

Opening remarks for the dialogue forum by Verne Harris

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Our Forum today is co-convened by the NMF's Centre of Memory, the South African History Archive (SAHA) and the Robert Mangaliso Sobukwe Trust. The Forum has had a long gestation period. Over the best part of two years SAHA and COM together have been wrestling with the impact of secrecy on both South Africa's dealing with the past and engagement with the present. During 2010 our deliberations were focused by the intense public discourses around the POIB and the proposed media tribunal. Both our organisations have participated in those discourses. Both organisations made written and verbal submissions to Parliament on the Bill.

But frankly, we are uncomfortable with certain aspects of the public discourses. On the one hand, their unremitting focus on public policy, state secrecy, legislation and the exercise of power by instruments of the state, government, capital and the ruling party. Understandable in the circumstances, but missing by and large the connect between what happens in those realms and what is happening in broader society.

We would argue that cultures of secrecy are pervasive in South African society, and that understanding this is imperative if we are to engage meaningfully with what is going on in Parliament, the Union Buildings and Luthuli House. We go only so far by acting against the blunter instruments of secrecy in the upper reaches of public space.

We go further if we all take responsibility for the secret, the taboo and the disavowal.

On the other hand, we are uncomfortable with the extent to which the campaign against the POIB is misinformed. Three examples. Those calling for the Bill's complete withdrawal seem not to factor in that this would simply leave us with the current regime underpinned by the 1982 POIA. Secondly, the progressive features of the Bill – for instance, automatic declassification of public records – frequently are simply dismissed or ignored. And thirdly, the argument – explicit or implicit - that state information security is either unnecessary or intrinsically oppressive is naive. There is such a thing as a legitimate secret. And there is such a thing as a reasonable procedure for securing such a secret. I don't believe that there are many legitimate secrets. But I do believe that in recognising them, and securing them appropriately, we liberate ourselves from secrecy.

A third factor informing the gestation of today's Forum was a realisation that next week South Africa marks the tenth anniversary of the coming into operation of PAIA. Timely, then, to review where we are in relation to FOI and to consider how well we are doing in unravelling the cultures of secrecy we have inherited. In the last 12 months SAHA and the COM have convened a series of focus groups, which have assisted us in conceptualising today's Forum and in defining the themes we believe demand our attention.

Obviously there are many obstacles to accessing information in our society, ranging from lack of will to lack of resources, from deliberate obstruction to poor recordkeeping. But what are the primary obstacles? What are the underlying impediments? What are the dynamics of psychology, culture, organisation and association which resist transparency? Our focus groups have identified three: the secret, the taboo, and the disavowal. Each of our sessions today will be concentrating on one of these.

With the help of the focus groups, we have developed the following working definitions:

- The secret is the story one chooses to keep hidden. The choice might be conscious or unconscious.
- The taboo is the story one feels one has no choice but to keep hidden. Cultures of family, institution and/or society demand it.
- The disavowal is the story one chooses to disown, reject, marginalise or wash one's hands of. Like the story of Robert Mangaliso Sobukwe.

Obviously these three concepts, or categories, are not neatly distinct. They overlap. The boundaries between them are porous. So no doubt our panel this morning exploring 'the secret' will intrude on taboo and disavowal. We are using the concepts merely as tools to focus discussion and debate.