

Dissertation Proposal Gerhard Botha -

What is the nature of witnesses “being heard” in the South African Truth and Reconciliation Commission (TRC) testimonies based on critical narrative and text analysis, incorporating elements from the literatures on procedural fairness, procedural justice, “voice,” and particularly critical narrative theory?

Abstract

When those impacted by conflict are presented with an opportunity to tell their stories it is often said that they have “voice,” and increasingly these stories are told in Truth and Reconciliation Commissions (TRC’s) or some similar quasi judicial forum. However, having voice, or more broadly the *opportunity to be heard*, does not necessarily mean that witnesses are *being heard*. There is in fact a tension in these TRC proceedings between the more formalistic procedural fairness demands of a quasi-judicial forum (such as the impact of prior witness statements on the subsequent narratives) and the circumstances which could be more conducive and important for witnesses to tell their stories and be heard from a narrative perspective, such as the need for public narrative spaces, or the importance of restoring their moral agency.

Upon closer examination it is apparent that there is a significant knowledge and integration gap in the Truth and Reconciliation (TRC) literature regarding the nature of witnesses being heard in TRC proceedings, and this is especially so when viewed from within a critical narrative and text analytic framework of the testimonies. It is also apparent from the literature that existing insights from other disciplines and literatures on this opportunity to be heard have not been incorporated into such a critical narrative and text analysis as proposed, in an integrated way. To address the knowledge gap in the literature and to deepen our understanding of witnesses being heard in a TRC forum, it is therefore proposed to utilize concepts and perspectives from the critical narrative literature where “being heard” has received attention, supplemented by selected concepts and perspectives from the literatures on procedural fairness, procedural justice and “voice,” to develop a broad framework in order to analyze the narratives and texts of the South African TRC as a case study.

For example, some of the concepts which will form part of the broad framework for the critical narrative and text analysis include the narrative public spaces created in these TRC proceedings for witnesses to tell their stories; the focus on the legitimacy and natality of the witness (and the Other) in these narratives; the positioning of the witness and the Other; the evolution of meaning in these narratives; restoring moral agency and the potential for establishing counternarratives (the preceding examples from the foundational critical narrative frame). From the procedural fairness literature the impact of prior statement taking on the subsequent narratives, and the competing procedural objectives of efficiency with “victim centeredness” will be investigated as part of the frame. From the procedural justice literature the insights from the social psychological, organizational and other literatures will be investigated in the context of the TRC narratives and proceedings. One notable contribution from these literatures is that sometimes procedural justice considerations (i.e. the *experience* of procedural fairness) can be more important than outcomes which has important implications for the SA TRC, where compensation for the victims and amnesty for the perpetrators were part of the narratives; and from the “voice” literature important concepts, and accompanying critiques, in respect to empathy, recognition and witnessing for example will be included.

The proposed analysis will also contribute to our understanding of how TRC's through a critical narrative approach could mediate the underlying conflict potential present in a transitional society. In this sense, as Sanders (2007:19-20) remarks, the SA TRC assumed the "unacknowledged responsibility of the perpetrator for the deeds of the past (and) functioned as a national clearinghouse between victims and perpetrators." Could the TRC from a narrative perspective be more active and nuanced, rather than just being a fact finding, truth seeking or even in a narrow sense, a reconciliation enabling institution?

The proposed methodology will entail an initial content analysis of the SA TRC testimonies, where the above broad framework will be utilized to select detailed and contextualized excerpts from the testimonies, based on the concepts and themes in the framework. These excerpts will be organized in a database according to themes (and cross themes) for two purposes: The first is to identify at least 40 Human Rights Violation ("victim") testimonies and at least 10 Amnesty ("perpetrator") testimonies, for subsequent in depth text and narrative analysis. Second, this subsequent in depth text and narrative analysis of the selected testimonies will be enhanced by the examples derived from the initial content analysis and which will be organized in the database, as these examples can further assist to deepen our understanding of witnesses being heard in these proceedings. Also during the initial content analysis, particular attention will be paid to instances where witnesses through narrative appear to make meaning of the opportunity to be heard and most importantly, of "being heard" in these proceedings. These examples will likewise be transferred to the database for the subsequent analysis.