

Book Reviews...

Hayner, P. (2011). *Unspeakable truths: transitional justice and the challenge of truth commissions, (2nd edition)*. London: Routledge.

What options are open to a country coming out of a period of violence? Pretend it didn't happen? Accept that it happened but try to forget it? Set up a truth commission, or commission of inquiry, with one or more of following three intentions: to document what happened; to punish the perpetrators; or, with much more involvement of victims, to use the truth as a vehicle for forgiveness and reconciliation?

Different countries have chosen different paths in the quest for what has become known as transitional justice. This book documents the experiences of 40 truth commissions which occurred between 1974 and the end of 2009; six of which were still on-going. The five 'strongest' truth commissions – those of South Africa, Guatemala, Peru, Timor-Leste and Morocco – are examined in particular detail. Reference to the print or web-based reports of many of the commissions are included (pp. 342-344). An alternative source of digital material on 33 truth commissions and 15 commissions of inquiry (as at mid-2017) can be found in the United States Institute for Peace website: <https://www.usip.org/publications/2011/03/truth-commission-digital-collection>.

Truth on its own can promote healing but many individuals will insist on justice, by which they mean punishment of some kind and possibly reparations, as being necessary for their healing. The complex relationship between truth and justice, including the question of amnesty, are discussed in chapter 8. Issues of forgiveness and reconciliation are more likely to be associated with a restorative justice approach which the book does not directly address (but see chapter 13), although such matters have been a central part of some truth commissions.

The experience of violence, it should be said, does not have to be recent; the Mauritian truth commission, for example, dealt with '... abusive practices [around slavery] that began 371 years earlier, changed in nature after two hundred years, and whose impact on society is still felt to the present day' (p. 70). These impacts are testimony to the long-term effects of violence which affect succeeding generations. Hopefully, a truth commission will have both a healing benefit and also prevent future violence.

South Africa's Truth and Reconciliation Commission is often thought of as the gold standard. The general consensus is that it did well in terms of bringing out the truth but has had little impact on reconciliation. An annual measure of reconciliation is provided

by the Reconciliation Barometer¹, the recent reports of which emphasise that reconciliation will be impossible to achieve while ethnically-based, economic inequality in the country remains so high.

Truth commissions have focussed very largely on human rights violations, with direct economic losses being of secondary importance. 'Economic crimes' include those of foreign companies which continued to operate in a country, often in defiance of UN sanctions, thus supporting a regime involved in human rights abuse; these have largely been ignored by truth commissions, although there have been recent successful court cases in the US against foreign companies which operated in South Africa under apartheid. Starting with Carranza (2008)², there has been a series of articles discussing such matters.

There is no better book for a country considering whether to set up a truth commission and how this might be done. Chapter 15, entitled 'When, how and who: basic questions of methodology and operations', will be of particular value.

Professor Geoffrey Harris
International Centre of Nonviolence
Durban University of Technology, South Africa

¹ Institute for Justice and Reconciliation, *SA Reconciliation barometer*. Available at: <https://reconciliationbarometer.org/>

² Carranza, R. 2008. Plunder and pain: should transitional justice engage with corruption and economic crimes? *International Journal of Transitional Justice*, 2(3), pp. 310-330. DOI: <https://doi.org/10.1093/ijtj/ijn023>