

## **Transforming a Racially Divided Nation: Lessons from South Africa to USA**

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Abstract:

Archbishop Tutu and Nelson Mandela embraced ubuntu, the African concept affirming our mutual, common, humanity and the idea of social harmony as the greatest good. Did the embrace of ubuntu lead to truth and genuine reconciliation in post-apartheid South Africa? What lessons does this hold for the United States?

Outline for paper:

1. Ubuntu
2. Challenges—gender based violence
3. Resistances/agency—women at the center
4. Lessons for USA?

### **The African worldview of *Ubuntu*:**

Following John Mbiti's (1969) bon mot inverting Descartes: "I am, because you are and because you are, I am." The Zulu proverb *umuntu ngumuntu ngabantu* suggests that "a person is a person through (other) persons" (cf. Tutu, 1999).

*Ubuntu*, unlike the abstract humanism of the Enlightenment era, expresses a spirit of sociality, famously turning the Cartesian motto in its head in the following formula: "I am because we are, and because we are, I am" (John Mbiti, 1969). It is an engaged, empathic perspective towards the other, who is interconnected with my fate and therefore deserves no retribution but compassionate recognition of her humanity. Moral flaws are recognized and then dialogue about healing may ensue, if only to ensure that our kin, especially the subsequent generations may be allowed to intermarry between each other, and live harmoniously with one another. Hence, the focus is not so much whether "justice was served," but whether all parties can agree to restitution, to the resolution of conflict, and thus aid in healing the community.

*Ubuntu* suggests that we cannot indeed survive in an individualist way but that we are always socially connected with others.

What are the lessons learnt for the New South Africa, that ushered in the dream of a post-racial society by electing Nelson Mandela into office in 1994? The lessons have been a tremendous leap forward for many South Africans who found themselves in positions of power, of war veterans labeled terrorists (remember what Dick Cheney thought of Mandela in the 1980s) turned cabinet ministers and ambassadors. In so many ways, South Africa is thought to be a UN success along with Mozambique and Namibia, a bright spot amongst countries that are still fighting at a low intensity level, all out civil war, or interstate war as in the case of the Democratic Republic of Congo (see USIP, 2001). From the US government's perspective South Africa had ceased to experience low intensity or major political violence by 1993, and given Mbeki's abdication of communist or working class demands by the CP or ANC and forged ahead with the lofty goal of "African Renaissance" right into a neoliberal reality, much could be celebrated when one has US capitalist interests in mind.

### **Gender-based violence**

When I was last in South Africa, 2001, much of the euphoria of the nation building had already changed. The TRC trials were over, victims were awaiting reparations, others were waiting for land distribution while squatting on white settler land, and whites were busying themselves of creating gated communities. But I, a white German woman, felt at ease going about in downtown Johannesburg, passing by Black African women who asked if I had a domestic job available. (I did not.) A few years later, my friend, a white German who had worked for GTZ had left for Germany, because she couldn't take another break in. Her security system was intricate, and I set it off accidentally, because I was clearly a novice at such things. Meanwhile my Black friend who lived in a mostly white area (she worked as a senior official in the postal service) did not mess with security detail, but her neighbor's wall was adorned with barbed wire. Nothing like living in a golden prison. By 2001, the private security industry had already cornered a major share

in the service sector. Now, when you go to parties, armed security detail keep a watchful eye. The situation indeed has become desperate.

