom?
- In what way?

How effective was the TRC's intervention in your community?

- What successes and what failures?
- Has it changed anything in terms of the way people relate to each other?
- Has it changed the way that victims see themselves?
- What expectations has it created?

What can the TRC ultimately realistically achieve in terms of reconciliation at the community level?

- What would be an indication of success?

### ***Victims***

Do you think that the victims' sense of justice matches that of the TRC?

- What are the priorities of victims: truth, reparation, revenge, etc.

Do you know of any cases where victims took revenge?  
Why do victims not take revenge?

Do you know of any cases where victims were re-victimised because of their statements to the TRC?

Do you know of anybody from Duduza who has applied for amnesty?

Does the TRC take the needs of victims very seriously, or are there other things that are more important to them? Which?

### ***Different levels***

Is there an inherent link (or tension) between bringing about reconciliation at the interpersonal, community and national levels?

- are they interdependent goals?

- are they competing goals that need to be prioritised?

Do you think anything will happen in terms of churches or other organisations taking the work of reconciliation further? What specifically should local organisations do?

Do you know of anybody who has helped individuals from both sides (and specifically victims and offenders) to come together to talk about their experiences?

- Would such a process be potentially helpful?

Who else should I speak to who knows the community well?  
Can you introduce me to any of the victims?

## **6. Interviews Schedule for Community Leaders**

Race, political affiliation, position, organisation, church, age, home language

Have you had any direct interaction with the TRC?

- provided information, attend meeting, hearings, etc.

What has been your main source of information about the work of the TRC?

What would you say is positive and what is negative about the work of the TRC?

Do you agree with the establishment of the TRC - Was it the right thing for the political parties to do?

Do you think that the TRC is politically biased?

- Against whom?
- In what way?

Did the TRC make an effort to include you and the people you represent in their processes?

How effective was the TRC's intervention in your community?

- What successes and what failures?
- Has it changed anything in terms of the way people relate to each other?
- Has it changed the way that victims see themselves?
- What expectations has it created?

How much impact would you say the TRC has had in the Nigel area specifically?

What can the TRC ultimately realistically achieve in terms of reconciliation at the community level?

What should political parties do to promote local reconciliation?

### ***Reconciliation in Duduza***

What are the underlying divisions that exist in the Nigel area? Are they between race groups, political parties, or what?

What remaining tension exists? (e.g. police who were chased out)

Do you think there has been some form of reconciliation between Nigel and Duduza or between blacks and whites in the area? What does this reconciliation entail? What is still needed?

- Is it needed between different political parties?
- Is it needed between different race groups?

*Is Duduza a united community? Has it always been this way? When did it change?*

*Are there divisions within Duduza that should be (or should have been) addressed by the TRC? Between whom - what lines of division?*

- *Is it needed between individual victims and offenders?*

*Is it needed within Duduza or mainly between Duduza and other communities?*

*The TRC seems to have addressed some issues regarding people's suspicions of who worked for the police or who was responsible for what?*

- *are there still problems with suspicions and rumours that have not yet been cleared up*

Victim composition

- How many community members
- How many police
- How many whites
- Others

To what extent would you say whites have been victimised as a result of racial hatred?

### ***Victims***

Do you think that the victims' sense of justice matches that of the TRC?

- What are the priorities of victims: truth, reparation, revenge, etc.

Do you know of any cases where victims took revenge?  
Why do victims not take revenge?

Do you know of any cases where victims were re-victimised because of their statements to the TRC?

Do you know of anybody from the Nigel/Duduza area who has applied for amnesty?

### ***Reconciliation and Justice***

What do you understand as the meaning of reconciliation - the goal?

What are the key elements in a process of reconciliation?

Does reconciliation have implications for people's racial and cultural identity?

- Is reconciliation about building trust between groups or is it also about changing the way people identify with a group?

Relationship between truth, justice and reconciliation?

- Do you see the TRC as compromising justice in order to achieve reconciliation?
- Does one have to choose between reconciliation and truth
- Can you not have reconciliation without justice
- Can you not have reconciliation without truth
- Does reconciliation necessarily happen if you reveal the truth (what more is needed)

Is remorse central to reconciliation - is it important that it be publicly expressed?

What do you think the motivation of victims are who come to the TRC?

In your opinion, is punishment always the best form of justice or is restoration usually more important?

- Does the TRC not provide sufficiently for the need to punish offenders?
- What kind of punishment should it ideally have given to perpetrators of gross violations?

Have your ideas about justice and reconciliation changed much since the TRC was formed?

- in what way?
- why?

What would you say have been the main influences in the way you view justice and reconciliation?

### ***Different levels***

Do you think it might help overcome the tension between political parties if victims and perpetrators reconcile individually?

Is it possible to promote reconciliation locally when the political parties are not co-operating in national reconciliation?

Do you think anything will happen in terms of churches or other organisations taking the work of reconciliation further? What specifically should local organisations do?

Do you know of anybody who has helped people from both sides to come together to talk about their experiences of victimisation?

- Would such a process be potentially helpful?

Do you see yourself as a victim of gross human rights violations?

- Have you made a statement to the TRC?

Do you see yourself as morally responsible in any way for human abuses that were committed? Why?

Who else should I speak to who knows the community well? Church figures? Can you introduce me to any of the victims?