

Reflections of Albie Sachs during his visit to memoria abierta

INTRODUCTION

Albie Sachs, member of the Constitutional Tribunal of South Africa and defender of human rights, visited the office of Memoria Abierta in the year 2004 and shared his impression on the different initiatives that are being developed in South Africa to shed light on that which occurred during apartheid and to remember the victims. These were his reflections.

TEXT

If anybody visits Johannesburg today, and you go quite near the center you'll see some big ramparts, and you'll walk through them and you'll see some prisons. And you will go around the side and you will see a prison called Number 4, which became the symbol of the worst forms of oppression in Johannesburg. Black men would be locked up there, crowded in, humiliated. If an African man went missing, you would go to the morgue, or to the hospital, or to Number 4. It was like the big dark hole into which people disappeared. They weren't killed, it was just part of the system of racist culture in our country. And that prison is preserved, and visitors from the entire world go there, and school children in South Africa go there. And there is very little intervention. You just physically see the place and you can see how terrible it was. And you come out of the prison and you'll see some staircases like ruins, and you turn to the left and you see this: it's the facade of the Constitutional Court of South Africa. The eleven languages of our country, and if you go inside you will see a big open space with lots of color, lots of light. You can see outside from in, and inside from out. And the theme is "Justice Under a Tree". Traditionally in Africa people would meet under the tree to resolve the disputes of the village. And even the pillars are at angles to give the appearance of being in a forest. And the building is filled with beautiful art and if you look at the doors in front, they are carvings of wood, themes from the Bill of Rights represented in sign language. This is the gallery from the foyer down to the library. The gallery is a work of art in itself, filled with light. The provinces created an instillation at the bottom of the gallery in neon, and these are the carpets in the judge's area. You can look at the book afterwards.

Now why am I telling you this? What is the connection between the terrible prison and the court? The Constitutional Court was created 1994 when democracy was established in our country. Completely new court. At the moment, two of us were in prison; others were in the resistance, in the underground, other judges just worked as advocates defending the rights of the people. And we occupied rented accommodation in an office building. We had to decide where did we want our permanent building. We were shown many sites and we chose the old 4 Prison. It's near the railroad station, it's accessible, it's on a hill, and it gives you a sense of space and independence. But primarily it's got history. It's got memory. And you see the story of our country on that hill. However, almost one century thousands and thousands of people were imprisoned there. We say with the strange, dubious South African pride, "We have the only prison in the world where both Gandhi and Mandela were locked up." So that is part of the story of our nation. The Boers created the fort in the 1890s because they thought the British would attack the area to seize their gold mines. And they captured the British and the Boers locked up the Brits. The Brits won the Anglo-Boer War and Brits locked up the Boers. The Boers won political power afterwards and locked up the Blacks. Somebody had

to say, "Enough Already." And we are the generation that says, "Enough Already." In every aspect of lives. And that's what living in a constitutional democracy means. It's not who is power to control the others, it's that the rights of people are heard. So by implanting our court right in the heart of the prison, we were telling the new history of South Africa. There is so much energy, so much emotion there that the idea is to take that negativity and transform it into positivity. And maybe that is what special about our process. Our whole country needs to be transformed. It's not just to get rid of the instruments of torture and violence. Apartheid meant that black people were living on the outskirts of the city, in the poor rural areas in miserable conditions. Jobs were reserved for white people. Black people were expelled from land, from their homes. They didn't have the vote. It was illegal for blacks and whites to love each other. We have to change all of that. And not just the laws, but also the consequences of the laws. And the inequalities that continue. When we are dealing with the particular crimes of Apartheid and the violence done to the people, we give that special attention, but it's part of the process of transforming the whole country. It is also part of the process of nation building. And there are two forms of nation building. The forced way, where everybody sings the same song, marches together, you have a few symbols and you create an intense national patriotism. Usually by finding an enemy outside or an enemy inside. We feel our nation evolves in a different way. It's a nation of very diverse people. What we have in common is the same citizenship. In fact, we have become very proud of our flag. It's a terrible flag. It's got six colors. It looks like the Amtrak in the United States of America. And we love it. Because it is new, and people spontaneously appreciate the flag. Not because they are forced to salute it. They feel a pride in being South African. The problem is to enable all the different people with different backgrounds, different experiences, and different memories to feel their share in this country. So the role of Constitution Hill with the prisons and the courts happen to be is very much related to the process of creating a shared citizenship. So that everybody there can feel recognized, can feel the pain, can feel the excitement of the transformation and the change. We want my children and the children of the guards to visit and to feel that they understand what happened, and these things mustn't happen again, and we must find a new way of living in our country. So it's a project for memory, it's a project for "Nunca Más", but it's more than that: it's a project for transformation, for discovering humanity and dignity in everybody.

