

1 spy

BY ROGER FRIEDMAN

IN A LETTER last year to Judge Hassen Mall, head of the commission's amnesty committee, Deputy President Thabo Mbeki argued that the network of apartheid informers, spies and collaborators formed part of the machinery responsible for gross violations of human rights. It was vital that the machinery be disclosed and dismantled.

Reluctance to disclose the network could indicate that it had not been dismantled. It would also suggest that the network could continue to be used for purposes inimical to reconciliation and democracy.

In its first submission to the commission in August 1996, the ANC urged the TRC to investigate which agents were deployed in the organisation and among its allies, whether any such agents had contributed to the gross violation of human rights, and whether any agents unknowingly brought back into the country by the ANC "were reintegrated into the networks of the state".

The issue does not relate so much to retribution as to the problem of questionable loyalties, and South Africa is not the first newly democratic country to have to decide how to deal with former anti-democracy collaborators. Countries in both South America and Eastern Europe have faced similar predicaments in recent times.

"One of the first issues that confronted the officials of the new Czech and Slovak Federated Republic was what to do with the Czechoslovak Socialist Republic's old officials. The new administration felt that the nation needed fresh energy and ideas, and worried that old communists would sabotage reform," United States author Tina Rosenberg wrote in *The Haunted Land: Facing Europe's Ghosts after Communism*.



"The federal assembly passed a law that came to be known as lustrace, from the Latin term for ritual purification. Lustrace banned the people who had run the old regime from important governmental posts. It was easy enough to identify the party officials but secret police collaborators were another matter.

Fortunately the secret police, or StB, had left behind its hard disk and central registry.

"The need for lustrace was obvious. The StB had been everywhere, and it had not disappeared overnight ... lustrace was also needed as a solution to the problem of blackmail. It was widely agreed that many people in the registry were not committed communist agents but unfortunate victims of blackmail. But if they had been blackmailed once, they could be blackmailed again, and the StB could continue to control their behaviour in government posts by threatening to reveal their collaborators."

However, the picture of Czech and Slovak lustrace that Rosenberg paints is not a pretty one. The ritual purification was driven by detailed lists of collaborators compiled by the StB. The information on the database was not investigated, and people were purged from positions purely on the basis of the lists. And then the lists were leaked.

In June 1992 a group of students working in the StB smuggled out computer disks containing the registry lists. The lists were then published in three successive issues of a satirical right-wing newspaper. About 160 000 names were published.

"Thousands on the list found themselves condemned without trial, their relationships with colleagues, friends and family unalterably changed ...

"For those listed as agents, their only recourse is the court. Although slow in coming, the verdicts were a blow to lustrace. By April 1993 the courts had rendered judgements in 70 cases, finding all 70 StB-positives innocent of collaboration."

According to Rosenberg, the German version of lustrace worked better. There, the files were in the custody of an independent authority that shielded them from political abuse. A German employer wishing to screen an employee would be given a substantial portion of the employee's Stasi file so as to be able to evaluate whether the employee had sold out friends or had been a hapless blackmail victim. The employee would not be fired solely on the basis that his or her name appeared on a list.

South Africa established the TRC in preference to a lustrace clone, which does not imply that the government will not purge people regarded as untrustworthy from its ranks at some stage.

Among the tons of paper in the TRC documentation centre in Adderley Street are the names of alleged apartheid collaborators — in the media, in business, in the security forces, in government, in education, in the medical and associated professions — some of whose activities have not been investigated. What will be done with these names?

This is an excerpt from "Necessary Secrets?" a report on the TRC's archives reprinted with permission from Siyaya, an Idasa publication.

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