However, I am not about to judge the level of violence of pre-and post-Apartheid and Colonialism. Too many of my friends have suffered at the hands of the Apartheid secret police forces; state violence increased exponentially after June 16, 1977--the Soweto uprising, where school children dared the state peacefully demanding English (not Tswana!) as language of instructions instead of the hated Afrikaans. To no avail: mercilessly, they were gunned down by the police. However, few probably imagined the level of 'Black on Black' violence after Mandela was sworn in as president. Black women have born the brunt of this violence. As gender activist Mmatshilo Motsei writes in her book *The Kanga and the Kangaroo Court* (2007) in the aftermath of the Zuma rape trial "thousands of women remain prisoners of war in their own homes and country" (p. 24). Motsei was tasked with consulting President Mandela on "overseeing the process of formulating women's empowerment policies in the new democracy. [Her] team focused its energies on establishing the National Gender Machinery and protective legislation such as the Domestic Violence Act." So it's all the more sobering that so little has happened to protect women from violent partners, (and I would add, from lengthy prison sentences in the rare case that women actually kill their abusers (cf. Vetten and Bhana. 2007). And independent older women in rural areas from witchcraft accusations, which has lead to necklacing, and other brutal murders by rural young men (see Ralushai Commission's findings 1997). Motsei puts these murders in socio-economic and historical context:

As in Europe, witch-hunting in South Africa is a reflection of unstable socio-economic conditions and explosive political pressures. This explains why it reached its peak during the early 1990s when Nelson Mandela and other long-term political prisoners were released from prison (p. 141).

Motsei's book gives an Afrocentric, feminist, spiritual perspective on Ubuntu, religiosity, colonial practices such as the criminal court system, and a sobering analysis of the internalization of oppression, especially by Zulu women cheering on

Jacob Zuma, the then-deputy president (now president) and unleashing their rage on the young rape victim. Zuma was acquitted of the charge in a trial that had the classic frame of “blaming the victim” who was “flaunting it.”

### **Putting women at the center**

What is remarkable about gender activist Mmatshilo Motsei is her unfailing belief in the humanity of all, including young male prisoners whom she counseled while leading a rape crisis center. The center, Agisanang Domestic Abuse Prevention and Training (ADAPT), that she founded in a township near Johannesburg, champions these principles that came out of a study on the death of young black men that are worth listing in toto:

- Restoring self-love and pride in young black men is essential if violence against women is to be effectively addressed.
- Identifying key and effective strategies is essential for reorienting socially dysfunctional and misdirected young black men as opposed the view that sees them as a lost generation.
- Reactivating the belief that young black men’s place is not in prison and that they, like all of us, have a positive role to play in our society (p. 175).

Clearly, at the heart of her argument, Motsei presents a peacemaker’s *abolitionist* agenda that views imprisonment not only bad in terms of punitive justice, but out of sync with African morality and adjudication. She mocks delightfully the similarities of Western church and court room habitus: of the use of language and dress code in these patriarchal institutions where “men come to work dressed in velvet gowns, frills and lace without the risk of being labeled gay or transgender (p. 101). It is those two institutions that conspired in Zuma’s trial “by delivering judgment on a woman’s sexual conduct” (ibid.), because Zuma hailed as supporting character witnesses pastors from his church. Interestingly enough, nobody thought it was troublesome that this polygamous man admitted that he committed adultery with the woman accusing him of rape. Motsei notes that the court of law is not set up in

favor of African women, and Zuma's trial and acquittal confirms her resolve to speak out on behalf of the victim and on behalf of another 'world is possible.' And in another world, Zuma would have known that he has done the unimaginable: violate his duty as father-figure to the victim, who was with him in the same house, because he was a trusted friend of the family. He would have asked her and her family (and his own wives!) for forgiveness and made restitution to make amends.

In the end, Motsei fervently argues for an African restorative justice that would encompass the spirit of *Ubuntu* in a much more cohesive way than the western legal system that dominates the South African "justice landscape" replete with US based private prisons (cf. pp.187-8). What to do about crime? She implores us to think beyond stop-gap measures to address the real problem: "We need an internal process to build people's capacities to live their lives in the best possible economic, cultural and spiritual ways in order to render crime unnecessary" (p. 186). Neighborhood watches address security concerns from an "external harm" perspective only. That won't do to solve the crisis.

From an abolitionist perspective, domestic violence tends to be one of the hardest issues to resolve—outside the traditional court/police setting. Yet, there was a small study done in South Africa (Dissel and Ngubeni. 2003) with surprising results: where partners talked with mediators in a restorative justice setting, the results were quite more productive than what the sad global statistics remind us: whenever a woman threatens a male partner with arrest, she is more likely to be harmed or even killed than if she were to keep quiet and just take the abuse.