One day when I was coming out of the court I was invited to a party given by the press in another part of the hill. And I was very shocked. There was loud music and a rap singer. And I felt this is a sacred ground. This is a place of terrible suffering. How can you have rap music? And I was saying to my son that the opera "Fidelio" was put on at Robben Island, at the famous prison. And I said that's all right, "Fidelio" is solemn. And it's a story about prison and freedom. And my son said to me, "If I know the prisoners who were locked up here, they would be much happier with rap music than 'Fidelio'". We have

certain elitism, cultural elitism, of what is appropriate and what is inappropriate. And the real problem is what will make the younger generation respect that hill. And slowly I am accepting that if you have rap in that corner and you have the sacred Number 4 prison over here, in a way you are liberating that area with people coming together. We have debates there. There's music. It's active. Young people want to be there. Not out of duty. Not because someone is telling them you must go and remember how serious the terrible things were, but because they feel it is welcoming to them. And then if they go to the prison, they will naturally take off their hats because the place itself is very solemn. And it's hard for me because I can't help thinking of all the pain, all the suffering. But you can't impose on the others. And you can't tell the younger generation, "What's the matter with you? You must know how much we suffered." They become irritated. They feel we are living in our time; they want to live in their time. And then I reflect on this. And I feel that is the freedom we fought for. The freedom for people to enjoy life. To be critical. To be critical even of us. Not to have too much nobility pushed on them. And then hopefully they will naturally have respect for those who suffered. It's very complicated, and it's a process. And I'm in the middle of that process. I speak to the guides who take people through the prison to the court. I can't make them me. I can't make them feel what I felt. They must speak with the vitality and freshness of their generation. What does it mean to them? What the stories that have an impact? They will listen to me. They talked to me for five hours. I couldn't even go to the toilet. Non-stop. Just questions, questions. They were very fascinated. They will take with them and find their own way of linking up. And I felt very moved to see that generation, who is growing up in our emerging freedom. They are the bridge between me into the future and they are communicating with the public. And they must do it in their own voice, with the points of reference that are meaningful to them. And some of it is hard. I must let go. I don't want to let go. We went through so much and many of our people didn't live to see the change. But I must let go.

I've spoken quite a lot about Constitution Hill. Because for me it is the most beautiful site of memory and transformation in our country. But we have many other examples. Robben Island is famous. Mandela was there for more than twenty years. It became the national symbol of Apartheid repression. You take the boat from Cape Town harbor, and you even get a beautiful view of the mountain. And then you arrive at the island, and ex-prisoners take you around. It makes all the difference. At least for the next few years. The people who are there conduct the tours. Some supported the ANC, others supported the BAC. Each one pushes their own partisan position. That's all right. They all suffered for resistance to Apartheid. But when the ex-prisoners speak about the transformation in South Africa, the changes that are coming, the impact on visitors is enormous. And maybe it will be hard for some of you to even hear, but some of them even became, I wouldn't say friendly with, but had a relationship of respect with the guards. The guards had to be brought into the new nation. And many of them were from white families not very well off. Their

father's were policemen, prison officers. It was the job that they had. And some of them ended up smuggling letters for the prisoners. The prisoners helped some of them with their exams. There was one prisoner who claimed to have occult powers and he would help the guards with their love life. And the other prisoners would find out things about the person and they would tell him. And he would sit there. Nelson Mandela became quite friendly with the prison officer in charge of his imprisonment. And they traveled around a lot together. Until he published some letters of Mandela's and Mandela was very cross. But these are all ways of using our experience, human experience, physical experience, as part of the process of transformation.

I think what was important to us was almost the complete victory of the democratic project. Mandela became the president of the country. Other people locked up occupied important positions. The majority of people in parliament were people who had been in the struggle for democracy. In all sectors of our life, the people who had been fighting for democracy were now advancing in the economy, in education, in health, in government. We learned the importance of planning for the long-term. It took us a long time to get rid of Apartheid. We learned the importance of discussing, discussing, discussing everything together. So that places of memory are part that whole kind of process. And through the Truth Commission, the killers, the torturers came forward and to get amnesty they had to admit and acknowledge what they did. And that's why our experience is so different from Chile, from Argentina. They have never accepted responsibility. They simply say, "We were fighting the communists, fighting the terrorists." There we saw the faces of the torturers. One of the victims said, "Sergeant? how can a human being do this to another human being?" It was on television and the nation was watching. The nation was asking that question. And this now Member of Parliament said, "Sergeant... show us how you put the wet bags over our heads as you tortured us." And somebody lay on the floor and a bag was put over his head. And the Member of Parliament said, "How could you do this?" And the torturer started crying. And we saw his face on television. A man completely defeated. A total moral triumph of democracy over the people who before had total power. But that was part of our way of doing it. Here is more violent. It was in prison. It was out of prison. It was impunity. It's still unresolved. And it might be that the work that you do is especially important because you didn't have a Truth Commission to record, to see the faces, to hear the stories. Everyday on the television, on the radios, in the newspapers. And because it was done through the national broadcasting system with national support, the human impact was enormous. At any rate the old process of the capturing memory takes place again against that background.

...The principal tourists sites of Cape Town...You go up Table Mountain, you go to the castle, you go to the Wine Route, you go Kirstenbosch Gardens, and you go to Robben Island. I'm not sure about that. In one way it's wonderful. It's part of our reality. All of the tourists from all over the world that come to our

country mustn't just see the beautiful mountain. They must go to Robben Island and it's part of the nature of our reality. And I have to let go of the sacredness. How can you compare it to Table Mountain? But it has an impact. Then in Johannesburg you have a place called the Apartheid Museum. That was totally artificial, and yet it's very effective. A group of people that made a lot of money selling cream to make black faces whiter in the Apartheid era, and now made a lot of money out of selling liqueur, wanted to make more money out of gambling and casinos. To get the license for the casino, they had to establish some social project. So they offered to create an Apartheid Museum. And that was the condition to get a license for gambling. At least to get to the Apartheid Museum you don't have to cross the gambling machines. It's quite discreet. They got some good architects, they got some good historians. They messed around a lot; it was going to be terrible. In the end, it's a very powerful, effective museum. It's beautifully constructed. It has very interesting exhibits. It's a little bit too crowded maybe. People respond more to the experiential part than to the information. So there is one section with maybe fifty gallows made of rope. Because South Africa used to execute 100 people per year. And we even had a gallows that could execute 6 people at the same time. It has a very powerful impact. And then there is a lot of film. And the film that interests people the most is the film of the old military. Looking so arrogant. And the meetings to promote Apartheid. Somehow it has more impact than the films dealing with the torture. There's more fascination with the face of the cruel people. Then there is a picture of me after I was blown up. And people are fascinated if they know me. "I know Albie, there's the picture of him." But otherwise, they would be more interested in a picture of an arrogant soldier marching. I'm not sure what the psychology is there. So here is a museum with terrible origins, and visitors go there and in a very compact way they get the story of Apartheid in its last decades, the laws, the torture, the violence. And it's effective.