### The meanings of *Ubuntu*

Let us remind ourselves again of the promise of *Ubuntu*—that uniting moral principle ushering in an era of peace. In *No Future without Forgiveness*, Archbishop Desmond Tutu (1999) explains:

A person with *Ubuntu* is open and available to others, affirming of others, does not feel threatened that others are able and good, for he or she has a proper self-assurance that comes from knowing that he or she belongs in a

greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed.

Archbishop Desmond Tutu further explained Ubuntu in 2008:

Ubuntu speaks particularly about the fact that you can't exist as a human being in isolation. It speaks about our interconnectedness. You can't be human all by yourself, and when you have this quality - Ubuntu - you are known for your generosity.

We think of ourselves far too frequently as just individuals, separated from one another, whereas you are connected and what you do affects the whole world. When you do well, it spreads out; it is for the whole of humanity. (cf. wiki on Ubuntu)

From this gesture of solidarity, of shared burdens of the past, Ubuntu has travelled to unlikely places, one could even suggest that it's used in inflationary ways:

“[T]he term has broadened to serve as a call to action or legitimacy-enhancing tactic for initiatives as far ranging as a new university, an armed-response security company, ... and an open-source computer operating system” (Goodman, 2009, p. 128). It has also inspired awards to exceptional African politicians:

[T]he South African National Heritage Council recently introduced an annual Ubuntu Award in an effort to revive the spirit of ubuntu and national reconciliation. Nelson Mandela was the first recipient in 2006 and Kenneth Kuanda, former president of Zambia, was recognized in 2007 for his deep humanitarian commitment and global impact. The National Heritage Council intends for this award to attain the stature of the Nobel Peace Prize (ibid.).

Even the US State Department now features an *Ubuntu* Philosophy. Perhaps it is the doing of the head of that department who wrote a book on “It takes a village to raise a child”—again borrowing from an African proverb. During her swearing in as U.S. Department of State Special Representative for Global Partnerships in 2009, Elizabeth Bagley puts her stamp on the *Ubuntu*-brand of diplomacy, which smacks a bit more of ‘the world is flat’ philosophy than shared humanity:

We are truly all in this together, and we will only succeed by building mutually beneficial partnerships among civil society, the private sector, and the public sector, in order to empower the men and women executing our foreign policy to advance their work through partnerships.

Furthermore she notes: “This is *Ubuntu* Diplomacy: where all sectors belong as partners, where we all participate as stakeholders, and where we all succeed together, not incrementally but exponentially” (Bagley, 2009).

Some hopeful stories are coming out of TRC—e.g., US parents accepting forgiveness for Amy Biehl’s assailants—that brings forth an *Ubuntu* diplomacy from below:

Linda Biehl was awarded one of South Africa's highest honor, the Order of Companion of O.R. Tambo was presented to her by President Thabo Mbeki in Pretoria. The President's office cited Linda's "outstanding spirit of forgiveness in the wake of the murder of her daughter and contributing to the promotion of non-racism in post-apartheid South Africa." Past recipients include former U.N. Secretary-General Kofi Annan and posthumously, to Indian leader Mohandas Gandhi.

Amy's legacy thrives in the hearts of all of us who knew her and thousands of people she never met who have been inspired by her story. Perhaps most amazingly, her legacy lives through two men who played a big role in her death. Today, Ntobeko Peni and Easy Nofemela spread Amy's legacy throughout their community in South Africa. It is their transformation that truly represents the powerful legacy of Amy Biehl. Their transformation is what Amy was working for ([www.amybiehl.org/](http://www.amybiehl.org/))

### **TRCs from RSA to USA**

Tanya Goodman (2009) also reports how the TRC model has inspired other smaller staged TRCs; some institutions such as universities and medical centers created Internal Reconciliation Commissions (IRCs) to come to terms with the specter of racism and specifically acquiescing to Apartheid policies (pp. 128-9).