We now have a lovely museum in Cape Town called the District Six Museum. It's in old converted church hall. The site is not important in itself. It's close to an area that was demolished to make way for white people. And even now there is a big open space close to the heart of Cape Town. What's wonderful about the District Six Museum is it's so intimate. It doesn't depend upon great architecture. It's got very little electronic touch systems to get information. But the people who lived in District Six have all given something. The street signs of the streets that were destroyed. Old photographs, pictures of weddings. I love that museum. It's so intimate, so warm, and so human. The people who take you around have a real connection with the place. It's just very different in character.

Recently they've opened what's called the Hector Peterson Museum in Soweto. Soweto's got about 2 million people. It's a huge area created for black people to live in. And when the students rebelled against being forced to use Afrikaans in the schools, hundreds were shot down. And there was a very a famous

picture of the first person to die named Hector Peterson being carried, so now there's the Hector Peterson Museum. I haven't seen it myself; it wasn't ready the last time I was there. But what's important is that zone of Johannesburg that was never visited by tourists is now beginning like Table Mountain. A thousand tourists will go there everyday. They will have some food there; they will go to the museum, and an area that before white people were terrified of is now becoming a place to visit. It's destroying the segregated nature of country. And instead of tourists only going to beautiful beaches, the wonderful hotels, they're now visiting the area where poor people live. And they see the street where Nelson Mandela and Desmond Tutu both lived, both winners of the Nobel Prize, that's the street. And then they see the Hector Peterson memorial. But it's not just a memorial to bloodshed, it's to courage. Not far from there is the place where we adopted the Freedom Charter, which became the basis of our constitution. So always we are combining the blood and the dreams.

The last place I am going to mention is Freedom Park. It's having the most difficulties. Pretoria is the executive capital of South Africa. During the struggle of the Afrikaner nationalists, who eventually won political power in South Africa? They created a huge monument on a hill outside of Pretoria. And it's a monument to power. It's still there, it hasn't been destroyed. In fact, they even had a fashion show there the other day. That's the subtle way to destroy it. But the idea is on a hill across the way to have a Freedom Park. But it's not easy; we don't want a bigger monument that is more powerful and more ugly. And the idea is to use the wonderful natural features. The rocks and the bushes to create a sense of peace and harmony, to honor all the people who died in the struggle. But not in a grandiose way, but more through an experience of walking around and feeling. Feeling the space and the problem is how to make everybody feel this is our Freedom Park. In different ways different people fought for freedom at different times. Afrikaners fought for freedom against the British and afterwards became the oppressors. But we can remember the heroism of the freedom fighters. And we can find amongst all the communities some elements for the support of freedom and rights. But it's easy to say that, to find the physical format is more difficult. And they're having great difficulties, and they're architectural competitions, lots of people being consulted and they still haven't got the format yet. So it's a very diverse picture. And I can't say any particular model is the important one. And it seems to me here you have a particular area of extreme pain that has never been fully acknowledged. Fully and properly by the whole nation. You need, you're going to need places that achieve that. But I would feel you're also going to need places for flowers to grow, for green to grow, for a celebration of the honor of the people, not just the pain of the people, the honor. How their virtues are to found in the most beautiful features of Argentina. And honors what they were struggling for and why they were willing to give their lives for democracy. So that the torturers don't dominate even the memory. That the

spirit of the people the soul of the people dominates the memories.

Questions:

I have two small questions. Were the oppressors only white? And in Soweto is the museum located in an historic site, or was it built especially?

Albie Sachs: They were black torturers as well as white torturers. And some were very vicious. But the control was white. And the black torturers, many of them are still living in the black community. And they've had to find their own way of connecting up with their neighbors. The white torturers are more remote from the people they tortured. But there were many black collaborators.

The Hector Peterson Museum I think from what I know is mainly open spaces. And it's not using existing structure. But it's at the place where the massacres happened. When I was there I saw lots of very wonderful photographs taken. And it was very simple. Sometimes very simple things are powerful. Because you know it's authentic, and a studio, that does research, does not produce it.