Speaking ‘truth to power’ has also been modeled by organizations such as “the Institute for Healing of Memories, the ... Khulumani (‘Speak Out’) Support Group, the Center for Ubuntu, the Quaker Peace Center, the Wilderness Therapy Trails of the National Peace Accord Trust” (p. 129)—all encouraging signs that the process of truth-seeking, taking responsibility, and asking for forgiveness is a long term process, just as we know from Native American (e.g., the Dineh Nation) healing circles—it can take years for victims to process the trauma endured and to genuinely offer forgiveness and reconciliation. The TRC process has been used in the USA to uncover injustices/grievances around the Greensboro events (known as “Greensboro Massacre”) on Nov.3, 1979. The Greensboro Truth and Community Reconciliation Project engaged the community to account for the negligence of the police department, which didn’t intervene when the Neonazis and Klan shot to death anti-racist protesters associated with CP USA during a march condoned by the police. Five labor activists died that day and eleven more were wounded. Jury trials ended in acquittal, and all members of the jury were white.

### **Postscript**

What I can’t address in this paper is various complex ways African tort justice has been accommodated by the South African legal system. Briefly, the South African constitution, the most accommodating in the world that in fact ushered in the era of gay/lesbian rights into the global North (not wanting to be outdone by South Africa!), gave a nod to customary law with the crucial proviso where it is not in conflict with Western (colonial) jurisprudence. Several trials on witchcraft offenses (e.g., “I mistook my neighbor for a bat”) show the crux of accommodating individual rights with cultural customs (see Comaroff and Comaroff, 2003, 2004a, 2004b, and Geschiere, 2006). There’s also a certain melancholy about what the future holds, which a South African transnational shared with me:

“I know you can probably write a book about this topic, especially how the Africans express 'ubuntu' than the western culture, where we see ubuntu as more monetary contribution. Probably you also read a lot of information on the confusion of most South African as far as "freedom" is concerned, which I think most of the blacks thought it will be living



freewill, that is, not going to school, doing what you want to do, continue domestic violence, getting everything free from the government including land and money etc. not realizing that it was the beginning of a new era, establishing a constitution that will also incorporate different cultures, including Zuma's culture of marrying unlimited number of wives. The concept of Ubuntu was also based much on the life in the villages, where most of the people live together.

In a sense we think those people are struggling, but in reality, they live a very decent life, the neighbors know each other, their children know each other, mothers (parents) are for everyone in the community. ...

South Africa is facing real serious problem, trying to start laws that also does not work in U.S.A, especially children rights laws, of which the government does not know what it means. At this time children has a right not to go to school, right not to write homework, right to pass to next grade without writing exam, right to call police about mom pushing them to go to school. The very same children end up being criminals because they will not find a job anywhere. They rob banks, they steal from their neighbors, they kill anyone because they are not raised to learn what the value of life is, what are the good that you can get out of good, responsible living. The parents and teachers hands are tied, the police cannot do it all, their prisons are full, question arise, is the concept of ubuntu fading away?..... Sorry I forget that I was just supposed to give little input into your paper, not writing my own paper” (Kgatale Malatse, April 2010, personal communication).

Malatse’s transnational insider perspective is reflects on a past that is irretrievably lost in a neocolonial world order putatively fixated on guaranteeing individual rights. Such rights are hollowed out to the core, giving an ideological nod to “negative rights,” i.e. freedom from state interference, at the same time that there are no guarantees for “handouts” or positive rights, i.e. the state’s duty to provide general welfare for its residents. As we know in a post 9/11 world, we live collectively in states of insecurity where even a modicum of negative rights are not a guarantee for free speech or action; however, we have a duty to continue to conceptualize that another world is indeed possible, and if that’s the case, then *Ubuntu* is not fading away but part of the solution for a truly transformed and just way of living with each other.

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